

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

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

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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.
JENNISSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
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, Hon.	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 12, 2008

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

### *PRAYER*

### **ROUTINE PROCEEDINGS**

### **INTRODUCTION OF BILLS**

#### **Bill 232–The Public Schools Amendment Act (Anaphylaxis Policies)**

**Ms. Erin Selby (Southdale):** I move, seconded by the Member for Kirkfield Park (Ms. Blady), that Bill 232, The Public Schools Amendment Act (Anaphylaxis Policies); Loi modifiant la Loi sur les écoles publiques (politiques sur l'anaphylaxie), now be read for the first time.

***Motion presented.***

**Ms. Selby:** This bill requires each school board to develop an anaphylaxis policy to meet the needs of pupils who have serious allergies.

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

#### **Bill 300–The Royal Lake of the Woods Yacht Club Incorporation Amendment Act**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I move, seconded by the Member for Charleswood (Mrs. Driedger), that Bill 300, The Royal Lake of the Woods Yacht Club Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation « The Royal Lake of the Woods Yacht Club », be now read a first time.

***Motion presented.***

**Mrs. Stefanson:** This bill is just to change the Royal Lake of the Woods Yacht Club from a for-profit organization to a not-for-profit organization.

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

### **PETITIONS**

#### **Personal Care Homes–Virden**

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

These are the reasons for this petition:

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Mr. Speaker, this petition is signed by Terry Johnson, Bonnie Zubrecki, Rhonetta Brown, Myrna Orr and many, many others.

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

### Child-Care Centres

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

These are the reasons for this petition:

There is an ongoing critical shortage of child-care spaces throughout Manitoba, particularly in fast-growing regions such as south Winnipeg.

The provincial government has not adequately planned for the child-care needs of growing communities like Waverley West where the construction of thousands of homes will place immense pressure on an already overburdened child-care system.

The severe shortage of early childhood educators compounds the difficulty parents have finding licensed child care and has forced numerous centres to operate with licensing exemptions due to a lack of qualified staff.

Child-care centres are finding it increasingly difficult to operate within the funding constraints set by the provincial government to the point that they are unable to provide wages and benefits sufficient to retain child-care workers.

As a result of these deficiencies in Manitoba's child-care system, many families and parents are growing increasingly frustrated and desperate, fearing that they will be unable to find licensed child care and may be forced to stop working as a result. In an economy where labour shortages are common, the provision of sustainable and accessible child care is critical.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Family Services and Housing (Mr. Mackintosh) to consider addressing the shortage of early childhood educators by enabling child-care centres to provide competitive wages and benefits.

To urge the Minister of Family Services and Housing to consider adequately planning for the future child-care needs of growing communities and to consider making the development of a sustainable and accessible child-care system a priority.

To urge the Minister of Family Services and Housing to consider the development of a governance body that would provide direction and support to the volunteer boards of child-care centres and to consider the development of regionalized central wait lists for child care.

To encourage all members of the Legislative Assembly to consider becoming more closely involved with the operations of the licensed day-care facilities in their constituencies.

This is signed by Carla Firman, Lorene Belows, Amanda Currette and many, many others.

### Long-Term Care Facility—Morden

**Mr. Peter Dyck (Pembina):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

The background for this petition is as follows:

Tabor Home Incorporated is a time-expired personal care home in Morden with safety, environmental and space deficiencies.

The seniors of Manitoba are valuable members of the community with increasing health-care needs requiring long-term care.

The community of Morden and the surrounding area are experiencing substantial population growth.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to strongly consider giving priority for funding to develop and staff a new 100-bed long-term care facility so that clients are not exposed to unsafe conditions and so that Boundary Trails Health Centre beds remain available for acute-care patients instead of waiting placement clients.

This is signed by Mary Gerbrandt, Lucy Destoop, Ann Halabicki and others.

\* (13:40)

### Lake Dauphin Fishery

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Fishing is an important industry on Lake Dauphin.

To help ensure the sustainability of the Lake Dauphin fishery, it is essential that spawning fish in the lake and its tributaries are not disturbed during the critical reproductive cycle.

