

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

Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 6, 2007

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

**Bill 14—The Criminal Property Forfeiture
Amendment Act**

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, I'd like to move, seconded by the Minister of Finance (Mr. Selinger), that Bill 14, The Criminal Property Forfeiture Amendment Act; Loi modifiant la Loi sur la confiscation de biens obtenus ou utilisés criminellement, be now read a first time.

Motion presented.

Mr. Chomiak: Mr. Speaker, I'm very pleased to introduce this bill to the Legislature, which is following 15 months of consultation by an expert in criminal and gang-related matters, and following the process now established in British Columbia of having an internal departmental division doing criminal property forfeiture rather than the police, as well as other amendments to make the act effective. The bill is based on extensive consultation. I look forward to the support of all members in the ongoing fight against organized crime.

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

**Bill 215—The Public Schools Amendment Act
(Property Development)**

Mr. Ron Schuler (Springfield): I move, seconded by the Member for Russell (Mr. Derkach), that Bill 215, The Public Schools Amendment Act (Property Development), be now read a first time.

Motion presented.

Mr. Schuler: Mr. Speaker, this is the second time this bill has been introduced into the House. It deals with school boards and it clarifies that school boards are not mandated to enter into property development, and specifically deals with the Seven Oaks School Division and the fiasco that took place there with property development. This clarifies the roles and duties of the board. Thank you.

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

**Bill 221—The Liquor Control Amendment Act
(Liquor Vendor Siting)**

Mrs. Mavis Taillieu (Morris): I move, seconded by the Member for Turtle Mountain (Mr. Cullen), that Bill 221, The Liquor Control Amendment Act (Liquor Vendor Siting); Loi modifiant la Loi sur la réglementation des alcools (établissement des vendeurs d'alcools), be now read a first time.

Motion presented.

Mrs. Taillieu: Mr. Speaker, this bill allows for the siting of a liquor vendor within 10 kilometres of another liquor vendor within the 30-kilometre radius of the city of Winnipeg provided that it is in another municipality, which would allow the unique situation in Headingley where the store is 10.8 kilometres one route and 9.2 the other, averaging out to 10. It is a very unique situation in the province. This would allow a provision which would allow them to be a vendor.

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 kids attending schools in the southwest area of Winnipeg to remain in existing schools located closer to home.

Signed by Jeff Scott, Carol Scott, Sharmaine Silver and many, many others.

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 family 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.

Mr. Speaker, this is signed by L. Saul, M. Austen, T. Tod and many other fine Manitobans.

COMMITTEE REPORTS

Standing Committee on Crown Corporations Second Report

Mr. Daryl Reid (Chairperson): Mr. Speaker, I wish to present the Second Report of the Standing Committee on Crown Corporations.

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

Mr. Speaker: Dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Meetings

Your committee met on the following occasions:

Monday, October 17, 2005 (3rd Session—38th Legislature)

Wednesday, December 5, 2007

All meetings were held in Room 255 of the Legislative Building.

Matters under Consideration

The Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2004

The Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2005

The Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2006

The Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2007

Committee Membership

Committee Membership for the October 17, 2005, meeting:

Mr. Aglugub

Ms. Brick (Chairperson)

Mr. Cullen

Mr. Dewar

Mr. Faurschou

Ms. Irvin-Ross (Vice-Chairperson)

Mr. Maguire

Mr. Maloway

Mr. Schellenberg

Mr. Schuler

Hon. Mr. Smith

Committee Membership for the December 5, 2007, meeting:

Mr. Borotsik
 Ms. Brick
 Mr. Dewar
 Mr. Graydon
 Ms. Howard
 Mr. Maguire
 Ms. Marcelino
 Mr. Reid (Chairperson)
 Mr. Saran
 Hon. Mr. Selinger
 Mrs. Taillieu

Your committee elected Ms. Marcelino as the Vice-Chairperson.

Officials Speaking on Record at the October 17, 2005, meeting:

Don Lussier, President and CEO
 Carmen Neufeld, Chair, MLCC Board of Commissioners

Officials Speaking on Record at the December 5, 2007, meeting:

Don Lussier, President and CEO
 Carmen Neufeld, Chair, MLCC Board of Commissioners

Reports Considered and Passed

Your committee considered and passed the following report as presented:

The Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2004

Reports Considered but not Passed

Your committee considered the following reports but did not pass them:

The Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2005

The Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2006

The Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2007

Mr. Reid: I move, seconded by the honourable Member for Wellington (Ms. Marcelino), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Stan Struthers (Minister of Conservation): I'm pleased to provide for the House the '06-07 Annual Report of the Manitoba Product Stewardship Corporation.

* (13:40)

MINISTERIAL STATEMENTS

National Day of Remembrance and Action on Violence against Women

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, I have a ministerial statement for the House.

December 6, 1989, was a horrifying day as Canadians learned of the mass shooting of 14 female students at l'École polytechnique in Montréal. These young women were murdered by a man who resented them simply because they were females aspiring to become engineers.

Eighteen years later we are still shaken by the senselessness of that tragic event. The anniversary of the Montréal massacre has become a national day of mourning to pay homage to these young victims.

At the Manitoba Women's Advisory Council sunrise memorial at the Legislature this morning, and at other events taking place throughout our province today, Manitobans will gather to remember these women and to reflect on the complex issue of violence against women.

Sadly, in the past year, 13 Manitoba women have died in acts of violence. We also honour their memories today: Lavina Bradburn, Roxanne Fernando, Diane Gloria Paul, Crystal Saunders, Ernestine Delilah Pascal, Aynsley Aurora Kinch, Chrissy Hall, Samantha Zeemel, Fonessa Bruyere, Myrna Lynn Wabash, Charlene Ward, Arabella Garson and a woman whose name is not being released to protect the identity of the young family member charged in the homicide.

We must always remember December 6, as a means of acknowledging our past while steadily moving toward our goal of eliminating violence against women. This day is a day of courage and renewed hope for the present and our future.

Our government is committed to supporting innovative and advanced approaches to protecting women from violence. We must continue to be diligent in our efforts to increase women's equality.

Mr. Speaker, I would ask that following the statements by my colleagues, we join together in a moment of silence. Thank you.

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I would like to thank the minister for her statement.

Today marks a tragedy that we will not and dare not forget. On December 6, 1989, 14 young women lost their lives to an enraged gunman. Marc Lepine targeted the female engineering students of Montréal's l'École polytechnique for crimes imagined in his sick mind. They died for no other reason than his hatred of women.

On December 6, Canada remembers this horrific and senseless act of violence against women. This morning, I was pleased to join with the Leader of the Official Opposition (Mr. McFadyen), the Member for Pembina (Mr. Dyck), and other members from this Legislature as we gathered at a sunrise memorial to commemorate and grieve for the women lost in the Montréal massacre.

It is also time to acknowledge women who have suffered or continue to suffer as a result of gender-based violence. But we take comfort in the fact that we in this House, regardless of political affiliation or gender, are committed to stop violence against women. Whether a random act of violence or abuse within the home, we have a responsibility to do everything in our power to prevent such brutality.

In the memory of those women and in the memory of every victim of violence or abuse, we must push forward. A loss of any life is a tragedy. Too many women and children endure the loss of personal safety and dignity in despair. No one deserves such a fate. Violence and abuse of women and children is an injustice and will not be tolerated. Today we renew that promise.

Thank you, Mr. Speaker.

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

Mr. Speaker: Does the honourable member have leave?

Some Honourable Members: Leave.

Mr. Speaker: Leave has been granted.

Mr. Gerrard: Mr. Speaker, I was pleased to join other MLAs this morning at the sunrise ceremony here in the Legislature to remember the tragic events

of 1989 and the death, the murder, of 14 young women at l'École polytechnique.

The event has, I think, a terrible meaning to all of us. It has particular meaning to me because I have had the chance to visit the L'École polytechnique and talk with students and with staff there in the mid-'90s, and certainly, it is something that we need to remember not only today, but the whole year.

Thirteen women have died in Manitoba from violence in the last year, and there may be others who are not on the list for a variety of reasons. That is far too many. We cannot continue to have this kind of violence in Manitoba. This is not the kind of province and society that all of us believe in. It is a challenge to us to do far better than we have done. It is a challenge to us to act in the coming year in ways that will dramatically reduce the number of deaths of women from violence, the number of acts of violence against women. It is a cause that we all need to dedicate ourselves to.

Mr. Speaker: Is there agreement for a moment of silence? *[Agreed]*

Will you please rise for a moment of silence.

A moment of silence was observed.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I'd like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Adam Verwymeren, from Montreal and Trish Verwymeren, from Winnipeg.

Also in the public gallery we have from Neepawa Area Collegiate 20 grade 9 students under the direction of Mr. Troy Brister. This school is located in the constituency of the honourable Member for Ste. Rose (Mr. Briese).

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

ORAL QUESTIONS

Eastern Manitoba Boreal Forest Cutting for Highway Construction

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, there's an application currently before the Department of Conservation, and the proponent of this application wants to cut thousands of trees through the eastern Manitoba boreal forest to construct a new winter road connection between the communities of

Norway House and Poplar River, a distance of more than 100 kilometres through the eastern boreal forest.

The application says, and I quote, the applied-for corridor is two kilometres wide. In forested parts of the corridor, a 30- to 60-metre wide right of way is cleared to allow for proper sight lines.

Mr. Speaker, the proposal invites comments respecting this desire to cut through the boreal forest by December 14, 2007, which is eight days from today. I want to ask the Premier: How many American protesters have signed up to date to fight this assault on the eastern boreal forest?

Hon. Gary Doer (Premier): I'll take the question as notice.

Mr. McFadyen: Mr. Speaker, I'm not sure what the Premier said, but there's not been a single protester. Not a single applicant has filed anything with the Department of Conservation to try to stop this cut through the eastern boreal forest.

The proponent is none other than the minister of highways who—and we all recall the minister of highways saying to the former Member for Emerson, get your birdbath out of the way because the highways are coming through. Now he's telling the people of eastern Manitoba, get those trees out of the way because the highway is coming through.

If no American protesters have signed up by eight days from today, Mr. Speaker, I want to ask the Premier: Will he go down and fight his highway minister's attempt to cut through the eastern boreal forest?

Mr. Doer: Mr. Speaker, two years ago, based on what we believe is somewhat climate change related, we couldn't even get—I believe it was two years ago—we couldn't get materials into Norway House. We had highways people and Conservation people and First Nations people working on alternative winter roads.

I think you will notice in our Speech from the Throne this year, and if you've looked in past years, we've said we have to move our winter roads to all-season roads. Mr. Speaker, I know the member opposite does not believe that Poplar River or Norway House or Island Lake or Berens River or Bloodvein should have any money in capital for highways. He took that position in Arthur-Virden.

I know, Mr. Speaker, they hardly spent a cent on northern Manitoba roads. We have a serious issue where we want to look at the welfare of the people in

those areas, those First Nation people in those areas, in terms of food costs, in terms of medical access, in terms of other issues of sustainability. Members opposite were going to take that money and reallocate it to Arthur-Virden. We believe in governing for all of Manitoba, including the people that live on the east side of Lake Manitoba.

* (13:50)

Mr. McFadyen: Mr. Speaker, the Premier is completely wrong with the information he's put on the record. I've travelled to the Island Lake communities. I've said to those communities we support the construction of better transportation links to those communities to be sure that we can get food and supplies into remote communities throughout Manitoba. We simply make the point, the ridiculousness of the position that he has adopted about these phantom American protesters coming to block hydro line, when his own highways minister has a proposal on the books to cut through the very same forest, a 60-metre-wide cut through the boreal forest. Not a single protester has registered to date.

Now I know that the Premier would never go ahead with a decision to throw away hundreds of millions of dollars, a decision to compromise the reliability of our hydro grid, a decision to deny people on the eastern part of our province, some of the poorest in Canada, the opportunity for economic development. I know he will have done his homework. So will he table today the reams of correspondence that presumably he has received to date from these American protesters who are going to block sales?

Xcel Energy, our biggest customer, has said they're not concerned about where the line goes. The eastern communities support it, Mr. Speaker. The UNESCO experts agree with it. Every reasonable person in the province agrees with the eastern line to save hundreds of millions, to provide economic opportunities to the east, and to ensure a reliable power system. So, if the Premier is going to compromise all of those things and disregard all those people, just give us one name of an American protester who's going to stop hydro sales to the United States.

Mr. Doer: Mr. Speaker, Sophia from Poplar River is against the transmission line. She has won international recognition. I am sure that if it was the Leader of the Opposition before the legislative committee in Minnesota or, Sophia—actually, I think

Sophia would knock it out of the park, relative to the position the member opposite took.

There are people that live in the east side—we had over 80 meetings—that believe strongly in the position we're taking. I also want to point out, Mr. Speaker, that there was a report out yesterday, or two days ago, from the environmental—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: —talking about the billions of dollars of value of the undisturbed boreal forest in north-western Ontario and in Manitoba. It actually says that this is an international issue, the protection and preservation of the intact boreal forest. It talks about the preservation of the endangered woodland caribou. It talks about that those areas—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: It has a similar assessment to the Nature Conservancy of Canada, to the environment Eco-Network of Manitoba, to Sophia that lives in Poplar River, and to many other youth that are meeting in the Island Lake area, talking—and we've listened to a lot of the youth that get that eco-tourism and local roads for that, for winter, are consistent with the eco-tourism, but the obvious issue of an undisturbed boreal forest is serious. While members opposite, they opposed Limestone. In opposition they said—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable First Minister has the floor.

Mr. Doer: They opposed Limestone. They said it was going to cost—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: They said it would cost millions of dollars. It's meant that we've had the lowest hydro rates. We've taken the 87 percent debt equity that members bequeathed to us. We've lowered it to under 80 percent, Mr. Speaker. We had a credit upgrade again today because we're making the right decisions for Manitoba. They haven't asked any economic questions because they don't have any.

Mr. Speaker, the best option that they felt they could take was the status quo, do nothing. We're going to be courageous and do the right thing for the

future of Manitoba, and that's why we're going ahead.

Manitoba Hydro Power Line Location on West Side

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, my question today is intended to clear the air about article usage. Or, in other words, it's a grade school grammar lesson. Purdue University defines article usage as follows: the English language has two types of articles; definite, the; and indefinite, a or an. Use of articles depends on whether you're referring to any member of a group or to a specific member.