A seasonal moratorium on the harvesting of fish in Lake Dauphin and its tributaries may help create an environment that will produce a natural cycle of fish for Lake Dauphin, therefore ensuring a balanced stock of fish for all groups who harvest fish on the lake.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Water Stewardship (Ms. Melnick) to consider placing a moratorium on the harvesting of any species of fish on Lake Dauphin and its tributaries for the period of April 1 to May 15 annually.

To request the Minister of Water Stewardship to consider doing regular studies of fish stocks on Lake Dauphin to help gauge the health of the fishery and to consider determining any steps needed to protect or enhance those stocks.

This petition is signed by Walter Llylyk, Dave Scheller, Karen Fidierchuk and many, many others.

#### Crocus Investment Fund–Public Inquiry

**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:

The 2007 provincial election did not clear the NDP government of any negligence with regard to the Crocus Fund fiasco.

The government needs to uncover the whole truth as to what ultimately led to over 33,000 Crocus shareholders to lose tens of millions of dollars.

The provincial auditor's report, the Manitoba Securities Commission's investigation, the RCMP investigation, the involvement of revenue Canada and our courts, collectively, will not answer the questions that must be answered in regard to the Crocus Fund fiasco.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier (Mr. Doer) and his NDP government to co-operate in uncovering the truth in why the government did not act on what it knew and

to consider calling a public inquiry on the Crocus Fund fiasco.

Mr. Speaker, this is signed by B. Villanueva, V. Villanueva, Julin Carlos and many, many other fine Manitobans.

#### COMMITTEE REPORT

##### Committee of Supply

**Mr. Rob Altemeyer (Chairperson of the section of the Committee of Supply meeting in Room 255):** Mr. Speaker, the Committee of Supply has considered and adopted certain resolutions.

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

*Motion agreed to.*

#### MINISTERIAL STATEMENTS

##### Manitoba Day

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

Mr. Speaker, today, May 12, is Manitoba Day. It was 138 years ago today that the Manitoba Act received Royal Assent in 1870, officially creating our province as part of Canada.

Across this province, Manitobans are attending celebrations and events to mark this significant anniversary. These celebrations will bring people of all ages and origins together to commemorate our heritage in Manitoba, our achievements as a province and to reflect upon our hopes and dreams for the future of Manitoba.

Today, the Province hosted a Citizenship Court Manitoba Day event in this grand Legislative Building. This event celebrates Manitoba's diversity past and present. Citizenship Court welcomed 30 new Canadians. People from many parts of the world have chosen to make Canada their home.

There are many more exciting activities and initiatives happening to celebrate Manitoba's birthday and our rich cultural traditions. As an example, the fifth annual Doors Open–Celebrating Stories our Buildings Tell, on May 24 and 25, will feature free tours of local museums, churches, offices, jails and more.

There is also an official proclamation honouring Manitoba Day, May 12. I'd like to encourage all

members of this House and all Manitobans to explore our province, take in some of the many Manitoba Day events and discover more about our people and the cultures that make up friendly Manitoba. Thank you and happy Manitoba Day.

**Mrs. Leanne Rowat (Minnedosa):** I would also like to put some comments on the record in celebration of Manitoba Day on May 12, which is today.

Mr. Speaker, we celebrate a historic time in our proud past. We have come a long way since 1870, when Manitoba became the fifth province of Canada and the first province in western Canada. This day should be one that all Manitobans recognize and take the time to reflect on the great accomplishments of our past as well as the exciting promises for our future. We have so much to celebrate and be proud of.

When I think of Manitoba, diversity comes to mind. Manitobans are a diverse and friendly people. Our province reflects the success of joining ideas and values of many cultures to create an irreplaceable identity for this province. It is our diversity that gives us strength and makes Manitoba a great place to live.

Today, I joined my colleagues in the Manitoba Legislature by attending the Citizenship Court Manitoba Day event in the grand Legislative Building. Citizenship Court welcomed 30 new Canadians, and these people will be a part of our world and our province and will be contributing to our strengths within this province.

Beyond our cultural diversity, Manitobans can celebrate our natural diversity. Manitobans and visitors alike take pleasure in the Arctic splendour of the north, beauty of our lakes in the fertile prairies. Mr. Speaker, there is no place like Manitoba, so on behalf of all of the colleagues in Manitoba, I want to wish everybody a very merry May 12, Manitoba Day.

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

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

**Mr. Gerrard:** Mr. Speaker, Manitoba Liberals join all Manitobans in celebrating Manitoba Day today. This morning, I was at Queenston School and celebrating with the students their Manitoba Day, and they were engaged in a whole lot of activities talking about and describing and dressing up to

celebrate the wonderful history that we have here in our province of Manitoba.

At noon, I was at the Millennium Library, at the Carol Shields Auditorium, and Garry Hilderman was talking about the Upper Fort Garry and how important it is that now we have a solid future for the Upper Fort Garry site, and we're going to move forward on this initiative.

This was the site of government in 1870, May 12, 1870, when Manitoba became a province and the Manitoba Act was passed and Louis Riel was presiding over the provisional government at that time.

It is exciting to have this future for Upper Fort Garry. I am pleased that a year ago when I asked this question to the minister and he said we're determined to have a high-rise apartment on that site, that there have been enough members of the Manitoba public who've come forward to make sure that Upper Fort Garry is indeed celebrated and will remain there as an important site for the future. Thank you.

\* (13:50)

### Introduction of Guests

**Mr. Speaker:** I'd like to draw the attention of honourable members to the public gallery where we have with us today a group of students from Linden Meadows School under the direction of Greg Swintak and Karen Phillips who are the guests of the honourable Leader of the Official Opposition (Mr. McFadyen).

Also seated in the public gallery we have with us today a group of members from the Manitoba Anaphylaxis Information Network who are the guests of the honourable Member for Southdale (Ms. Selby).

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

### ORAL QUESTIONS

#### Bill 38 Government Intent

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Through our proud 138-year history as a province, Mr. Speaker, we've built up our province based on certain principles, one of which was that we would not leave the next generation worse off than the generation that preceded them. That's why it's ironic that on the 138th anniversary of our province that a bill would come forward, Bill 38, which seeks

to leave a legacy of debt to the next generation of Manitobans.

Mr. Speaker, I want to ask the Premier how he can justify introducing legislation that allows him to run deficits on the operating budget of government and leave a greater mortgage to the next generation of Manitobans.

**Hon. Gary Doer (Premier):** Mr. Speaker, the Auditor General, the former Auditor General, Mr. Singleton, and the present Auditor General both recommended that the Province of Manitoba move from two sets of books to one set of books. They note that items like pension liability left unchecked would continue to grow up to \$8 billion without a sufficient plan. Of course, that didn't matter in the previous system because they were off the books.

Everything now is on the books. Capital expenditures is on the books. Pension liability is on the books. The profit and losses or surpluses and deficits of Crown corporations are on the books. Agricultural Credit, if it takes a loss even with a reserve fund, is now in the summary financial budget, Mr. Speaker. So this is a more comprehensive way of proceeding.

We know members opposite talk one way one day, another way another day. The former Finance critic for the Conservative Party recommended strongly—the Member for Lac du Bonnet (Mr. Hawranik)—that we go to a summary financial budget as a way of accounting to Manitobans. Auditors General have recommended it. That's why our Minister of Finance (Mr. Selinger) is moving it, Mr. Speaker.

**Mr. McFadyen:** Mr. Speaker, as usual, the Premier didn't address the question.

We've said that the operating budget of government, those departments of government that are within the direct control of the Premier and Cabinet, should be balanced each and every year unless there is a natural disaster or some other extraordinary situation that would prevent it from happening in a reasonable way, Mr. Speaker.

Bill 38 guts that requirement. It only requires that the budget be balanced every four years, Mr. Speaker, and it also allows him to run deficits on the core operations of government each and every year, only to be masked over by the revenues coming from Crown corporations.

So I want to ask the Premier again how he can justify introducing a bill that will leave a higher legacy of debt for the next generation at the same time as he wants the current generation to put a million dollars more into his political party. Debt for the next generation; a million dollars for his party. How can he justify it?

**Mr. Doer:** The question was debt to the next generation. Let me answer again, that if you have a considerable amount of debt off the books and not accounted for to the Legislature, as two Auditors General have pointed out, Mr. Speaker, you are not telling the people of Manitoba the full truth on debt.

For example, the projections, the pension liability debt—*[interjection]*

**Mr. Speaker:** Order.

**Mr. Doer:** In the 1960s, the government of the day stopped paying the employer portion of pension liability. That in 1990 was \$1.2 billion. By the time we came into office, it was \$2.5 billion and projected under the balanced budget law to go up to \$8 billion.