Mr. Speaker, the Premier maintains that we are constantly using the definite article in debating bipole 3, but we're actually using the indefinite article. In other words, we're looking for the reason, but not just the reason, but for a or any reason for this daffy detour.

Mr. Speaker, will the minister provide a or any valid reason why we should waste \$1.5 billion on the daffy detour?

Hon. Greg Selinger (Minister charged with the administration of The Manitoba Hydro Act): Actually, I quite enjoyed the member's question. I'm glad to see that he's brushing up on his grammar, because there have been three definite risks that we're managing in the Hydro file with respect to the east-side west line. The first definite risk that we're managing is the reliability risk. For 20 years Manitoba Hydro has been saying we need additional transmission capacity. We're acting on that.

The second definite risk that we're managing is the risk of losing the UNESCO World Heritage designation through a project that will have very definite consequences for the environment on the east side in terms of the intact boreal forest.

The third definite risk we're managing is the risk to customers, where we have 6 to \$800 million at risk every year. Three definite articles, three risks, three reasons the members opposite are wrong.

Mr. Cullen: Mr. Speaker, the minister is wrong on three accounts. Three strikes and you're out.

On many occasions this Premier (Mr. Doer) stated that we are looking for the reason for the daffy detour. In today's *Free Press*, he says that the UNESCO site is not the reason for the daffy detour. Mr. Speaker, we know the UNESCO excuse is not the reason for the daffy detour because Jim Collinson says that argument is not based on fact.

I would like to know, using the indefinite article, if the minister can provide a or any American environmentalist other than Bobby Kennedy who has stated they protest bipole 3, or is Bobby the only one?

Mr. Selinger: To follow along in the metaphor of use of the English language, our proposal is to go forward to the future. We do not want to use the past tense and go backwards like the members opposite.

As a matter of fact, Mr. Speaker, when it comes to people that support or do not support the line, the members opposite, they would like to know specifically who's opposed to the line. Well, I can tell you, 48 percent of Manitobans voted for the mandate we put in front of them. The members opposite did not get that level of support. The election was a definitive, a definitive vote, on the future of Manitoba, not going to the past.

Child Welfare System Policy Changes

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, we've asked several questions on what we would believe is one of the most important issues and most important examples of government mismanagement currently before the Province today, and that's with respect to the management of our Child and Family Services system.

In June of 1998, the Premier who was then Leader of the Opposition stood in this Chamber and declared, and I quote, "it is this Premier who is responsible for the care and custody of children under The Child and Family Services Act. He cannot wash his hands of his responsibility." That's what he said in 1998.

Why today will he not provide clear direction to front-line workers that safety comes ahead of everything else? Why is he washing his hands of this responsibility? Why is he not acknowledging that his experiment has failed? Why won't he do the right thing for the protection of Manitoba children? Or will he take personal responsibility for the death of every child that occurs from this day forward in the Child and Family Services, Mr. Speaker?

*(14:00)

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, it is, of course, the responsibility of all Manitobans to be vigilant in the best interests of our children. I was

very pleased to attend the proclamation of The Healthy Child Manitoba Act this morning. In terms of the foundations of the child protection system, it is, in fact, the clear legislative direction and mandate of child protection. That should be self-evident to members opposite, but just so they are reminded, this Legislature in 2002 passed legislation unanimously. The first thing it said in there was, whereas the health, safety of children is of paramount concern to all Manitobans. That's the position of this House and that's why we're acting with Changes for Children—

Mr. Speaker: Order.

Mr. McFadyen: Mr. Speaker, I'd like the Premier (Mr. Doer) to stand up and respond to this question. The question was whether he would do what he said was the job of the Premier back in 1998, when he was opposition leader. It's clear when you're talking to front-line workers that there is a lack of clarity around the issues of how decisions are made. There's a clear problem with the act. However it was adopted in the past, the fact is that recent history has shown it isn't working. We have Gage Guimond; we have Phoenix Sinclair. We have others to prove it isn't working.

Will the Premier stand up and accept responsibility?

Mr. Mackintosh: Mr. Speaker, we are all responsible. We will be responsible where there are shortcomings in systems that are put in place. Indeed, there will be inquiries and there are checks and balances like no other jurisdiction in place in Manitoba to make sure that when children die, that we learn, that we can move on, and we can put in place checks and balances to better protect the vulnerable.

But I remind members opposite; I ask them this question: When it comes to responsibility and accountability, what do the years 1993, 1994, 1996 and 1999 have in common? Those are the years, Mr. Speaker, the opposition, when they had their hands on the levers of power, cut foster rates. That's their responsibility.

Environmental Sustainability Report Government's Response

Mrs. Heather Stefanson (Tuxedo): I'm glad that the Premier (Mr. Doer) referred to the Canadian Environmental Sustainability Indicators report that came out today, but before he has a chance to pat himself on the back, which he likes to do so often, Mr. Speaker, let me maybe advise him of the horrible

record that comes forward in this report. The report suggests that more than half of Manitoba's major rivers regularly fail pollution tests. The NDP government received a failing grade on the protection of parks and natural areas.

Mr. Speaker, is the Premier now saying that he is proud of his abysmal record? Because I know that we're not, and nor are the rest of Manitobans.

Hon. Stan Struthers (Minister of Conservation): This coming, of course, Mr. Speaker, from the very member who quoted Marge Simpson as a scientific expert the other day in this House. The other thing I find strange, when she talks about water protection and pollution in the waterways, is she's sitting right next to a member who has said he would scrap any of the regulations when he was in Brandon. I guess he's part right because that was his Brandon-out-of-the-city-of-Winnipeg position. In the House here, he pretends like he's supportive of it. So we've got to take this with a grain of salt.

Greenhouse Gas Emission Reduction Targets

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, this coming from the member that actually takes advice from Marge Simpson. All I can say is pass the Beano, because there's nothing but a bunch of gassy responses coming from members opposite.

And speaking of gassy, something is missing from—I noticed again—the Order Paper and that is the government's greenhouse gas legislation. The Premier (Mr. Doer) says the key is to have a target to succeed. Well, I guess that's pretty easy when the target to reach is the easiest target out there.

Mr. Speaker, will the minister admit today that the reason the climate-change legislation isn't on the Order Paper is because, not only is this government ashamed of its measly reduction target, but they know full well they are nowhere near meeting their Kyoto commitment. Maybe Marge Simpson is proud of the aim-so-low strategy, but we're not and nor are the rest of Manitobans.

Hon. Stan Struthers (Minister of Conservation): Again, Mr. Speaker, this coming from a group of people who stood up and defended the federal minister who spoke about aspirational goals and intensity targets and other loopholes, that governments should not be using to try to soften their approach to Kyoto and soften their approach to greenhouse gases. I'll put our action up against their rhetoric any day.

Health Care Treatment of Specific Patient

Mr. Blaine Pedersen (Carman): Mr. Speaker, Manitobans who have fallen ill and need to visit the hospital expect to be treated with respect and dignity.

Mr. Ross Phillips was recently sent via ambulance from Boundary Trails to Health Sciences Centre. Because he arrived via ambulance, he did not have any clothes or shoes with him. Instead of sending him home via ambulance as requested by his family, Mr. Phillips was sent home wrapped in a sheet, with paper slippers, in a taxi, on a cold rainy night in October.

Is this how the NDP has directed hospitals to treat patients?

Hon. Theresa Oswald (Minister of Health): No, Mr. Speaker.

Mr. Pedersen: Mr. Speaker, this kind of treatment is deplorable. Mr. Phillips is a 90-year-old war veteran. He fought on the front lines in World War II, and that's how this government thanks him, by denying him any dignity or respect, sending him home from a hospital in a taxi, wrapped in a sheet, with paper slippers.

I ask the Minister of Health: Why has she allowed our war veterans to be treated in such a despicable way?

Ms. Oswald: Clearly, such a protocol is wholly unacceptable. We know that 99.999 percent of the staff that are working in hospitals work very hard and diligently every single day and treat people with dignity and respect, and we owe them a debt of gratitude. I commit to the member opposite that when provided with the details from the member, we'll investigate and ensure that no such things happen again.

Echocardiograms Wait Times

Mr. Kelvin Goertzen (Steinbach): Well, Mr. Speaker, it's not the first time something like this has happened. I hope that she commits to not only looking at the situation, but giving an answer to this particular individual and all Manitobans so it doesn't happen again.

Mr. Speaker, an echocardiogram is a test that uses sound waves to create moving pictures of the heart and allows a doctor to determine whether a patient is in danger and needs cardiac surgery.

According to a recent information request, more than 5,400 Manitobans are waiting up to 38 weeks for this critical test.

Can the minister indicate why so many Manitobans are waiting to have this diagnostic procedure done, Mr. Speaker?

Hon. Theresa Oswald (Minister of Health): I thank the member for the question. Certainly, as I've spoken to him before on issues concerning wait times, we're working very diligently to ensure that we build our complement of not only doctors but of technologists who can help bring our wait times down. We know that according to CIHI, treatments that are provided for cardiac care here in Manitoba are among the best in the country. I was very pleased to be in Brandon recently to announce the installation of another echocardiography machine. We're going to work together with our professionals and technicians to ensure that we bring those wait times down. I can say to the member opposite, as always, people with urgent cases are seen quickly.

Mr. Goertzen: Mr. Speaker, let's take a look at the work that the minister has done as Minister of Health. In February of 2005, there were 1,057 Manitobans waiting nine weeks for an echocardiogram. In February of 2006, there were 2,646 Manitobans waiting 22 weeks. As of October of this year, there are 5,473 waiting 38 weeks. The longer that she's on the job, the worse the situation gets. She likes to stand in this House and say she's got more work to do. Why is it the longer she works, the worse the problem gets?

* (14:10)

Ms. Oswald: Again, as I said to the member opposite, we're committed to bringing resources to the system, not only of the technological variety but of the human variety. I'd remind the member opposite that he was co-chair of an election campaign that went right out front saying health care wasn't their priority.

But let's also remember, Mr. Speaker that, not according to the member opposite but according—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I can't even hear. I need to be able to hear the questions and the answers, please, in case there's a breach of a rule.

Ms. Oswald: Thank you very much, Mr. Speaker. In continuation with our commitment, we know that we've dramatically reduced the wait for cardiac

surgery here in Manitoba. Don't take the opposition's word for it; take CIHI's word for it. We know that we have the lowest wait times in the country. We have to continue on working to bring our wait for echocardiograms down, and we're going to continue to do that by bringing doctors into Manitoba. They didn't promise one.

50 Plus Job Bank Closure

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, since 1978, the 50 Plus Job Bank has been helping thousands of seniors. Today, that office has been closed down denying opportunities for seniors to be able to gain employment, denying opportunity for would-be consumers to be able to hire seniors. This program has stood the test of time. It has been highly successful, and it is because of this government that that office is closed today.

My question to the minister responsible: Why has the Doer government given up on the 50 Plus program, Mr. Speaker?

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): I'd like to inform the member opposite that it was actually a decision of the board to close the 50 Plus Job Bank.

The other thing I'd like to inform the member is, as we said to him privately, that we would make sure that we would work with the clients and the people who made use to transition this to other service organizations so that this demographic could receive not only the present services but, hopefully, enhanced services.

Thirdly, we mentioned that there were other alternate services operated by non-profit or other groups that do the same sorts of services to the same demographic, and we hope to strengthen them and work with them in the future.

Mr. Lamoureux: Yes, Mr. Speaker, let's be very clear. It is the Doer government that's to blame and takes a 100 percent fault in the collapsing of that board and having the 50 Plus program killed today. It's because of this government, no other reason. That is the truth whether this minister wants to admit it or not. This program has been successful for virtually 30 years in helping and assisting our seniors in the province of Manitoba.

Why has this Premier (Mr. Doer) given up on one of the most successful programs that the

Province of Manitoba has provided for our seniors, Mr. Speaker? Can the Premier answer that question?

Mr. Rondeau: Mr. Speaker, the member opposite again should look at the facts of the case. As I said earlier, the numbers of people that made use of this facility had been decreasing for years. What happened was the board decided that they wanted to discontinue their services.

We worked with the board, with the employees, to make sure that this demographic is serviced. We made sure that we worked with the board and the employees so that there's a transition, and we will continue to make sure that this demographic, seniors in Manitoba, not only have access to employment services, but also that people can get their services if they need to employ senior Manitobans. We hope to continue to enhance the service in the future, and we will work with community organizations to ensure that happens.

Mr. Lamoureux: Mr. Speaker, this is what people are being told: If you are 50 years of age or older and require assistance finding a job, please contact the Winnipeg Transition Centre. If you are an employer with a job vacancy, please contact the Seniors Information Line.

Mr. Speaker, this is far different than what it is the services that the 50 Plus Job Bank has provided for virtually 30 years at a cost of \$140,000 a year. It is a cost-efficient program that has proven itself over the years. The Doer government has canned the program, and the minister needs to take responsibility for that. He is not replacing it with something else. He is killing the program.

My question to the Premier is: Why are you allowing your minister to kill this program?

Mr. Rondeau: Mr. Speaker, the economy is growing. There are more people employed. There are help wanted signs. There are all sorts of help wanted signs. If you go to your McDonald's, you can see that there are help wanted signs out there.

This program was designed to help seniors find employment. There are lots of opportunities to be employed. Right now, we're working to transition this. We're ensuring that the service is provided. We're ensuring, in fact, that seniors have access to additional services. We want to make sure that happens. We want to ensure this demographic, its important people, do have opportunities for jobs. We hope that people can phone in to continue to look at

both of these, and we will ensure that this service is continued.

Manitoba—Economy Growth

Ms. Sharon Blady (Kirkfield Park): Mr. Speaker, Manitoba's economy continues to grow, the net debt has been decreasing, and the government has achieved eight consecutive balanced budgets, things that I know matter to my constituents in Kirkfield Park. A major credit rating agency has recently recognized Manitoba's sound management and economic prosperity.

I was wondering: Can the Minister of Finance inform the House of how this Province is stacking up?

Hon. Greg Selinger (Minister of Finance): I'd like to thank the Member for Kirkfield Park for the question.

Mr. Speaker, the news has been very solid lately. Today we see in the newspapers that job growth in Manitoba is above the Canadian average; 15,000 new jobs, one-third of those jobs in the high-tech professional sector.