So what did we do? We actually put that on the books. We started paying every new civil servant that was hired—we started paying the employer's portion and we started paying down the pension liability over a 40-year period. The liability grew in 40 years. We now have a system where the liability is paid down.

Now, you can have great books, as the member opposite had, if you have two sets of books, one that you put in the Legislature and one that you keep somewhere else. The Auditor General said you can't do that. You can't do it, so we're following the Auditor General's advice.

Mr. Speaker, the members opposite should know that we've had four credit-rating upgrades. Why have we had that? Because we've lowered the debt pressure, the debt to GDP in Manitoba.

**Mr. McFadyen:** The discussion we're having is about the operating budget of the government of Manitoba. You can talk about Crown corporations. Those are public accounts and they always have been. Then we have the core operations of government which are funded by general purpose debt.

Now, the Premier has said that he wants to consolidate the revenues of Crown corporations with the revenues of the central core government. The fact is they've changed the definition of balanced budgets

in order to include all of the revenues from all of the Crown corps, as well as central core government, Mr. Speaker.

If he's not going to leave a legacy of debt, it means that he's going to make ratepayers to Manitoba Hydro and Autopac pay more. How can he justify to senior citizens on fixed incomes, how can he justify to taxi drivers and others who make a living driving their vehicles, increases in their Autopac rates, increases in their Hydro rates, in order to create the illusion of a balanced budget?

**Mr. Doer:** Mr. Speaker, if members go back to the '99 and '98 general purpose debt, the cost was 13 percent of the budget. In this budget, it's 6.5 percent.

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

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

**Mr. Doer:** The amount has been halved in terms of the cost to the general purpose budget for purposes of debt payment. Part of that is interest rates and part of that is the great performance of our Minister of Finance (Mr. Selinger). We didn't award him these four credit upgrades.

**An Honourable Member:** Six.

**Mr. Doer:** Six, I'm sorry. I took away two. It changes every day, Mr. Speaker. It keeps going up and it keeps improving. But we've had those from independent individuals.

The recommendation to go from two sets of books, one in the public and one in the basement, to one set of books, that wasn't made by us. That was actually a recommendation made by the Auditor General, two Auditors General.

So the member opposite can choose to vote with this legislation, vote with the Auditor General, vote with his Member for Lac du Bonnet (Mr. Hawranik) when he was the Finance critic, vote with the former member, Mr. Loewen, when he was the Finance critic. He's got two former Tory Finance critics and two Auditors General. He can go with those people, as opposed to his partisan comments today, Mr. Speaker.

### **Bill 38** **Impact on Crown Corporations**

**Mrs. Bonnie Mitchelson (River East):** Nowhere did we see the Auditor say that the books shouldn't be balanced every year.

Bill 38 is unbalanced and taxpayer unfriendly. It will allow the NDP to spend over budget and still make it look like they're balancing the books. However, they'll need to come up with some cash to pay the bill somehow, Mr. Speaker. With Bill 38, they'll be given free rein to raid Crown corporations to come up with the cash. We know this government is no stranger to raiding our Crown corporations.

Mr. Speaker, is the Minister of Finance sitting back hoping that Manitobans won't notice when he raids Manitoba Hydro and Autopac?

\* (14:00)

**Hon. Greg Selinger (Minister of Finance):** Under the full summary budget reporting, as required under this legislation as recommended by the Auditor General as well as Deloitte when they did a thorough review of it and canvassed widely in the community for opinions, you can't take money out of a Crown corporation and use it to balance a budget because it's all-inclusive. It's all-inclusive. You can move money around within, but the bottom line includes everything. There's nothing out.

When the members opposite had their legislation, you could take money from the Fiscal Stabilization Fund. You could sell a Crown corporation. You could ignore the pension liability and, by doing all of those things, balance the budget. None of that's legal anymore.

**Mrs. Mitchelson:** But they have to get the money somewhere. Are they going to raid Crown corporations or run a deficit? Which is it going to be?

Mr. Speaker, this NDP government has a long history of politically manipulating our Crown corporations. In 1988, they politically manipulated Crown corporation Autopac before and after elections. In 2000, they, again, tried to take \$20 million out of Autopac. They got caught and, miraculously, they had a conversion on the road to Damascus and they flip-flopped.

When will they be honest with Manitobans, Mr. Speaker, and admit that they're gutting balanced budget legislation with Bill 38?

**Mr. Selinger:** It was in February of '05 that the then-Auditor General said he believes that the government, in its attempt to reform balanced budgets, must amend the act. Without the power of law, future governments will always choose to use

the less rigorous requirements of the then-balanced budget legislation.

It was as early as one year after the new legislation was passed in '95-96 that the Auditor General of the day said these rules make no sense. There is no standard to these rules. They are completely unique to Manitoba. They ignore pension liabilities. They allow double-counting of money in and out of the Fiscal Stabilization Fund.

I know members opposite like in-and-out schemes, but they're no longer legal in Manitoba, Mr. Speaker.

**Mrs. Mitchelson:** But the Auditor did also say that the core budget for the Province of Manitoba should be balanced. Again, we saw political manipulation of a Crown corporation when they raided Manitoba Hydro back in 2002 for \$203 million, and it cost Manitobans much more when they had to borrow the money to pay the Province. As a result, Hydro rates went up 5 percent.

Mr. Speaker, this bill, Bill 38, would also allow this government to take more money from Manitoba Hydro, raid Manitoba Hydro once again. Is the Minister of Finance prepared to take responsibility when Hydro rates go up by double digits?

**Mr. Selinger:** Mr. Speaker, are members opposite prepared to take responsibility for their election promise where they said they would raise Hydro rates by at least 40 percent, take it as a dividend and lower taxes? That's what they ran on.

We will maintain Hydro rates among the most affordable in North America. Money will not be able to be transferred out of the Crowns, including Hydro, because it's included within the full summary budget. The reality is full inclusion in the budget means you can't count the revenue twice, as was done by members opposite.

And let's not kid ourselves, Mr. Speaker. How did the members opposite balance the budget when they had their balanced budget legislation? They sold off the telephone system. The rates of the telephone system went from being the third lowest in the country to the third highest in the country. Manitobans are paying for their balanced budget legislation every time they pay their phone bill in this province in perpetuity.

## Bill 37 Public Hearings

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, last week the Minister of Justice (Mr. Chomiak), through his answers in this House, indicated that he was more concerned about ensuring the NDP gets money from taxpayers to fund their next election campaign than he was about needy Manitobans or struggling seniors in the province. That is the priority of this NDP government, to try to take more money from taxpayers than to really meet the priorities of Manitobans.

If this Minister of Justice and this government is so confident about the provisions in Bill 37, will they commit today to ensuring that public hearings which are already established for Senate elections in Manitoba— they're supposed to go throughout Manitoba to hear the opinions for elected senators in our province—will they ensure that Bill 37 is included in those public hearings, or are they going to run from the public and their opinion on this bill, Mr. Speaker?

**Hon. Gary Doer (Premier):** Mr. Speaker, we welcome members of the public at the public hearings that will take place on legislation. We have instituted many recommendations from the Chief Electoral Officer. The first one we brought in was the Cabinet used to appoint all the returning officers for seven years. The Chief Electoral Officer recommended that that be non-political, it not be established at the Cabinet table. We changed that right away. The Chief Electoral Officer now appoints returning officers in every riding, which, of course, are the referees for disputes between parties.

Mr. Speaker, I'm glad that—members opposite opposed the banning of union and corporate donations. They seem to be saying maybe they now might support that.

The public have had a right to vote on the amendments we've made in the past because every four years we're accountable.

**Mr. Goertzen:** The public has a right to have their voice heard at these upcoming public hearings. There are already public hearings being planned on the possible election of senators here in Manitoba. It would be no small feat to just add this into the public hearings. Bill 37 could go around the province with the hearings on the Senate and all Manitobans could have their voice around this province, but it seems that this government is intent to hide from the public

on this issue. They're more concerned about lining their party's pocket with taxpayers' dollars to fund the next campaign.

If the Premier and his government, if the NDP Minister of Justice (Mr. Chomiak) is so confident in their position on Bill 37, why won't they just commit today to ensure that it's part of the public hearings upcoming on Senate legislation?