Last week we saw that wages are growing above the Canadian average. We saw that Manitoba is leading Canada on productivity growth. We see our net debt to GDP declining. We see more investments in education, infrastructure, and health care. We see tax reductions, Mr. Speaker. We're on a roll. We'll keep doing it for another four years.

Single-Use Medical Equipment Ban on Re-use

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, in 1999 the PC government became leaders in Canada and banned the re-use of single-use disposable equipment because of safety reasons. They were banned to prevent the transmission of deadly infections between patients and to prevent the devices from breaking inside the body after repeated cleaning.

I'd like to ask the Minister of Health if this ban is still in effect.

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, I know the member opposite received a similar letter that I did from a nurse that's concerned about the re-using of single-use devices, so I thank her for the question and bringing it forward.

I can tell the member that the Winnipeg Regional Health Authority did come to government with a proposal concerning the re-use of these single-use devices, and we rejected it.

Mrs. Driedger: Mr. Speaker, there was a draft policy on October 19 put together by the WRHA for reprocessing flexible endoscopes, and, in fact, in today's day and age, it's even surprising that the WRHA, considering the amount of hepatitis and HIV that's out there, would even go down this road of revisiting this issue.

This nurse that did write this very long letter wrote it on behalf of all nurse endoscopists because they were afraid to speak out on what is happening. The equipment right now is being used. It is being stored in the endoscopy room and supposedly being sent to the United States for recleaning and then sent back. Nurses were afraid to speak up and afraid of reprisal.

Can the minister please tell us why nurses are afraid to speak up about patient safety in Manitoba?

Ms. Oswald: Mr. Speaker, as I said in my previous answer to the member, that although this practice does go on in other jurisdictions in Canada, when we received the proposal from the Winnipeg Regional Health Authority, we reviewed it and rejected it.

*(14:20)

Tabor Personal Care Home Need for Replacement

Mr. Peter Dyck (Pembina): Mr. Speaker, 55 years ago, Tabor Home was built as a light-level seniors housing complex. Today it is a personal care home, and the majority of the people are bedridden. There is no sprinkler system. Doorways are too narrow to move the residents in case of fire or any other emergency.

Should there be loss of life, what would the Minister of Health say to the families knowing that Tabor personal care home is in desperate need of replacement?

Hon. Theresa Oswald (Minister of Health): I thank the member for the question. Certainly, I did have an opportunity to meet with the board of Tabor Home and to take a tour of the home to recognize their challenges. I had an opportunity to speak about it further when we were out in Morden-Winkler for the opening of the MRI in that area. I can say to the member, as I've said on occasions to him before, we are certainly looking at the ask from the regional

health authority and from the Tabor Home board in the context of the many, many capital asks that we are getting. We are going to work together with the region to make those improvements.

Mr. Dyck: Mr. Speaker, I would like to thank John Buhler and the local people for investing their money in the local MRI.

The minister knows and has agreed that this facility is outdated, does not meet today's safety standards and is in desperate need of replacement. What is the Minister of Health doing for those who are aged and in need of a home where they can spend their last years in an environment where they can feel safe?

Ms. Oswald: Mr. Speaker, there was a bit of noise over there. I didn't hear the member thanking the government of Manitoba for its \$4-million contribution to that project of the MRI, but I digress.

I can say to the member opposite, and, you know, we also thank the hard work of the foundation at the Boundary Trails hospital and the Buhler family for their generous contributions in helping us improve diagnostics.

I can say to the member opposite that our unprecedented capital investments in health facilities in the province speaks for itself. We're going to continue to work with the people of Morden-Winkler at the same time that we're investing \$40 million to relook at the personal care home staffing guidelines to increase that complement of care to ensure that people are getting the care they need. It's the first time that's been looked at in 30 years.

50 Plus Job Bank Closure

Mrs. Mavis Taillieu (Morris): Mr. Speaker, we thank the taxpayers of Manitoba for investments in MRI.

Seniors are a growing demographic in our society, yet the minister shuts down the 50 Plus Job Bank which has provided seniors with work and with services at lower rates. Today, the CFIB released a survey about the need for more seniors in the work force and yet the minister shuts down an organization that provides seniors with jobs. Many seniors live below the poverty line, yet the minister shuts down an organization that provides services at reduced rates.

Why has the Minister responsible for Seniors (Ms. Irvin-Ross) treated seniors with such disregard?

Is it because she doesn't understand her role as minister or is it because she just doesn't care?

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): Mr. Speaker, maybe the member doesn't understand that the function of the seniors job bank was to facilitate the obtaining of—as a go-between between the employers and the seniors. What was happening was when this was founded, there was a large unemployment rate. Seniors were having a hard time getting into the work force. Now there's a lower unemployment rate; there are lots of jobs offered and seniors are not using this organization at the same rate. What we've done is we're ensuring that seniors do have access to employment services. They have access to ensure that they can make a transition into the work force if they choose. We want to make sure that people who want to employ seniors have access to that demographic. That's what we're going to do—

Mr. Speaker: Order.

Mrs. Taillieu: Mr. Speaker, I guess the answer to the question is the minister doesn't understand her role because she refuses to stand up, and she doesn't care because she refused to stand up for seniors.

I'd like to ask the Minister responsible for Seniors again: When is she going to start doing her job and stand up for seniors, seniors that need jobs in our community, the economy that needs seniors in those jobs and seniors living below the poverty line? When is she going to stand up for seniors?

Mr. Rondeau: Mr. Speaker, I'm pleased to see that we will continue to be a government that stands up for seniors, for young people, for all Manitobans, not just a select demographic like members opposite do. I am pleased to be a member of a government that gets the idea that we govern for all—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Rondeau: —Manitobans. Furthermore, Mr. Speaker, we're not going to just keep one service. We are going to make sure that seniors have access to the services they require, not just in one small sector but in all sectors. So we want to not only keep the services; we want to make sure that the seniors can have access to these or potential employers can access seniors in different ways and better—

Mr. Speaker: Order.

Rural Health Care Specialist Shortage

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, we recently learned in Portage la Prairie that we will be losing our one and only pediatrician. Dr. Deborah Peabody, who has been providing excellent service to our community for more than 20 years, will be retiring at the end of January. She currently cares for more than 100 families who are worried as to what will happen to their children if they get sick after this date.

Can the Minister of Health explain, given her dismal track record of recruiting specialists to rural Manitoba, what can these families expect after January 31?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, certainly the Department of Health in conjunction with the regional health authority will work diligently to recruit a physician. Certainly I can say for the member—he may or may not be aware but I'm happy to remind him—that according to the College of Physicians and Surgeons, this year was a record-breaking year for the acquisition of doctors to Manitoba. This is in sharp contrast to 10 years ago when there was another record-breaking year, and it was a record low for doctors that were brought to Manitoba.

We know that we have to continue, like all jurisdictions in Canada, to bring health professionals. This was a record-breaking year for us, and we're going to continue to work to ensure that we can bring even more doctors to Manitoba.

Mr. Speaker: Time for Oral Questions has expired.

A reminder to members. As the Assembly will be recessing today until the New Year and because we will have Youth Parliament meeting here in the Chamber later this month, I am asking all members to empty the contents of their desks before leaving today. I encourage members to use the blue bins here in the Chamber to recycle their *Hansards* and copies of the bills that they won't be keeping. Any other materials you have to recycle should be placed in the larger blue bins in the two message rooms.

I thank all honourable members for their cooperation.

MEMBERS' STATEMENTS**Justice Ministers Meeting**

Mr. Jim Maloway (Elmwood): Mr. Speaker, having safe communities and fostering positive environments for our youth are priorities for Manitobans and for this government.

In November, Manitoba hosted Justice ministers and officials from across the country for three days of meetings on a broad range of issues related to strengthening public safety. Out of these meetings came agreement on important issues between the Justice ministers, such as a protocol on inter-jurisdictional AMBER Alerts to aid law enforcement agencies in facilitating the safe return of an abducted child.

I am happy to say that the provincial government has also been working to keep our streets safe through initiatives such as the successful Winnipeg Auto Theft Suppression Strategy, which involves strict curfews and intensive supervision of chronic repeat offenders through specialized Corrections staff. The Province's overall approach to reducing auto theft and youth crime focusses on the areas of prevention through a program such as Lighthouses; intervention through a program such as Turnabout, suppression through targeted funding for police officers, Corrections and Crown attorneys and consequences through lifetime suspensions of driver's licences for repeat offenders. The government has also introduced a bill on street racing which will provide for long-term driver's licence suspensions and vehicle forfeiture for those convicted of this dangerous activity.

Despite the numerous provincial initiatives on prevention, intervention and suppression of crime, the federal government must make changes to the Criminal Code in order to strengthen the consequences for those who commit serious crimes. The Province of Manitoba is continuing to press the federal government for such legislative reforms which was the purpose of the delegation which travelled to Ottawa in September. The delegation included representatives from all parties of the Manitoba Legislature, municipal leaders, police and community representatives who went to Ottawa to seek urgent national action on auto theft and tougher sentences for serious youth crimes.

Mr. Speaker, I'm proud of the work this provincial government has done to curb criminal activity and to keep Manitobans safe. Thank you.

* (14:30)

Mary McBurney and Sue Joyce

Mrs. Leanne Rowat (Minnedosa): I'm happy today to speak about two remarkable women who have impacted both my life personally and professionally. Mary McBurney is a great woman who has touched so many people with her strong determination to celebrate life's little gifts; and my amazing Aunt Sue, who will be celebrating her 103rd birthday tomorrow with as much energy and excitement as ever before.

Mary McBurney was born in 1912 and spent her childhood and youth in Rapid City. After marrying in 1938, Mary and her husband moved to Wasagaming. Among her many activities, she was the founding member of the Onanole United Church, a Girl Guide leader and she helped organize and teach Sunday school to the local children.

In 1962, Marie moved to Rivers where she continues to live today. She remains a long-time member of the Rivers Women's Institute, the Rivers Fifty Plus Club and Rivers United Church. In fact, the church bestowed her with a special honour by asking her to be a senior angel for the White Gift Service this year. Mary continues to positively impact the lives of those around her.

A remarkable woman I wish to recognize is my husband's great-aunt, Aunt Sue, who is celebrating her 103rd birthday on December 7. She continues to live on her own in Webb Place in Winnipeg, and she often argues her source of physical and mental health after all these years is the result of her regular consumption of skim milk.

Aunt Sue is not a woman of convention. She married at the age of 65, and she and her husband Wilf enjoyed 25 years of marriage. Aunt Sue is strong and vocal in her many beliefs, and she has always been a strong advocate for her family. She's very proud of the fact that her father, Duncan Cameron, was the Conservative MLA for Gilbert Plains in the early 1900s. Her conservative convictions are sincerely evident in her comments to me over the years, as she willingly and lovingly gives me advice on important family issues. She also tries to give me political advice on how best to take down the NDP, but Aunt Sue, I keep working at this.

Those fortunate to know Mary McBurney or Sue Joyce know how wonderful these women are. I'm happy to recognize that these two remarkable individuals have impacted my life so greatly. Thank you, Mr. Speaker.

Notable Women of Flin Flon

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, reaching 100 years is an important milestone in anyone's life. Four special ladies from Flin Flon have reached that important age milestone. At the personal care home in Flin Flon, Evelyn Mae Constable reached the age of 104 on November 10; Irene McGilvary turned 103 on September 16 and Leone Govenlock turned 100 on July 7. At the Northern Lights Manor, Amanda Markham also reached 100 years of age on September 12.

I've known Evelyn Constable quite well because she operated Constables Lakeside Lodge in Cranberry Portage for many years aided by her daughter, Ivale Gibbon, and Ivale's husband, Don. This well-known lodge is located on Brydges Avenue named after Mrs. Constable's father, Captain Edward Brydges, a former sea captain who also hauled freight for HBM&S on his barge named, *Diamond K*. Evelyn Constable's brother, Earl Brydges, was a famous dog musher who handled the mail run in the Flin Flon-Cranberry Portage area in the late 1920s and early 1930s. Even before that, Mrs. Constable's parents came to Winnipeg in a Red River cart.

Irene McGilvary came to Flin Flon in 1929. She worked as a nurse at the hospital during the '40s, '50s and into the '60s. She raised a son and a daughter. She is considered a pioneer nurse in the Flin Flon region.

Another pioneer nurse was Leone Govenlock who also worked at the local hospital. Those were the years when the small mining community of Flin Flon turned into a booming city, and nurses were in high demand. Leone Govenlock retired in 1972. She is the mother of two children.

The other Flin Flon senior who turned 100 is Amanda Markham. She celebrated her 100th birthday on September 12, at the Northern Lights Manor. Amanda has worked at the laundry department at the hospital and later worked for Mickey Perepeluk at the Central Meat and Grocery. She worked well into her seventies, including stints as camp cook in remote areas for MidWest Drilling and Amisk Drilling. She is a life member of the Legion.

I invite all members of the Legislature to join me in wishing these four wonderful ladies a special happy birthday. Thank you for making northern Manitoba a better place to live. As well, we thank the

caregivers and staff at the personal care home and Northern Lights Manor who, on a daily basis, are dedicated to the well-being of the seniors placed in their care. Thank you.

Donald Brownridge

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, it is with great sadness that I stand before you today to speak about Mr. Donald Brownridge. Mr. Brownridge was a lifelong resident of Portage la Prairie and passed away on October 30 of this year at the age of 88. His many contributions to the community in the field of sports will not soon be forgotten.

Mr. Brownridge was born and lived his entire life in Portage la Prairie where he helped run the family farm with both his father and his brother. Mr. Brownridge was especially involved in competitive ploughing. He did exceptionally well and held three provincial titles, four western Canadian championships and represented Manitoba on three occasions at the Canadian ploughing competitions.

Mr. Brownridge was also an active participant, volunteer and organizer of curling bonspiels in Portage la Prairie and Winnipeg. He spent over two decades as the manager of the Portage Curling Club, during which time he spearheaded the construction of the club's current facility, arguably the best facility in all of Canada. For several years Mr. Brownridge was an assistant drawmaster for what is now the Manitoba Curling Association Bonspiel. He helped start a men's cash bonspiel in Portage la Prairie which now features world-famous curlers. Mr. Brownridge's talent was also evident on the ice sheet as he twice skipped his team to two provincial senior men's championships in the 1970s.

As an avid golfer, Mr. Brownridge spent many days on the greens playing hundreds of tournaments and simply enjoying his time with fellow golfers. He contributed to the creation of the new back nine at the Portage Golf Club back in the 1980s. He also helped start the Senior Golf Club Tournament and the Six Pack competition.

For all his outstanding efforts for the sports community, Mr. Brownridge was awarded a lifetime membership to the Portage Curling Club, the Manitoba Curling Association and the Portage Golf and Country Club. The community of Portage la Prairie has lost a great resident. I would like to express, on behalf of all Portage la Prairie residents and the Manitoba Legislative Assembly, our sincere

condolences to Mr. Brownridge's family and friends. Thank you very much, Mr. Speaker.

Brave the Shave Event

Ms. Sharon Blady (Kirkfield Park): Mr. Speaker, it was an exciting time for myself, as a newly elected MLA, to attend the Brave the Shave event at Westwood Collegiate in my constituency of Kirkfield Park.

Westwood Collegiate has a tradition of caring for others and showing dedication to the fight against breast cancer. The school entered 69 people in the Run for the Cure raising over \$3,200. The Brave the Shave contest was a natural next step for the school. The entire school community embraced the challenge wholeheartedly and fundraised over \$13,000 in only six school days, winning their right to shave the head of my colleague the Minister of Education (Mr. Bjornson).

Mr. Speaker, breast cancer is the most common occurring cancer among Canadian women with an estimated four million women living with breast cancer globally. The Canadian Cancer Society estimates that 2007 will see 22,300 new cases of breast cancer in Canadian women and an estimated 810 of those cases will occur in our province.

It is important to remember that breast cancer is not just a women's issue. There will be approximately 170 new cases in men in 2007, and approximately 5,300 women and 50 men will die of breast cancer this year.

I, as well as many other people in attendance, was truly touched by the very personal story of one student. Pascale Dubois lost her mother to breast cancer, solidifying her resolve to raise money to fight this illness. Mr. Speaker, I know I speak for every single member of this House when I offer my deepest condolences to Pascale and say that her story is inspiring young people everywhere to take up the fight against breast cancer.

Congratulations are in order for Westwood Collegiate principal, Mr. Glen Bennett, student council president, Brenden Burnell, and all the staff and students that were involved with fundraising. Of course, the event would not have been nearly as memorable without all of those who actually went under the razor to brave the shave. Mr. Speaker, their willingness to lose a little hair will make a big difference in the fight against breast cancer. Thank you.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

House Business

Hon. Dave Chomiak (Government House Leader): Could you call, Mr. Speaker, debate for second reading on Bill 13, which is The Highway Traffic Amendment Act, followed by debate on second readings of Bill 7, The Child and Family Services Act; Bill 4, The Provincial Court Amendment Act; and Bill 5, The Witness Security Act? There'll be further matters that I'll be bringing forward shortly. Thank you.

Mr. Speaker: Okay, we'll be dealing with bills in this order. We'll start off with second reading of Bill 13, then we'll resume debate on Bills 7, 4 and 5 in that order. First, right now, we will deal with second reading of Bill 13, The Highway Traffic Amendment Act (Damage to Infrastructure).

* (14:40)

SECOND READINGS

Bill 13—The Highway Traffic Amendment Act (Damage to Infrastructure)

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): Mr. Speaker, I move, seconded by the Minister of Culture, Heritage, Tourism and Sport (Mr. Robinson), that Bill 13, The Highway Traffic Amendment Act (Damage to Infrastructure), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Lemieux: Mr. Speaker, I'm pleased to speak to my honourable colleagues today regarding Bill 13, The Highway Traffic Amendment Act (Damage to Infrastructure).

Over the last little while, there have been nine notable collisions with bridge structures in Manitoba. Six of the collisions involved bridge structures within the city of Winnipeg. Of those six, three structures are under the authority of the federal railways and the remaining three are under provincial bridge structures.

In July '07, following a serious collision at the Perimeter and the Trans-Canada Highway near Deacon's Corner and the floodway, government announced that it would be getting tough on drivers

who crash their vehicles into bridges and transportation infrastructure.

The new offence provision contained in this bill reflects the first phase of our strategy to address this problem. Drivers must be the first line of defence in protecting the public infrastructure. We need to impress upon drivers and vehicle owners the need to be aware of the dimensions of their vehicles and that the vehicle loads are appropriate for the route being travelled.

The new offence will apply to a driver or owner of a vehicle of any size or type that collides with and damages highway infrastructure. Additionally, a person who loads the vehicle may also be charged with the offence if it can be shown that they did not load the vehicle in compliance with legal limits authorized under The Highway Traffic Act.

The broad orientation of the offence is necessary as the recent collisions involving vehicles ranging from large commercial trucks to farm implements to recreational vehicles. Moreover, the causes of the collisions differ. In some cases, the vehicle's load is not properly secured for travel. In other cases, the vehicle was not authorized to be travelling on that particular route.

Mr. Speaker, I'd like to make it clear that this government is not only looking at that sanctioning approach to address recent collision problems. Phase 2 of the government's action plan will involve implementation of appropriate measures to deal with the driver education and awareness and testing, enhanced monitoring, a more proactive enforcement approach, as well as recovery of cost for repair of damaged infrastructure.

Details regarding the elements of phase 2 are going to follow in due course, and I look forward to discussing the details of this bill with my colleagues at a further date. Thank you.

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

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 7—The Child and Family Services Amendment Act (Child Pornography Reporting)

Mr. Speaker: We will resume debate on second reading of Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting),

standing in the name of the honourable Member for Ste. Rose (Mr. Briese).

Is it the will of the House for the bill to remain standing in the name of the honourable Member for Ste. Rose? *[Agreed]*

It will remain standing in the name of the honourable Member for Ste. Rose, and it's also standing in the name of the honourable Member for Brandon West (Mr. Borotsik), who has 28 minutes remaining.

Mr. Rick Borotsik (Brandon West): Mr. Speaker, I was on a roll for the first two minutes of this debate. Hopefully we can pick up on it, but just to repeat myself very briefly on this particular bill, The Child and Family Services Amendment Act (Child Pornography Reporting), the last full debate was with the Member for Ste. Rouge. I, at that time, congratulated her because she has certainly a reputation as a social activist, and this is certainly a piece of legislation that she takes—

An Honourable Member: Fort Rouge.

Mr. Borotsik: Fort Rouge. Mr. Speaker, my mike—thank you. Fort Rouge, I'm sorry, Fort Rouge—and she is a social activist and I gave her full credit and full marks for certainly putting forward a very passionate speech with respect to this piece of legislation.

One of the things that she did do is she didn't listen to the Member for Morris and the Member for Lac du Bonnet (Mr. Hawranik) when they were putting forward their position and their debate and their concerns with respect to this piece of legislation. Both of those members, the Member for Lac du Bonnet and the Member for Morris, had indicated that, in fact, in principle, the bill is acceptable. I don't think there's anyone in this Chamber, this House, would ever suggest that any kind of legislation, any kind of restriction on child pornography is not good, certainly, for the citizens of Manitoba.

However, what they did put on the record was that they have some concerns with respect to the legislation. They have some concerns that we think should be debated, that we believe that there are ways of fixing this particular piece of legislation to make it a better piece of legislation, and that really was all I wanted to say initially with respect to their debate.

I also wanted to inform the Member for Fort Rouge (Ms. Howard) that, as a father, one of the most serious concerns that I had in raising my two children, was the first one that I had talked about briefly, was that of drugs. As a parent putting your children into society, we know full well that there are those opportunities that present themselves with respect to drugs. I did the best that I could certainly in street-proofing and explaining to my children that this was something that they're going to have to deal with, and certainly it's something that they would have to make sure that they never got involved in. Quite frankly, quite fortunately, it happened, Mr. Speaker, that my sons certainly didn't take up that particular activity, and I'm very proud of that and very happy for them and happy for myself.

But the other situation, Mr. Speaker, that I was very, very fearful of, extremely fearful of as a parent, and that was that they would be approached by someone who certainly had some—I had concerns certainly that there are predators out there and that child abuse is a serious, serious concern. So, again, I made my children streetwise and certainly explained to them that there are some bad people out there, you have to protect yourself from them, and make sure that they knew how to handle themselves. They were streetwise, and I'm very fortunate, now that they're grown up and can look after themselves, that they never did have to fall into a situation where they would have to protect themselves against those types of predators.

The reason I mention that, Mr. Speaker, is, as a parent and certainly as a member of this society, we have to make sure that the vulnerable amongst us are taken care of and this is a piece of legislation that certainly is going to attempt to do that. But I'd like to voice a couple of concerns that I have. The first concern, and the Member for Fort Rouge, unfortunately, seems to think that we should just, *carte blanche*, pass every piece of legislation that this government puts forward, because if it comes forward from the NDP, then obviously it has to be good.

Well, Mr. Speaker, we've recognized, on a number of occasions, that this particular government doesn't manage well, that their legislation isn't all that good and that what they put forward doesn't quite achieve what it is that they would like to set out to achieve. This is one of those pieces of legislation. It is, in fact, really nothing more than fluff. It's really nothing more than motherhood and apple pie, remember what I said as a parent. I would certainly

do anything in my power to protect my children from this kind of a predator. This individual who is going to take advantage of child pornography in any way, shape or form should be stopped. They should be prosecuted. They should be sentenced very heavily, and they should be taken to the full extent of the law. I'm the first to admit to that, but this law does not necessarily, in my opinion, do that for a number of reasons.

First of all, Mr. Speaker, we know that this particular government, with legislation that's already in place, does not really have a very good track record, and this may well be another one. Enforcement is the key to any piece of legislation. You can put a law into place, you can enact the law, but unless that law has an enforcement component to it, it's not worth the paper that it's written on.

We've talked about the forfeiture law that was put into place by this government, and then asked about how many vehicles were forfeited by johns to stop the johns and prostitution in this city. The answer was, really an unintelligible answer at that time, but the answer was, ultimately, one. There was a law put into place to stop johns with respect to prostitution, and the law failed. It's an abject failure. It doesn't do what this government set out to do. That was all because of enforcement. It was all because of now there were issues with respect to ownership. There were issues with respect to the individuals themselves not having any particular ownership in any one vehicle. There were leasing arrangements and there were other issues with respect to the vehicle. So the forfeiture law didn't work. It hasn't worked, but it was touted as being the end-all and be-all when it comes to stopping prostitution, under-aged prostitution, particularly in the city of Winnipeg. So that didn't work. Now, we have a piece of legislation that's put before the House that's exactly the same. It means well. Make no mistake about that, it means well. It does try to put forward a solution to child pornography, but, unless there are resources, unless there is an effective enforcement put into place, this means absolutely nothing.

* (14:50)

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair.

Now, does that mean that inspectors are going to go out on a regular basis and go to each and every computer repair shop that we have in the province of Manitoba on a daily basis to make sure that these issues are reported? It's not going to work.

Now, Madam Deputy Speaker, the good people out there who do run into child pornography, that do run into the hard drives in these computers that have this particular vile kind of material on those hard drives, the good people are going to report regardless of law. They are going to say, this is wrong; I want this stopped in my society. They're going to come forward, laws or no laws. I would do it and I know that each and every member across on the government's side would do it. I know that each and every member on my side of the House would do it as well if we ever came across a situation like that. We'd do it without having to be told. We'd do it to protect my children. We'd do it to protect your children. We'd do it because it was the right thing to do, not because it was legislated.

But, Madam Deputy Speaker, there are a lot of not-very-nice people out there. Those are, first of all, the people who are performing these dastardly tasks, dastardly duties. These are the people who prey on children. These are the people who are involved in the child pornography industry, and it is an industry out there, make no mistake about it. It's awful. It's vile. It's despicable. It should be stopped. But this piece of legislation, the way it's written right now, isn't going to achieve that end. That's all we're saying. We would like to see that goal attainable and achievable, but, unfortunately, with this piece of legislation, that's not going to happen. Now, does that mean that we're not going to support it? Absolutely not. Something is better than nothing, but this is really just a little bit more than nothing.

I talk about the forfeiture law here in Manitoba. It didn't work. I can point to a federal law which they refer to as gun control, long gun registration. It's a similar situation where it's a law. It's a piece of legislation that was put in for probably the right reasons, but it's impacted the wrong people. It impacted the good people, the people who weren't going to cause any difficulties or problems with their long guns anyway. They were the ones that were impacted and the bad guys are still out on the streets. As a matter of fact, those bad guys are still out on the streets here in the city of Winnipeg. It's not a long gun that's the problem, but we see it in the bars in the Exchange District. We see it in the streets. We see it in the gang wars. We see guns still in this community. That's even with the law. That's with this law. That's what we're saying here.

This law can be enacted and it will be enacted, but it's not going to do what everyone would like to

see it do, and that is to stop child pornography. What this law says it's going to do, it's going to say that if you run into it, you have to report it. If you don't report it, we're going to charge you, convict you, fine you. We've got a whole bunch of remedies for you if you don't report it, but we don't know if you're going to report it anyway because we have no enforcement. We have no way of enforcing that particular law.

Now, we also know that this is The Child and Family Services Amendment Act. We also recognize that Child and Family Services department under this minister really doesn't have a very good track record. This ministry really doesn't instil a lot of confidence in citizens of the province of Manitoba. Here we're supposed to make sure that we give them the ability to go and correct all of the issues and all of the problems with child pornography. That's not going to happen. They can't solve the problems that they have within their own department right now with Child and Family Services. They can't promise that the children in need in this province are going to be protected. They can't promise that it's safety first, Madam Deputy Speaker, that it's safety that we're concerned about with the children in this province. They can't promise that, and they can't promise that those children will be provided that safety that's absolutely so vital and so necessary.

Madam Deputy Speaker, we have a lack of confidence in Child and Family Services. We have a lack of confidence in the enforcement of this particular piece of legislation, and we definitely have a lack of confidence in the ability of this government to certainly manage not only their legislation but their departments.

The last thing that I see here is a danger, a very severe danger, a serious danger of an unintended consequence of this legislation, and that would be one of a false accusation, that they would be falsely accused. In fact, it just happened. Yesterday, in the House of Commons, a member of one of the opposition parties—[interjection] The NDP party, actually, it was. The Member for Springfield (Mr. Schuler) just informed me that there was an NDP member in the House of Commons who, whether inadvertently or intentionally, noticed a computer, and that's what this is all about. This is about computers. This is about reporting child pornography. This is about the hard drives, the disks, the Internet, the technology that is head and shoulders above most of us and certainly is expanding on a most rapid basis.