**Mr. Doer:** Well, Mr. Speaker, notwithstanding the fact that members opposite talked in the same way in the '80s and then reversed their position on partial public financing of political parties, including the Member for Steinbach (Mr. Goertzen) whose rebate was about \$14,000 in the 2007 election campaign—

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

**Mr. Speaker:** Order.

**Mr. Doer:** The largest amendment in the proposed amendments is one, again, that arises from the Chief Electoral Officer. We're now proceeding to fixed election dates. I said before the last election it would be within a couple of weeks of the last four-year period.

It's been recommended, Mr. Speaker, again to improve democracy. It's not a recommendation I actually supported in the past, but the Chief Electoral Officer has said that they will be able to do more criminal justice checks of enumerators. They will be able to have a better partial enumerators' list. They will, therefore, be able to particularly improve voting in places like the inner city.

What if somebody somewhere else doesn't like that recommendation? Again, we're partially amending the act because of the recommendation of an independent officer of this Legislature.

**Mr. Goertzen:** It's very clear. It's very clear what Bill 37 is intended to do. It's intended to filter third-party opinions. It's intended to frustrate opposition voices and it's intended to fund the NDP in the upcoming election.

Mr. Speaker, added to that now is the intent for this government to hide from Bill 37 and not to allow true public discourse. I've asked the Minister of Justice (Mr. Chomiak) and this government whether or not they'll allow Bill 37 to be part of the public hearings on the elected Senate which is already set in

place. They've said, no, they don't want to have that sort of public opinion.

The Premier talks about legislative committees. I want to ask the Minister of Justice and his Government House Leader whether or not they will ensure that legislative committees are held in evening hours so that Manitobans have a reasonable chance to come and present, or are they going to hold them morning, noon and night to try to ram this legislation through and make it harder for Manitobans to make presentations?

**Mr. Doer:** You know, Mr. Speaker, the issue of third-party advertising, members opposite said we would lose in the Supreme Court of Canada on third-party advertising. They took it to court. Their surrogates took it to court and they lost. We actually haven't—because it was in court, we didn't even proclaim it. So there are no rules on third-party advertising in Manitoba. They have two different positions on third-party advertising now. One was against it, saying it would lose in court, now wanting guidelines on that issue. So they have two positions on every issue.

Secondly, Mr. Speaker, the members opposite talk about third parties. I think there was a big one-page ad in the newspaper this weekend, oh, criticizing the government. Oh, I guess you're alleging that this is illegal. Actually it's not illegal, and you're misrepresenting the views to the public of Manitoba.

\* (14:10)

### **Shamattawa Youth Suicides Reduction Strategies**

**Mrs. Leanne Rowat (Minnedosa):** Mr. Speaker, this NDP government is failing our Aboriginal youth. In 2007, one in four youth in Shamattawa attempted suicide or threatened suicide.

Mr. Speaker, that's heartbreaking. The former Minister of Aboriginal and Northern Affairs committed to make services more accessible in this community. Instead of providing more accessible services, the NDP have failed to provide any long-term funding for the Fabian Miles healing centre in Shamattawa.

Mr. Speaker, my question is to the Minister of Aboriginal and Northern Affairs. Is failing to fund the Fabian Miles healing centre the type of access this government promised to the people of Shamattawa?

**Hon. Eric Robinson (Acting Minister of Aboriginal and Northern Affairs):** Mr. Speaker, allow me to give a brief history on the initiative that we embarked upon back in 2001-2002.

What we did was pull together a grass-roots movement from across the province, including Dave Courchene, Jr., from the Sagkeeng First Nation; John and Darlene Osborne from Norway House; Gilbert Redhead from the Shamattawa First Nation and Larry Dorion from the Opaskwayak Cree Nation to begin addressing seriously the issue of suicides on reserves, generally, in the province of Manitoba. From there, a report was developed which gave our Province some indication and some idea as to how to proceed.

Now, the member is right. We have made progress in terms of trying to address the broad issue of Aboriginal suicides among youth.

Mr. Speaker, allow me to correct the member. There is no Fabian Miles centre in Shamattawa. In fact, it is the Leonard Miles Memorial Centre.

**Mrs. Rowat:** Mr. Speaker, the issue at hand is that there are children falling through the cracks. There are children that are losing their lives, and there are families that are struggling to make ends meet and to address the issues that are facing their communities.