Here was an NDP member who took to task a member of the Conservative Party because she saw a computer on his desk, and, by the way, what she saw was a picture of his dog. However, she stood in the House and she accused an innocent individual of having pornography visible in the House of Commons. That's what the accusation was. An innocent individual was accused of having pornography on his computer screen. As it worked out, that wasn't the case. It was a picture of his dog, but, unfortunately, the damage was done.

I know this individual. I know him. He is one of the nicest MPs that you would ever like to have to meet. He's honest. He's conscientious. He is the last person in the world that you would ever consider to have that type of information not only on his computer screen but sitting in the House of Commons. He is a bright young man who would never do that but was accused by a NDP member, and the accusation is there. Getting over that is going to be very difficult because every time you see that individual now, you're going to question and say, I heard something about that; I saw something about that. Oh, yeah, it was about pornography.

The same thing can happen with this piece of legislation. If somebody, an NDP member, for example, didn't like me—heaven forbid, I can't see that ever happening, but if they ever did, they could accuse me. They could accuse me and it would be a frivolous accusation. It would be, but, unfortunately, the damage would be done. That's a problem with this piece of legislation. Somebody somewhere is going to say: Under the legislation I have to report this. I have to report this. But they may well not even know what it is that they're reporting or whether it even falls under the legislation of child pornography, but if they report it, then obviously you're tarred with that particular situation.

So there are serious implications and I hope they're well-thought-out. I hope this government recognizes that there are loopholes, that there are cracks that individuals can fall through. We're not happy with this government's management of other departments and I don't see that this is going to be any different. We know that the enforcement is not going to be there. You're not going to put into place the numbers of people that are necessary to enforce this. You can't walk into every computer repair shop on a daily basis. You can't do it. If you don't have that kind of enforcement, you don't have good legislation, and if you don't have good legislation, than why put it forward?

Now, it's put forward because it's pretty fluffy. There is not a lot of vision going forward into 2008, 2009, 2010 from that side of the House. The bills don't have a lot of substance. We've seen that with the legislation that's been brought forward. In fact, there is very little substance. Bills that should come forward, like the environment bill, Kyoto, haven't come forward. A finance bill with respect to consolidated financial reporting hasn't come forward. Nothing of any substance, of any vision, of any opportunity has come forward, so let's deal with these one-paragraph, fluffy little pieces of legislation that, in fact, make people warm and fuzzy, give the impression that they're doing something. But, in fact, if they are doing something, it's just a little less than nothing.

* (15:00)

So, Madam Speaker, I'm happy to have been able to put these comments on the record. I do wish the government and the people speaking to this piece of legislation would recognize that we do have some legitimate concerns, some legitimate complaints. I hope they take that into consideration when it comes before committee, when we can talk about this with other stakeholders that come forward with respect to the privacy of this particular piece of legislation.

Thank you, Madam Speaker, for the opportunity.

Mrs. Myrna Driedger (Charleswood): I had been standing here waiting. I was expecting somebody from the government side to speak to this legislation, and I'm a little bit surprised that they didn't.

Madam Deputy Speaker, I do want to indicate for the record that, regarding Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting), I do support the fact that an attempt is going to be made to create a situation where we hope people will report if they come across child pornography. I would note that this legislation was promised more than a year ago in the 2006 Throne Speech, and it took until last week to materialize. I do question why it did take that long, but, considering the significance of addressing child pornography, and if the government had a sincere commitment to sincerely following through on that, I'm not sure why something mentioned in a Throne Speech in 2006 has taken until now to turn up on the Order Paper.

But I will at least say that, I guess, better late than never. I do like the fact that, with this legislation, ISPs are now in a position where, if they

come across child pornography, they are going to have to report this. I think that that part of the legislation may show some positive results. I certainly hope it does, because that is the one area where we may find, in fact, that something could happen.

Madam Deputy Speaker, while I was with Child Find Manitoba, I was very actively involved as a children's rights advocate. We were addressing the issues of child abuse, particularly those around child prostitution and child pornography. In those days, we were sort of at the forefront in Child Find, here in Manitoba, actually, in looking at those types of issues. I have to say they were very challenging issues to address, particularly the area of child pornography because we also know—and child prostitution, I guess I would say—because we know that, on a lot of these instances, the whole area of pedophiles is very prevalent within this area. So, while we were starting to look at those issues and starting to gather data and starting to do research on the area of child prostitution and child pornography and around pedophiles and trying to understand that issue, it certainly was challenging to try, as a non-profit organization in those days, to do the kind of work where you saw and heard and became aware of some of these horrible, horrible issues and images as it relates to child pornography. I don't think that most people could even imagine what some of that might be like.

My commitment to fight this was strengthened at that time after being trained in a small degree, actually, by the police to understand what child pornography actually was, to sit through some sessions of training where we saw—and I would have to say it certainly wasn't sort of the extreme end of child pornography. I don't think they would have been showing that to any of us. But we certainly saw aspects of it on video and in print. Even that small amount of exposure had a profound effect on me in terms of how evil this type of a situation is.

Madam Deputy Speaker, it is also a well-known fact that primary producers, distributors and consumers of child pornography are child molesters and pedophiles. Law enforcement investigators have verified that pedophiles almost always collect child pornography, and that collection is something that is very, very special to them. It's not just that they amass a dozen pictures or a few. Some of these pedophiles amass hundreds, if not thousands, of pictures of children involved in acts that we probably can't even imagine.

They don't just look at pornography. They actually save it; they cherish it; they use it to enhance their fantasies and it becomes a central part of their lives. According to Kenneth Lanning, in the definitive report, *Child Molesters: A Behavioral Analysis*, pedophiles almost always collect child pornography. It is treasured by the pedophile and represents their most cherished sexual fantasies. Many pedophiles compulsively and systematically save the collected material to validate their actions, or as mementoes and souvenirs. It's hard to believe that someone can even imagine that this type of material becomes a souvenir for pedophiles, for people that have such a deviant view of children.

They like to share these mementoes to gain strong enforcement from other like-minded persons. We know that collections of child pornography could include books, magazines, articles, newspapers, photographs, negatives, slides, movies, albums, drawings, audio tapes, videotapes, personal letters, diaries, clothing. Nowadays, what we do see more and more, certainly, is pornography on the Internet, and that has become much more the prevalent type of vehicle where pornography is shared. It is the new frontier for pedophiles.

What has been happening now with this issue is more and more organizations and police forces are able to look at this and legislators are able to look at this. Even compared to, for instance, 10 years ago, we have a greater ability to track down some of these people that are sharing this pornography on the Internet. While 10 years ago, it was much more difficult, with the expertise that's evolving and with more commitment of people to address this issue, it is becoming more common that, in fact, when images are seen, they can actually be traced, and people that are putting them on the Internet can actually be caught. What we have to make sure that is done after that then, too, is to ensure that there are the type of punishments for people that have gone down this road where they think that this is something that, in their view, is quite acceptable to have and to do and to share, and a very warped view, indeed, of that whole issue.

* (15:10)

We know, too, that when we see pictures of the children and, hopefully, none of us, I guess, are ever exposed to that. We hope, even accidentally, not to see it, but seeing some of that certainly creates a strong, I think, commitment from a lot of us that what has to happen is every opportunity to attack

that, to address it at all levels has to be taken because we're not just—and that's where we have to really get our minds around it too, is this is not just a picture that is a still image or it's not just a videotape of something that has no reality to it. There is a real child that is involved in that, whether that child is videotaped, whether that child is photographed. That child is always a victim because child prostitution and child pornography is child abuse.

I don't think anybody in this Chamber has any comfort level with that at all. I think that that is why I am supportive of seeing whatever we can do, even if it might be small steps, that indeed those steps have to be taken to try our best at least to do this. That doesn't mean that we shouldn't have a really good look at the legislation and try to look where the flaws might be so that, indeed, once that legislation is put out there, it can be the strongest legislation possible.

Children who have been exposed to pornography have profound effects on their lives because of what they have been put through. Because of that they could become very desensitized and socialized into believing that pornographic activity is normal. That is certainly what a lot of pedophiles try to do with children. That is how they often approach their victims and create their victims is to use child pornography as a way to soften up children so that, indeed, they can continue on and do what their intent is with these children.

Children that have been used in the production of pornography show a multitude of symptoms: emotional withdrawal, antisocial behaviour, mood swings, depression, fear, anxiety. They are at high risk to later become perpetrators themselves. The most destructive feelings those children carry are guilt and shame. Certainly, when we hear of young children committing suicide, it is something that we must consider in those situations is to look in their background of abuse and of exploitation, whether they have had any of these acts put forward in pornographic films or in any way because this obviously will have had a profound effect on them making the decisions that they have made.

Child pornography devalues, it degrades and it marginalizes children as a class. For a lot of these people—I remember in our Child Find days we became aware of an organization. The letters for the organization's name is NAMBLA and it's North American Man/Boy Love Association and their actual slogan was "sex before eight or it's too late." A

lot of these people truly believed that this was okay. They did not see anything wrong in this. Some of those people that were headquartered in the United States were actually judges, lawyers, even police officers, doctors, you know, a number of people. This was a very, very formalized organization that shared a lot of child pornography over the Internet and, in fact, utilized these kinds of connections that they had that when they were travelling to other cities they could actually access one of their I'd call so-called associates in another city and order up a child. It's hard to imagine that these types of activities actually happen, but they do. It's not always the person that looks like a bogeyman or a person that looks like an ordinary upstanding citizen. People don't expect them to look like that but, in fact, a lot of people, a lot of pedophiles, that is exactly what they look like.

Children are not put on this earth to be objects of pedophiles; they're not put on this earth for sexual exploitation or entertainment of adults, because child pornography deprives them of their childhood, deprives them of their innocence, deprives them of their human character and their identity. We certainly have to have our hearts go out to these children who are put through these kinds of situations. It is very harmful and, again, while this legislation, I suppose, is probably not perfect, there may be some concerns with it. It likely is in many ways symbolic. I guess the symbol and the message that is out there is that, you know, in this very complicated and complex area of child pornography, steps are being made to try to at least deal with this issue and curb this horrendous act that is committed upon children.

The one caution, I suppose, in all of this is to be absolutely sure that, in the reporting of somebody in possession of child pornography or sharing it via the Internet, we don't find situations where innocent people that might accidentally come upon this are, in turn, victimized themselves, that, in fact, there is some ability to ensure, that in those instances, the people that are reporting or who may have accidentally come upon something are not caught in a situation where they have had nothing to do with this in a negative way. So those cautions do need to be taken, I think, within the legislation. But, certainly, as far as reporting child pornography or reporting child abuse, I don't think there is anybody that is going to argue with the absolute need to do that, because nobody in this Chamber would tolerate such abuse of children.

We also know that Cybertip in the last number of years has been very, very successful in addressing this issue. I was very proud to see that the organization that I worked so hard at for a number of years, and the work that we started back then evolved into what we see now today and know today as Cybertip.ca, which is a national tip line for receiving and addressing reports regarding child pornography. The success they're having, I guess, you could look at it in two ways. One is it's incredible that they can see the kind of success they're seeing because that is very hard work.

The people that have to work at Cybertip, I think, have a job that nobody would want. You know, I've spoken to some of the people that have to look at the tips that come in, that have to investigate the tips that come in. I give them so much credit and to all of the people at Child Find for dealing with this issue because it can't be easy. It cannot in any way make somebody comfortable to see this and then to have to go home where, you know, you have small children yourself and be able to try to have this wholesome view of life when you know that there are things happening. It must be extremely aggravating when they're having trouble tracking down some of these sites and trying to shut them down and knowing what they're seeing on there and children being victimized. It must be extremely difficult for a lot of them to go home and be ready to come back at it the next day when you want so badly to be able to be successful at identifying who's been abusing the children, and to rescue those kids.

*(15:20)

According to Cybertip.ca, there are a couple of interesting statistics. One in four children has had a stranger ask to meet them in person. That's the one thing that kids have to become very, very aware of when they are actually on the Internet, is to be very, very careful of who they are talking to, be careful of the chat lines. Be careful now with Facebook. We're starting to hear a little bit. I mean, the technology and the advancement in technology can also have a dark side to it that everybody really needs to be aware of, particularly parents.

Fifteen percent of all young Internet users have met in person at least one individual whom they first met on the Internet, and of those, only 6 percent were accompanied by a parent or other adult. Those statistics certainly raise some degree of alarm to be sure. Thirty-eight percent of young people say that their parents know nothing or very little about their

on-line activities. That's where parents have to become more informed, and that's where education programs are very important so that parents do realize that there can be a lot of very dark people hanging around on the Internet looking to take advantage of children. One of the statistics also says that one in four youth have been sent pornography on the Internet by a stranger, and 40 percent have been asked by a stranger to give personal information.

We really need to ensure that we are protecting our children from this scourge and really, that is what it is. Some of the case studies that Child Find has shared with the public, without using names, of course, do show how easily some of this can translate into children meeting predators online, children being exploited, children being sexually abused at some point, and that is certainly not something that I don't think any of us are comfortable with.

I give credit to not only Child Find for what they are doing to address this, but there have certainly been a lot of champions across Canada. I'm pleased to see that there has been some action from the Manitoba government in addressing this issue. There has certainly been a lot of financial resources put forward by the federal government to make this work. There have been police officers across this country, integrated child exploitation units, ICE units that have taken on this issue and they, too, are faced with having to address on a daily basis some pretty horrendous images or hear stories that are very, very disturbing. So I give all of them credit for the kind of effort they are putting forward to protect our children. I think we need to be able to give the supports to all of these people so that, indeed, we can protect our children.

I certainly think that we need to ensure, once children are also identified in situations like this and hopefully rescued, that, indeed, there are a lot of supports built in around that child so that they are able to reconcile in some way what has happened to them. Certainly, anything we can do to address protecting kids, to deal with pedophiles and others that possess child pornography, I think we have to go to the wall on doing that. I think it's absolutely imperative that all of us as legislators look at whatever avenue we can and try to ensure that we put forward every effort that we can so that a child is not victimized in this way, because it is not only once that they are victimized. Every time that picture is out there or that movie is out there, these children are victimized again and again.

Part and parcel of this also has to be looking at raising the age of consent, another aspect to this that does need to be supported by everybody at every level in all of the governments across Canada to ensure that that age of consent can be raised to 16. I know that the federal government is trying very hard to do that. I understand that it was being held up in the Senate right now, and I would encourage all of us to put some pressure on so that, in fact, that particular legislation can move through so that we can ensure that children are protected with every tool that we can possibly put forward.

I think with those few comments, Madam Deputy Speaker, again I would just like to commend Child Find and Cybertip and all of the police forces for the work that they are doing to address this within our society so that, indeed, people realize that child pornography is child abuse, child prostitution is child abuse and, in fact, that we not tolerate this in any way whatsoever.

I'm certainly pleased to support this legislation. I hope that it isn't something that doesn't get used and I say that, I guess, in two ways. I wish it never had to get used because I would wish that there is no such thing as child pornography, but as long as that is occurring, I think we need to put this tool out there so that we can at least give the legal system something to work with. If it does shut down one or two sites or put a pedophile or two in jail and take them off the street to protect our kids, then I think it's incumbent on us to be supportive of that and see this legislation through. Thank you, Madam Deputy Speaker.

Mr. Andrew Swan (Minto): Madam Deputy Speaker, I'm glad I waited. I was going to speak after the Member for Brandon West (Mr. Borotsik) got on the record. I'm glad I waited for the Member for Charleswood because I think, frankly, because of her background in Child Find Manitoba, she's actually done a very good job of putting on the record the hard work that is done by Child Find, now the Canadian Centre for Child Protection. She's put on the record the good work being done by Cybertip.ca and frankly, I think she's put on the record some very good comments. I'm glad to see perhaps she can control some of the loose cannons in her caucus because I think she's quite knowledgeable in this issue and I do respect that.

So, indeed, this is a very good bill. This is going to take another step in trying to prevent the exploitation of our young people. It's a positive

thing. We respect the work that is being done by the centre. We believe that referring these matters, or people referring matters to Cybertip.ca so they can deal with law enforcement, is a very good idea. We have confidence in the system. I thank the Member for Charleswood for her comments and I think we should send this bill on to committee so we can better protect our children. Thank you.

Mr. David Faurshou (Portage la Prairie): Madam Deputy Speaker, indeed the members opposite are seeming a little bit skittish as to debating this bill because very few remarks have been put to debate from the government side of the House. I don't know why that is the case, whether they have been told by their caucus whip to be quiet. I know that the Member for Minto just stood for about a minute but really didn't speak much of the bill, only of members on this side of the House and with no reference to the bill, specifically.

I know the Member for Elmwood (Mr. Maloway) is chatting on from his seat there, I know anxious to stand up and speak very clearly—

Point of Order

Madam Deputy Speaker: The honourable member of Justice, on a point of order?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Madam Deputy Speaker, I wonder—I know it's a little unusual, but I wonder if it would be appropriate if I could ask if you would canvass the House to see if there's leave at this point to bring forward a motion to establish a special committee to deal with the issue of Senate elections. Would I have leave of the House?

* (15:30)

Madam Deputy Speaker: This is to advise the House that you cannot put forth a motion as a point of order. Therefore, there's no point of order.

Mr. Faurshou: I know I began into debate on Bill 7, but I would like to ask before proceeding in further debate on Bill 7 if there's leave of the House to revert to bills so that I may be able to bring forward the private member's bill, Bill 222.

Mr. Chomiak: Madam Deputy Speaker, could the member—I'm sorry, I missed the point because there was such loud laughter from the Member for Springfield (Mr. Schuler). I don't understand sometimes what the Member for Springfield finds

funny, but the Member for Portage la Prairie (Mr. Faurischou) had asked for leave of the House to bring a matter from this morning. We're prepared to provide leave.

Madam Deputy Speaker: Is there leave of the House to bring forth Bill 222 for first reading by the honourable Member for Portage la Prairie? Is there leave? *[Agreed]*

INTRODUCTION OF BILLS

Bill 222—The Business Practices Amendment Act (Disclosure of U.S. Lemon Vehicles)

Mr. David Faurischou (Portage la Prairie): Thank you very much, Madam Deputy Speaker.

I move, seconded by the honourable Member for Morris (Mrs. Taillieu), that Bill 222, The Business Practices Amendment Act (Disclosure of U.S. Lemon Vehicles), be now read a first time.

Motion presented.

Mr. Faurischou: Bill 222 is an act that will require suppliers of automobiles here in Manitoba to declare the origin of the vehicle that has been declared under U.S. law to be a lemon. So thank you.

Madam Deputy Speaker: Is the House ready for the question? The question before—is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is first reading of Bill 222, The Business Practices Amendment Act (Disclosure of U.S. Lemon Vehicles).

Is it the pleasure of the House to adopt the motion? *[Agreed]*

House Business

Hon. Dave Chomiak (Government House Leader): I wonder if you might canvass this House to see if there's leave to bring forward a motion to establish a special committee to deal with the issue of Senate elections for Manitoba.

Madam Deputy Speaker: Is there leave to bring forward a motion to establish a special committee to deal with the issue of Senate elections for Manitoba?

An Honourable Member: Leave.

An Honourable Member: No.

Madam Deputy Speaker: Has leave been granted?

An Honourable Member: Yes.

Madam Deputy Speaker: Granted and so ordered.

* * *

Mr. Chomiak: Madam Deputy Speaker, I move, seconded by the Minister of Advanced Education (Ms. McGifford),

THAT a Special Committee on Senate Elections be established under *An Act To Establish An All-Party Committee To Make Recommendations On Electing Senators* with the mandate, under the Act, to consider matters relating to the election of senators and report to the Assembly within six months or within any longer period allowed by the Assembly;

THAT the membership of the committee consist of

(a) seven members designated by the Whip of the NDP caucus,

(b) four members designated by the Whip of the PC caucus, and

(c) one member designated by the independent members;

THAT, within the parameters of the Act, the committee be authorized to decide how it will conduct its business, including deciding to hold meetings at time and places it considers advisable to receive briefs and hear representations; and

THAT, except as otherwise provided in this motion or in the Act, the committee have the same status, powers, rules and procedures as a standing committee of the House, including the power to establish a sub-committee for the purposes of carrying out any part of the committee's work.

Mr. Speaker in the Chair

Mr. Speaker: It's been moved by the honourable Attorney General (Mr. Chomiak), seconded by the Minister of Advanced Education,

THAT a Special Committee on Senate Elections—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mr. Chomiak: Mr. Speaker, in consultation with the House leader of the opposition, as well as the House leader from the independent party, we've agreed to not comment on this motion, other than to offer to yourself as Chair any assistance that we as House leaders can offer in expediting this particular matter

in so far as the powers delegated to yourself as Speaker. Thank you.

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

House Business

Mr. Chomiak: Mr. Speaker, I'd like to announce that the Standing Committee on Legislative Affairs meet on Thursday, December 13, at 3 p.m., to consider the appointment of the Children's Advocate.

I'd also like to announce that the Standing Committee on Crown Corporations will meet on Wednesday, December 19, at 6 p.m., to consider the annual reports of the Manitoba Hydro-Electric Board for the years ended March 31, 2004; March 31, 2005; March 31, 2006 and March 31, 2007.

I will have further announcements, Mr. Speaker, shortly.

* (15:40)

Mr. Speaker: It's been announced that the Standing Committee on Legislative Affairs will meet on Thursday, December 13, at 3 p.m., to consider the appointment of the Children's Advocate. Also, it's been announced that the Standing Committee on Crown Corporations will meet on Wednesday, December 19, 2007, at 6 p.m., to consider the annual reports of the Manitoba Hydro-Electric Board for the years ended March 31, 2004, March 31, 2005, March 31, 2006, and March 31, 2007, and there will be further announcements coming with other committee hearings possibly. That's announcements.

DEBATE ON SECOND READINGS

Bill 7—The Child and Family Services Amendment Act (Child Pornography Reporting)

Mr. Speaker: Now, we will continue on with debate with Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting).

The honourable Member for Portage la Prairie had the floor.

Mr. David Faurshou (Portage la Prairie): In regard to Bill 7, I had remarked earlier about the lack of government participation in debate on second reading, and more reference to remarks made by the opposition members than remarks pertaining directly to Bill 7.

I've very intently listened to debate this afternoon in regard to The Child and Family Services Amendment Act, Bill 7, which is intended that child

pornography be reported, and also sets out what actions are to be taken when such a report is made. I personally have read the bill from start to finish. It's not long in length, only five pages, but what I'm very concerned about is, once again, it relies upon an individual to effectively determine whether the pornographic material that has come to their attention is, in fact, that of a child. I know that there are determinations being made now to a change in the law, which will bring the age of consent from 14 years to 16 years of age, but this bill refers to the federal government Criminal Code definition of a child. But, once again, I don't believe that there is anyone that could stand in this Chamber and say that without a doubt, 100 percent surety that you can determine someone's age by just only visual means. I know that the bill is intended to try and curtail and bring to the proper authorities any child pornography that they might be aware of, but it is placing a great deal of onus on individuals that have to ascertain and determine the age of the individual.

I know that today we have before us what is touted by the New Democratic Party as to be legislation first-of-its-kind, and as we have learned through practice that, perhaps, the first-of-its-kind legislation in Canada offered forward by the New Democratic Party here in Manitoba is often very flawed. We have legislation to address the gangs that are operating here in Manitoba, that the legislation itself after a number of years has not even brought forward one charge or one conviction. When that legislation was brought in, it was, once again, also touted as first-of-its-kind. We also reflect upon the chaotic situation in Family Services presently brought about by a first-of-its-kind practice to ask persons their racial relationship or orientation before determining as to how the government agency will deal with the individual requesting assistance.

I find that, personally, something that really sets us apart from the rest of the world when the first question that government would ask of an individual was what your race is. I thought, being raised here in Manitoba and Canada, that we were far past looking first to the person's race or skin colour before determining whether that person is in need of help. I think we should be very reflective of the person's need first before trying to ask someone of their race. I think there was one country in the world, another government, that asked what race and then, based on race, how they were determined as to how they were handled by government. I think that was South Africa.

But, anyway, Mr. Speaker, it is with a great deal of concern that I rise and debate Bill 7, because not only does it provide a great deal of onus on an individual to determine how old a person is that has been seen in pornographic material, but also, too, we know that technology exists now to export from one site to another site, whether wanted or unwanted, through the Internet, pornographic material. Should I be an individual that, unfortunately, turns on their computer and accesses the Internet and then we see the pornographic material on our screen that we did not request or effectively attempt to access, but it's there, nevertheless. I believe the terminology for that occurrence is pop-ups, and with pop-ups, immediately, your computer will effectively log what is called a cookie by industry and then your computer will, unless you're able to dislodge this cookie and delete it, will be constantly acquiring this site and whether you want to view or you don't want to view pornographic material, nevertheless, it's popping up on one's screen.

So, even though you might take your computer hardware to technicians in the industry to have your computer cleaned, then, potentially, that computer repair business would be required under this legislation to report you as importing and viewing child pornography. Then you, the innocent individual that is a victim of pop-ups, is now potentially a victim of this legislation and, as we all know, as we are in politics, even this slightest suggestion that we might be seeking out child pornography would be devastating to our political careers. So I'm very, very concerned about this legislation because it would then require us, as individuals, to defend ourselves in court, that we did not voluntarily acquire this child pornography. It merely came as a pop-up on our computer hardware.

* (15:50)

Mr. Speaker, I know that it was reported just in today's paper, as to how someone can, in politics can be rated for pornography and viewing pornography. Again, the determination as to what is pornographic or not pornographic is in the eyes of the beholder as well. We see by the debate in Parliament that a member of the New Democratic Party assessment of pornography is a picture of another MP's girlfriend, which was not exposing any of what they consider private parts. It was only that of a scantily clad—*[interjection]*—and this, the New Democratic Party member decides is something of importance to Parliament and asked that there be an apology forthcoming. In fact, what did take place, whence all

the information was learned, it was a New Democratic Party member that was offering up an apology.

So this legislation does in fact provide for an atmosphere where this activity is heightened and in fact, brought into the court system and, what could be just clearly a misunderstanding or a misrepresentation ends up before the court system. So I would like to stress very, very strenuously that the legislation, being the first of its kind, while well-intentioned, is fraught with areas that could be misinterpreted and bring a lot of grief to innocent individuals.

Also, we want to be satisfied before this legislation goes forward that the government does have, in fact, the resources to make certain that the legislation passed before the Legislative Assembly is going to be enforced. As I mentioned before, we already have law passed before this Chamber that has yet to have one conviction. In fact, even one charge laid.

I spoke in the Legislative Assembly yesterday and referred to the amount of time that is required before someone that is charged with an offence is brought before the court system here in the province of Manitoba. Currently, even the most serious of infractions, which I believe are child abuse infractions, take more than five months to get to the judge. In the meantime, the youngsters are not being able to be properly dealt with because there is no resolution to the situation, because the courts are not addressing the situation. We also know that even the perpetrators of such crimes are only remanded. They may be in custody or they may not be in custody. But the fact remains that, when they are in remand waiting for their court cases to be heard, there are no programs being offered to those individuals to rehabilitate those individuals. So time lapses, and I know the Attorney General (Mr. Chomiak) is cognizant of this fact, that the judges look at those persons that have been held in custody prior to their court date are given double or triple credit for the days, weeks, months spent incarcerated prior to their conviction. So their time in custody, allowing for programs to be implemented to rehabilitate, is significantly, and I will stress, significantly reduced. Those within the justice system that pride themselves in bringing forward programs and working with individuals that have come in conflict with the law are frustrated that they are not given enough time before the individual is released to effectively implement the program.

Again, this government wants to bring forward even more legislation here, although, as I've stated before, it is well intended. There are not the resources in place even to deal today with current legislation, current laws of Manitoba, because it is noted that the wait times for judicial resolution to child abuse cases here in Manitoba have risen from a five-month wait to six months in 2006, which are the latest figures that we've been able to acquire.

As I said, this is the most serious of crimes, those crimes committed against children. Those are the most vulnerable in our society. I am one that wants to make absolutely certain that resources that are needed are definitely provided to care for those that need care and those that need protection, and those that have been abused have the resources, not only to convict and rehabilitate those that have caused this grief, but to work with the children, the victims of crime, to make certain that they are given all of the necessary and required supports to bring their lives back together again.