Mr. Speaker, these issues are not getting better. They are intensifying. Statistics show that 90 percent of youth on reserve deal with parental substance abuse; 43 percent deal with mental health issues. On a visit to Island Lake communities, I personally saw the lost hope in the eyes of families and children after a young person had committed suicide.

Mr. Speaker, this NDP government, when is it going to wake up and do something tangible to support these communities?

**Mr. Robinson:** Well, Mr. Speaker, regrettably Shamattawa is not the only community that's experiencing these suicides. I wish they didn't have to happen anywhere in this province, but they do happen in such communities like Lac Brochet and the Island Lake communities that the member has identified.

It's our government's initiative now to call upon the young people of the four Island Lake communities to work with this government directly to give us advice on programs that we should be doing to address the needs and the frustrations that

the young people in these communities are experiencing.

Allow me to say that in Shamattawa we have worked with the community in developing a basketball court with the help of Manitoba Hydro and other initiatives. We have spoken with the chief in the Shamattawa community along with his council members to involve the entire community about activating the elders to provide advice on what our young people ought to be doing.

Anybody in this House, and I know you have—

**Mr. Speaker:** Order.

**Mrs. Rowat:** Mr. Speaker, what this speaks to is the NDP government has failed to address Jordan's Principle. When the federal government is taking steps to make sure that we never witness another tragic situation like the one experienced by Jordan Anderson and his family, the NDP government has provided nothing more than rhetoric. We need to be looking at solutions. We can't let children fall through the cracks. We can't let services be interrupted because governments can't put forward solutions.

Mr. Speaker, instead of his normal routine of issuing empty promises or press releases, is the Minister of Aboriginal and Northern Affairs ready to show some leadership and take some concrete steps today to protect our Aboriginal youth and not to allow uninterrupted services for these communities?

**Hon. Oscar Lathlin (Minister of Aboriginal and Northern Affairs):** I'm very pleased to see the member finally get up in the House to raise questions on behalf of Aboriginal people in an advocacy way.

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

**Mr. Speaker:** Order.

**Mr. Lathlin:** I'm happy to see them finally get up in the House to raise questions in an advocacy way on behalf of Aboriginal people because up to now they have never done that.

So I want to indicate to the member that, yes, it's true. I'd like to echo the words of my colleague the Member for Rupertsland (Mr. Robinson), that it is not a good situation. It's something that I am not proud of as an individual First Nations person.

But, also, I'd like to remind the member that they were in power for, what, 11, 12 years, and they had never done anything to help Shamattawa, Mr. Speaker. It was only when we came into power that

we started to do something to help the community of Shamattawa.

We are going to continue to meet with the chief and council of Shamattawa. In February, I met with them to talk about their treaty land entitlement, for example.

### **Gang Activity Reduction Strategies**

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, let me remind the Minister of Aboriginal and Northern Affairs that he's been in power for the last eight years and I've yet to hear an answer from that minister.

Mr. Speaker, every weekend that goes by in Winnipeg produces more and more evidence that gangs are out of control in Winnipeg. There were at least three savage attacks on Winnipeggers this weekend using a variety of weapons, from baseball bats to screwdrivers to knives.

So I ask the Minister of Justice (Mr. Chomiak): What is his plan to deal with the increased gang activity in this city?

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

**Hon. Gord Mackintosh (Acting Minister of Justice and Attorney General):** Well, Mr. Speaker, members opposite seem to think that tragedies in this province, in this city, are somehow amusing.

Mr. Speaker, perhaps the members opposite would just want to think for a moment about the profound impact on families and the impact of crime on individual Manitobans, an impact that can last for generations, which is why when we came into office we realized that the system of justice in this province, when it came to organized crime, had to be completely redone.

First of all, Mr. Speaker, we worked with police forces to establish integrated [*inaudible*] crime approaches. We worked with the federal government and we will continue to press them for stronger federal laws. We increased policing investments so we have 155 more policing positions, and that is just the start of work that has started under this watch.

**Mr. Hawranik:** Mr. Speaker, the only thing that's amusing is this minister's lack of answers to a very serious problem here in this city.

He has no plan, Mr. Speaker. Stabbings and muggings are a regular occurrence in Winnipeg, and this past weekend a drive-by shooting killed Darcy

Coutu. Gang expert Michael Chettleburgh predicts that gang activity in Winnipeg will get worse before it gets better.