Now, Mr. Speaker, we all look to wanting to make this a better place for not only ourselves and our immediate families, but for everyone that resides in Manitoba, so we can, indeed, be proud to say that we are Manitobans. This legislation, I know, does speak to wanting to make this a better place. I look to members opposite and I have posed questions to government. I wonder how many government members are proud to say that they believe that six months is not long enough or is too long a time to wait to start the rehabilitation or the recovery or the treatment of those affected by child abuse. I think, that if one is waiting six months, I think we're waiting far, far too long. Currently, this is what the New Democratic Party members are willing to support and believe is acceptable because it is their responsibility to provide the resources. If anybody would like to openly debate that they believe six months is A-OK, I would like them to make it known to myself because I would very much like to debate them on that point.

* (16:00)

So, Mr. Speaker, also, we want to make certain that there is a process that one goes through at the reporting entity, which is yet to be defined. Under the legislation, it is stated that this entity will be brought into place through regulation, but we want to make absolutely certain that there is a process of evaluation so that individuals that are innocent of seeing pornographic material, persons that did not

deliberately go out there and request pornographic material, solicit pornographic material, but have been victims of the well-known pop-ups that come by way of the Internet, that no public shame will come to them and their families. That is what we are very, very concerned about, that is not yet addressed in this legislation, because we all know, and we have all been victims of spam, messages and pop-ups. There's, I don't believe, one of us in the Chamber that has not had access to the Internet at one time or another.

So we definitely support the intent of the bill. However, these concerns have yet to be addressed even though they have been mentioned prior to my involvement here. I want to credit the honourable Member for Ste. Rose (Mr. Briese) for researching this legislation under his Child and Family Services critic's responsibility and for looking in depth into this legislation to make certain that legislation is as good as it can possibly be.

So, Mr. Speaker, I know that there are so many problems within our judicial system, and I'm gravely concerned that while we are having difficulties addressing what legislation we've already passed through this House with the current resources, I would like to have the government's assurance that they are going to look at the six-month delay on child abuse cases as well as the months and years of delay for other statutes of provincial legislation where persons are waiting for their day in court.

So, with those few remarks, Mr. Speaker, I do appreciate the opportunity to stand and participate in debate on Bill 7, The Child and Family Services Amendment Act, and I look forward to members on the government side of the House standing and being recognized and answering the questions which I and my colleagues on this side of the House have asked. Do you really feel that there are adequate resources available through the judicial system that will be able to provide for this legislation, in addition to their already monumental responsibilities with current legislation passed for this House?

Thank you, Mr. Speaker.

Mr. Blaine Pedersen (Carman): I, as well, would like to put a few notes on the record as to The Child and Family Services Amendment Act in regard to Child Pornography Reporting. As a parent and as a legislator, child pornography is just one of those disgusting, hideous things that continues to surface. It damages our children, and as much as we wish we could we would like to just have it go away, but we

know in the real world that it's not going to. We know that with the Internet it has spread around the country, it has spread around the world, and it's spread much easier with the Internet. *[interjection]*

I thank the Member for Springfield (Mr. Schuler) for that little prompting.

As a father of children, we try to instil values in our children. We hope that we can protect them from this type of thing, but we know we have to do much more. While it's good to put forward legislation in regard to child pornography, we need to make it effective. There are a couple of concerns with this legislation, and, certainly, the two main ones are that we're concerned that the reporting requirement will never be enforced or never be able to be enforced. That's something that, as legislators, we need to sit back and look at this and decide how we can make it most effective. Simply passing a law and then having it not effective is just not good enough. We have children that are being used and abused from this, and we need to be much more cognizant as to how to fix this terrible problem.

We have a Cybertip line in place right now. Perhaps that could be enhanced. I am not a computer whiz. I manage to handle e-mails and that. But you know, if you have things in place like Cybertip, why don't we make it more effective? If you have the tools right now, maybe those can be used to make it more effective.

One of the other problems I see in this legislation is that it says in here, the reporting entity, as designated by regulation. And again, why don't you spell that out now? When I look at that, I just think, well, you really don't have a clue as to how you're going to set up this regulation. If you bring in legislation, think the whole thing through. Put your plan out there and make it work. Just simply window dressing and saying we're going to address child pornography is not good enough. We need to work very hard.

The concern is, too, that it is under Child and Family Services. Given the dismal record of Child and Family Services over the last number of years, to add this in on there certainly doesn't give me any confidence that this problem will be addressed in a meaningful manner. We know that the record of this government on Child and Family Services certainly leaves a lot to be hoped for. We would suggest there are other legislative and policy changes that would need to be made as well in order to make a difference in the lives of children. Always shifting focus and

always misplaced priorities, this is not going to solve this problem, that being in Child and Family Services. We need a clear focus and a clear set of priorities. That is not in this current legislation. Fuzzy policy directives, naïve ideals sound good, but they really don't work.

Ms. Marilyn Brick, Acting Speaker, in the Chair

They've continued to refuse to accept responsibility for the mess in Child and Family Services. What assurance do we have that this will be any different? We know that children have fallen through the cracks on this and they continue to fall through the cracks. We hear day after day in this House how they refuse to take ownership of the problem and solve it.

We know that the front-line workers are frustrated. We know that the caseloads just continue to build. They talk about hiring new workers, but only some of them are front-line staff. The rest are not on the front line and that's where we have the increasing problem. Child pornography is a systemic problem that is not going to be handled by the Child and Family Services unless they have some clear direction from this government.

* (16:10)

I will certainly be interested to hear, when this bill goes to committee, from agencies such as the Canadian Centre for Child Protection, Child Find Manitoba and Beyond Borders. They've given qualified support for the bill, but, again, when we get into committee, it will be interesting to listen to them, how they think this legislation will actually work to put a stop to child pornography.

You cannot legislate morality, and, unfortunately, we know that child pornography continues to be a problem. How we effectively stop it will be certainly interesting to see, if there is any plan and how it will come through on this.

Madam Acting Speaker, I just wanted to put a few words on record here as to add my support for stamping out child pornography. Certainly, myself and my caucus members, we're quite willing to do anything and everything we can to stop this. So we hope that we will see some effective legislation come through and also some effective advice coming out of the committee on this. This is a problem that we cannot solve within this Chamber, but it is a problem that we need to be on the forefront to help solve.

Madam Acting Speaker, just with those few words, I think there's been lots of debate on this. The government side doesn't seem to be interested in getting up and talking about it. So we've done our best on this side of the House to bring forth our concerns about it.

With that, Madam Acting Speaker, I will thank you for the opportunity to speak to this bill.

Mr. Larry Maguire (Arthur-Virden): Madam Acting Speaker, it's an opportunity for me to speak on Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting). I, too, would like to say that from my perspective I believe that the intent is that anytime you try to reduce child pornography, the exposure to it and the exposure of it, is a great opportunity to expand in Manitoba.

I think that one of the things, however, that we would want to caution on—and my colleagues have mentioned a few of these issues, but we have a couple of concerns. I have a couple of concerns, Madam Acting Speaker, and I know that the government feels that this is an extreme priority. I believe it should be a priority.

I want to express, though, a concern that this was first introduced in the '06 Throne Speech, which was over 18 months ago, and I think that, if it was as big a concern as the government has indicated, as perhaps they feel it is, they could have brought it forward prior to the last election. It would already be in place perhaps, Madam Acting Speaker. I believe this is a bill that they are looking at bringing into force through a date to be fixed by proclamation, so the bill could have been proclaimed by now if it was the government's intent to have moved forward very quickly with it.

Madam Acting Speaker, I want to utter a couple of concerns, and I think that my colleagues have, but I would just like to repeat some issues. I want to expand on one of them, for sure, just to provide some input into that area. I think that the two main areas of concern are, of course, first, the reporting requirement and the enforcement of that reporting requirement.

The whole bill itself, of course, is put in place to request that child pornography be reported, and it's very clear that it's child pornography. We are all, every member of this House, I'm sure, extremely concerned about any continuation of child

pornography on our Internet and exposure to it in other circumstances.

So I feel strongly that it should be eradicated wherever possible, if that is the case. But we do know that there are people who make an industry of it out there in illegal means, Madam Acting Speaker. So we need to, first of all, enforce rules and enforce the policing more of these types of illicit circumstances.

Of course, that, I think, also goes around the whole issue of getting stronger on control of the drug industry in Canada, but particularly in, well, worldwide, but we're focussing here on Manitoba and what the Manitoba government could do on the justice side to alleviate as much of this trade and trafficking as could possibly be expected of them.

The bill is also to set out what actions are to be taken when such reports are made around issues of child pornography and the reporting of it. I know that there are—the definition of child pornography is "a photographic, film, video or other visual representation, whether or not it was made by electronic or mechanical means," and, Madam Acting Speaker, I think that there are—you know, it goes on to explain that as well. The bill has a reporting entity, which "means an organization, agency or person designated as a reporting entity by a regulation made under clause 86(w)."

I believe that reporting of child pornography, and I just want to quote an example here, is that "In addition to the duty to report under subsection (1), a person who reasonably believes that a representation or material is, or might be, child pornography shall promptly report the information to a reporting entity." I think that's one of the most important clauses in the whole bill: "Seeking out . . .". That's section 18(1.0.2) under "Reporting child pornography". I will speak to that in a moment.

But, first of all, I want to say that the second major concern that I have is that if the legislation is effective, and I hope that it would be, it will lead to more increased exposure, more increased tips around child pornography and more people calling in to report child pornography that they've found and report children in danger. I certainly would concur that that is of utmost importance and that's why I say that the intent of the bill is certainly to move forward.

I agree with that intent, but I have a concern that the record of this NDP government is not that great

when it comes to the justice issues on our streets and avenues of Manitoba and our homes as well, Madam Acting Speaker, and so I have a concern. I raise it with the government today that they should at least be looking at enhancing the policing of these through the justice system and providing more resources to take care of these kinds of circumstances, perhaps, if that's their intent in this bill. If it's going to be effective, it's going to have to be.

But the situation that we're faced with in Justice in Manitoba today, you know, as we deal today with the circumstances that we're dealing with on the 14 women killed in Montreal back in December 6, 1989. We attended the sunrise breakfast this morning in the House, as well with my colleagues from both sides of the House. Our leader from Fort Whyte was there, members of the Liberal Party, members of the NDP as well, and the Minister of Labour (Ms. Allan) was there introducing us all as well. Many of us were there and that wonderful presentation that we heard this morning, great presentation by Roberta Graham from the University of Brandon.

It was an opportunity for all of us to be reminded of how tragic occurrences can be across Canada, that one being a major one, and also the fact that 13 women have died across Manitoba in a violent manner since December 6 of '06, a year ago. We hope that, as has been referred to by many of my colleagues in the House today, that number is eliminated for next year, or at least reduced as we move forward.

* (16:20)

I think that the major effort in making that happen will only come from making sure that we have resources that are well equipped. I know many of the young policemen in the city of Winnipeg and across Manitoba, Madam Acting Speaker. I know that they are extremely busy. They are already doing everything that they can, I am led to believe, and I believe that they are myself, across the province. I was actually at a wedding of one young Winnipeg city policeman and his wife, who is a very good friend of my daughter's. I take very seriously the issues of crime across this province and making sure that we give the fine police persons we have in our forces across Manitoba, whether they be in city police, provincial areas or the Royal Canadian Mounted Police and other areas, the best resources we possibly can.

We also must make sure that we have as many resources as we possibly can in the judicial system

when it comes to the court hearings and process and procedures from the Crown prosecution in regard to these types of crimes as well. Of course, we recommended more of those types of personnel in the election platform that we had last summer and believe strongly that this needs to be expanded on in the province of Manitoba. Just as an example, it was pointed out that the Manitoba Association of Crown Attorneys in late '06 indicated that one Crown prosecutor had over 300 child abuse cases that he was dealing with, that that individual, he or she, was dealing with at that time. That is a tremendous backlog and a tremendous disincentive in our system to deal with these circumstances and cases in an appropriate manner, a manner that is close enough to the crime that it can be dealt with properly without an undue waiting period.

Madam Acting Speaker, a number of my colleagues have mentioned today that a person could be set up, so to speak, in these kinds of circumstances. We all do know of spam that is coming onto our computers across the province, and no matter how much I try to have it deleted so that it doesn't even come onto the screens that we have, there's always some new piece of information leaking on there that we don't want.

Many of my colleagues have mentioned the articles in today's papers in regard to the, I think, very despicable process that happened to a young Member of Parliament yesterday and that we became aware of in today's paper at least. Anyway, I'm not going to go into those details, just to say that those kinds of actions are what all persons, not just those of us in the Legislature, but all persons, whether they're in business or in their personal lives at home, would have to be aware of. It's a concern and it's not, we hope it wouldn't be, something that couldn't be overcome through the amendments to this legislation or that sort of thing. I don't know if they're required in that matter. Maybe the government, if they were debating this bill, could indicate to us just how they would deal with some of those areas, and we could maybe pass this on and get going with it. But I hear nothing from them on it. So I have to rely on what's before us.

I applaud this type of legislation that may be the first in Canada, but that's even more important as to why we need to get it right the first time. Quite often, some of this legislation is brought forward to fill in some of the slots that the government feels they need to have in legislation just because they've run out of some ideas in certain areas to bring forth legislation

that would tackle major issues in Manitoba. This is a major issue. I just feel that they need to explain it more than has already been described.

The reporting of child pornography, as I said, there are areas where individuals could be set up in this whole area. There's an informant identity that is talked about in this particular bill as well, and that is, if an individual comes across while fixing a computer or being asked to clean the hard drives and that sort of thing in a machine, that they come across something that they see in there, they may pass over it. They may not think that it's child pornography because it may be hard to tell what age the individuals are or where they're at. Obviously, all of us in this House would err on the side of caution in those areas, but maybe this is a young person that wants to keep their business going or whatever and kind of overlooks it in an effort to get on to the next job because they're probably very busy.

Then that might be just a judgment call. But then if, for some reason, that same hard drive or that same screen was to be looked at by someone else further down the road, knowing full well that that particular businessman or businessperson was supposed to have worked on that particular machine, then not only would they be in a position to report it themselves, but what would they do with the individual that this computer has gone through two sets of hands now? And how many more people could be implicitly involved in this kind of action? I think the government needs to just be a little bit more clear in regard to where they're at with those types of concerns, Madam Acting Speaker. So those are a couple of the things that I wanted to put on the record in regard to this.

I noticed, as well, as others have, that this legislation has been brought forward by the Minister of Family Services (Mr. Mackintosh), I can't repeat enough that the record of this Child and Family Services department, while the department people are working as well as they can within it, we have great concerns about the lack of clarity in some areas and the lack of support in some of the areas that the government itself has been giving the department and the direction that it's been giving it. I don't blame, certainly, the persons in the department, but I think we would wish that the government would take a greater control of it. As I said before in my remarks, I feel that this is an area that the government could make greater clarity on, and it would be up to the Child and Family Services area of

the NDP government to do that, Madam Acting Speaker.

So I feel strongly that we don't need to have any more children fall through the cracks in some of these departments. We've seen that in the areas that have been referred to by my colleagues earlier in the House today, in handling of circumstances there. This legislation is certainly not going to relieve front-line workers of their responsibilities in caseloads. In fact, it's going to increase it. That's very much why I'm saying that we need to look very, very seriously at the issue of front-line personnel.

So, with that, Madam Acting Speaker, I want to say that we feel strongly, or I feel strongly as well, that the government has failed in its standard manuals in regard to completing those areas and concerns about the agencies and authorities supposed to measure their performance against non-existent standards. Those are concerns to all of us in the House. We know that there's some mistakes made by some of these ministers in their early days, but they've had lots of experience now, or they should have had lots of experience in this area, although the government keeps shifting the Child and Family Services portfolio from one to another in regard to responsibilities to try and get it right. I think that that's a great concern to Manitobans as well when they see this portfolio being shifted from one member to another member to another member. We've only had eight years, and I forget, it's at least four or five ministers of Child and Family Services that we've had, and I know it's certainly frustrating over the years to try and see who should be in charge. I don't think that the government knows themselves from time to time who the next person will be when the Premier (Mr. Doer) makes his next shuffle.

Those are certainly concerns that we have. We want to see that there are teeth put into legislation like this. If it's going to do that, then it's going to require very serious investment. From what we hear, the people on the street are saying that this child welfare system is in complete shambles and needs to have a great deal of expertise and work done in it to try to clarify many of the issues that would come forward. Bills like this make them question the intent of where the government really wants to go with the legislation that they're putting forward.

Madam Acting Speaker, I feel that a bill like this, with the penalties that they're putting in place

for failing to report child pornography, as I said earlier, the concern I have is that it may be a judgment call, that somebody innocuously misses, not through intent, but just misses it, if they are the one that's cleaning it up. If they are the ones that put it on there, well, they deserve everything they would get in that regard. If you are fixing a machine, as I said earlier, and you happen to inadvertently feel that, as you were going through it and didn't see it or made a poor judgment call in that area, then you could be held liable perhaps down the road because you were one that had access to this particular screen. It will show up that you were there to do the repairs on it or to look at the hard drive.

* (16:30)

To go to jail for two years or a fine of \$50,000, Madam Acting Speaker—there are many parallels in this, and it looks to me as if it's the same kind of a thing that the minister of transport brought forward the other day where they want to put you in jail and fine you \$5,000 for hitting an underpass. Well, that would be an accident, and nobody wants to hit an underpass on purpose. Yet, when the law already states that you can be fined up to \$2,000, your insurance is going to go up; you know that if you're going to be in these kinds of circumstances. There are painful mechanisms in place to deal with this but it does deal with an accident. But here's a government that just wants to take, well, we're going to put them in jail or give you a—or increase the fine as well as the \$2,000 that you can pay to the judicial system that's already there; we're going to up it to 5 and we don't know where that money goes. It probably just ends up in the fines that are supposed to go into more roads in the previous bills that the government has already passed in years past that I've been transport critic.

We're certainly not against trying to improve awareness and education but we think that the fact that these kind of bills—half a page long—it looks to me as if it could be done, as I reported in the *Free Press* today, is—[interjection] I choked up there, Madam Acting Speaker—is one that concerns us all. So, with those words, I will end my comments in regard to Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting), and look forward to the government bringing more improvements forward, or at least discussing this bill when we take it into committee and further down the road.

House Business

The Acting Speaker (Ms. Marilyn Brick): The honourable House leader, on House business.

Hon. Dave Chomiak (Government House Leader): I wonder if we might have leave of the House for various and sundry comments to be made by individuals whilst I will return and try to confirm a subsequent meeting that I will be informing the House of.

Do I have leave of the House to allow for holiday and various sundry greetings, Madam Acting Speaker?

Some Honourable Members: Leave.

The Acting Speaker (Ms. Marilyn Brick): There has been leave given to cease debate on Bill 7 and to move towards other sundry business.

* * *

Mr. Hugh McFadyen (Leader of the Official Opposition): I do have some various and sundry comments to put on the record, as the Attorney General, the Government House Leader, had asked for leave with respect to.

In particular, just to take the opportunity as this is our last day of session prior to the holiday season just to put comments on the record, the very good wishes that I would like to extend personally to all members of this House and their families, as well as to all Manitobans for a very happy holiday season. I know that, here in Manitoba, as a province that is made up of a diversity of cultural traditions and people of differing religious beliefs, this is a very important and significant season for very many Manitobans. For those who grew up, as I did, in the Christian faith, Christmas is one of the most important and sacred holidays in the calendar. It is a time of rebirth; it is a time of optimism; and it is a time for family and friends to gather in order to enjoy one another's company and to celebrate this important day in the calendar.

Mr. Speaker in the Chair

Also, Mr. Speaker, it's an opportunity for the exchange of gifts, greetings and good will. On that note, I would just like to extend to all members, regardless of party, that, notwithstanding the differences that sometimes exist between us on our various perspectives and views as to how we make for a better Manitoba, we are united in wanting a better Manitoba. Certainly, I want to say to all

members, I thank you for the camaraderie and the collegiality that has taken place and that has animated this House for the better part of the recent sitting of the Legislature. I wish everybody a very safe and happy holiday, Christmas season.

In addition, Mr. Speaker, for many members of our community and many of my own constituents, this is the second in an eight-day celebration of Hanukkah. *[interjection]* I believe I hear somebody saying third. I believe it's the second day. It began yesterday, and it is an eight-day celebration commemorating the ancient rededication of the second temple. Those of the Jewish faith know that candles of the menorah are lit to commemorate the miraculous event when one day's supply of consecrated oil burned for eight days, providing light to the people of that time. The larger meaning, of course, of Hanukkah is that it is a triumph of light over darkness. So, like the Christian celebration of Christmas, it is a celebration of optimism, a celebration of the triumph of good over evil and the triumph of light over darkness.

So, Mr. Speaker, with those comments, I want to just say again to all members of our Manitoba community regardless of your faith, we wish you a Merry Christmas, a happy Hanukkah. For those of differing beliefs and view, we simply wish you great happiness, optimism and safety over this holiday season.

Thank you, Mr. Speaker.

Mr. Speaker: Before recognizing the honourable Member for River Heights (Mr. Gerrard), just for *Hansard's* information, the comments that are spoken now are not pertaining to Bill 7. That's just for *Hansard's* information.

Hon. Jon Gerrard (River Heights): Just a few comments as we end this last three weeks of this session and prepare to break for the holidays, I want to begin by thanking all the staff at the Manitoba Legislature for their contributions to the democratic process and to making democracy work in Manitoba. Democracy is not a perfect system, but it's a lot better than any other. Thank you.

Second, I'd like to wish all MLAs and their staff and, indeed, all Manitobans a joyful, happy holiday season. Although there are many Manitobans who are having a difficult time for one reason or another at the moment, if we all pull together, if we think of others and do what we can to help others, we can make a difference, and we can do what's possible to

help ensure a happy Christmas or Hanukkah celebration or just a relaxing happy holiday to people in Manitoba. To young people who are involved in the Youth Parliament, I wish them well and hope they have a good session over the holidays.

Much of this session for us as Liberals dealt with health issues and ethical issues. The session began the same day as the provincial Patient Safety Conference. The evening of the second day of the session there was a public forum held as part of the conference. John Lewis spoke eloquently and passionately about his own experience on the death of his daughter, Claire, as a result of a medical error. I watched and listened stunned that night at the podium as people brought forward their problems with medical errors here in Manitoba. It's time to change the system.

In this session I've raised questions on several occasions designed to improve things. I've raised concerns as fundamental as the very definition of a critical incident. It needs to be improved. I've raised attention to inadequacies in the reporting process, to the needed time lines for follow-up and reporting on medical errors. We need reports within 72 hours as recommended seven years ago by Justice Murray Sinclair.

There remains much that was recommended by Justice Sinclair in November 2000 that still hasn't been done. The job needs to be completed.

On Lake Winnipeg, we note that the NDP have basically copied our Liberal legislation to ban phosphorus in automatic dishwashing detergents. They've added some frills, and the NDP bill may achieve about half the effect and take twice as long to do so. It's a step in the right direction, but it's a little telling and maybe comical that the best the NDP could do was to copy a Liberal bill this session.

We also introduced a new approach to human rights of patients to get quick access to health care when they need it. I've heard far too many stories of people waiting far too long and of people who have died or are going to die because they couldn't get access to the health care they needed when they need it. It's time to change and to adopt a Liberal vision for quick access to health care when it's needed.

* (16:40)

We've also as Liberals drawn attention to important ethical issues. There are important ethical issues for us as MLAs and all Manitobans, ethical actions and concepts which still must be learned and

improved upon. Ethical practices in the political arena need to be continually reviewed. It's not enough to pass laws and codes of ethics. The stories of what happened in relation to ethics in The Maples and Wellington and even in Carman, nominations aren't dead. There are stories that need to be followed up so the practices can be improved to the benefit of all Manitobans.

The NDP today were exposed as the grinch who stole Christmas for Manitoba seniors by closing a well-working job bank. The NDP have also been exposed this session as presiding over a period when there's been a high depth of child poverty. There's need to do much more to address child poverty in our province.

The session has brought attention of Manitobans who came to our province from Ukraine. We passed a bill last session to recognize the internment of Ukrainians from 1914 to 1920. This session has brought attention to the famine in Ukraine, 1932 to '33.

It's important to all of us as MLAs to bring attention to what happened in this famine, the Holodomor. It's important that we reckon the famine as a genocide, that it wasn't a normal famine, but one which was intentionally induced and that we work continually and devote our efforts not only here but globally to prevent further genocides, including the terrible situation in the Darfur region of the Sudan.

On the 18th anniversary of the Montréal massacre where 14 women were killed, we need also to commit ourselves to do better in acting to reduce violence against women. There's still too much violence against women in Manitoba today, with at least 13 deaths in the last year. We need to recognize that we've not done enough and there's much more to do.

I'm closing by wishing all a merry Christmas, a happy Hanukkah, a wonderful holiday season. Let us think not only of ourselves but also of those who are less well off and do what we can so that all Manitobans can have as good a holiday as is possible. Thank you.

Mr. McFadyen: As the Government House Leader (Mr. Chomiak) indicated earlier, there are members who want to make various and sundry comments. I made my various comments earlier and forgot a couple of sundry comments that I just want to add. I thank the Government House Leader for giving me leave to just add a couple of more comments.

I want to say, Mr. Speaker, as we approach the end of this year and the new year, that all of us who are members of this Legislature have—

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

Mr. McFadyen: Thank you, Mr. Speaker. Was any of what I just said on the record? Or do I have to start all over? It was all on the—good. Okay. Thank you.

I want to just say that all of us as elected members of this Legislature feel, I know, incredibly privileged to come here to work each and every day. I know, having spent time as a member of staff in government, something that's been well documented by members opposite, that I certainly felt privileged to come and work in this great building, to be part of the great debates and issues of the day. I know that all members feel similarly privileged to come and work here in the Manitoba Legislature.

I neglected in my various comments and I'll now make in my sundry comments to say, Mr. Speaker, and to extend to members of our staff our great appreciation and gratitude for the tremendous work that they do every day. Several members of the Progressive Conservative caucus have come to join us in the gallery. I want to just say that, as well, staff from my office have come to join us in the gallery. I just want to say and acknowledge that they work incredibly hard. They provide great support to the members of the Legislature under tremendous pressure. They work long hours, and they're rarely appreciated here in this Chamber. So I want to take a moment to thank them and express our great appreciation and gratitude to all of the members of our opposition caucus staff as well as staff in the leader's office who come here and work very hard each and every day.

In addition to that, Mr. Speaker, I thank all of those who are dedicated civil servants throughout Manitoba, employees of our Crown corporations, employees of the Manitoba Legislature, including the staff of the Chamber and those who provide support to this Chamber.

I would have been remiss in not putting those comments on the record as we approach the end of this calendar year. Thank you, Mr. Speaker, for that opportunity.

House Business

Mr. Chomiak: Mr. Speaker, I'd like to announce that the Public Accounts Committee will meet

Monday, December 10, at 7 p.m. to consider the Auditor General's Report – Audit of Public Accounts Annual, dated March 31, 2003; to review the Auditor General's Report – Audit of Public Accounts Annual Report, March 31, 2004; and the Auditor General's Report – Audit of the Public Accounts for the year ending March 31, 2006.

Thank you, Mr. Speaker.

Mr. Speaker: It has been announced that the Standing Committee on Public Accounts will meet at 7 p.m. on Monday, December 10, 2007, to consider the Auditor General's Report – Audit of the Public Accounts, dated March 31, 2003; Auditor General's Report – Audit of the Public Accounts, March 31, 2004; and Auditor General's Report – Audit of the Public Accounts for the year ending March 31, 2006.

* * *

Mr. Chomiak: Mr. Speaker, can you call it 5 o'clock?

Mr. Speaker: Yes. Before I do, I just want to, on Bill 7, Bill 7 will remain standing in the name of the honourable Member for Ste. Rose (Mr. Briese). Okay?

Is the will of the House to call it 5 o'clock?
[Agreed]

So, before I do, I just want to wish everyone a very merry Christmas, happy Hanukkah and happy New Year to everyone on behalf of all Legislative Assembly staff.

The hour being 5 p.m., this House is adjourned, stands adjourned, and we will return at the call of the Speaker.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 6, 2007

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The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/index.html>