So I ask the Minister of Justice (Mr. Chomiak): Why is it that the longer the NDP is in government, the worse the gang problem gets?

**Mr. Mackintosh:** Well, Mr. Speaker, I'll refrain from talking about the record violent crime rates of the '90s. I'll talk about what is happening today.

First of all, a Manitoban was killed on the weekend. They want to talk about a particular case. They want to just throw a name out as though it's just another part of the debate in this House. The impact on that family deserves the condolences of all members of this House and a little respect for that family, because I'm sure they're going through thoughts that we can't even imagine. Mr. Speaker, we do give condolences to the family of Darcy Douglas Coutu.

The members opposite joined this government in asking for stronger laws to deal with organized crime, to deal with drive-by shootings in ways that we hadn't in this country, Mr. Speaker, and we're beginning to see a federal government that's starting to listen and move down that way.

\* (14:20)

**Mr. Hawranik:** Mr. Speaker, this government is responsible for making this city the violent crime capital of Canada and they ought to wear it. That's our job as opposition members in this Legislature.

Winnipeg has more gang members per capita than Toronto. Winnipeg is a hotbed of gang activity with muggings, vicious attacks and shootings leaving a trail of victims for the police to follow, Mr. Speaker. Unless action is taken now, it is projected that the number of gang members in Winnipeg will double over the next 10 years and, as a result, there will be more and more victims in this city.

So I ask the Minister of Justice (Mr. Chomiak), once again: What is his plan to deal with the gangs in Winnipeg?

**Mr. Mackintosh:** Well, Mr. Speaker, aside from 155 more police resources, aside from prosecutions in specialized expertise special units for organized crime, aside from the Manitoba Integrated Organized Crime Task Force which was formed with our involvement that led to—what is it?—13 charges in '06, another 18 last year, in addition to all that we are asking for the federal government's help to continue

to strengthen our collective resolve as a nation against organized crime.

There are only two parties that seem to be interested in spreading some talk that organized crime is in control. That seems to be the members of the opposition and organized crime themselves. I say shame on them. The police are in control. They're working hard. They deserve your respect. I wish them Godspeed in finding a solution to the tragedy over the weekend, not some veiled attack on our police officers.

### **Bill 28** **Cost of School Closures**

**Mr. Ron Schuler (Springfield):** Lack of clarity, more chaos and frustration, and absolutely no consultation by the Doer government with parents and school boards regarding the cost of Bill 28 and school closures.

To add insult to injury, the Premier (Mr. Doer) stated last week, and I quote: It is not as if they do not have radios.

So let's get this straight. Is it now this NDP government's policy that parents and school boards turn their radios on in the morning to see if their school is closed for the day due to bad weather or has the NDP government closed their school for good? When do meaningful discussions on the cost of Bill 28 begin?

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** We met with the trustees, Mr. Speaker. We met with the Manitoba Association of School Trustees on May 1. We met—

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

**Mr. Speaker:** Order.

**Mr. Bjornson:** Thank you, Mr. Speaker.

We met with trustees May 1. We met with the Manitoba Association of School Superintendents on May 5. We sent copies of the legislation to the school boards. We faxed legislation to the board chairs as well, Mr. Speaker. We have committed to continue to dialogue on this matter and we will do so.

The only lack of clarity we have here is are they for keeping schools open or are they for closing schools? That's the lack of clarity we see in the House right now, Mr. Speaker. We're for keeping schools open and keeping them viable in their communities.

**Mr. Schuler:** This Premier and his incompetent Minister of Education have hit the charts at an all-time low. They have now created a system in chaos with their new insulting information strategy called, turn your radio on. Parents and school boards will have to endure the someone-done-me-wrong song before they find out that this NDP government has closed their school.

I ask this minister: When will meaningful consultations with parents and school boards begin regarding the cost of Bill 28? When will he do meaningful consultations, Mr. Speaker?

**Hon. Gary Doer (Premier):** I'm sorry my comments offended the member about the public knowledge of this. We've been listening to parents and communities across Manitoba for the last year. In fact, in the last election I was quite concerned about rural schools closing down. I said in the election I was worried about kids travelling now more than an hour one way with schools closing down.

Don't forget this Legislature has paid a hundred percent of the capital for schools that are constructed across the province. Can't we look at cheaper administrative measures to keep our schools open in our communities? That's what we're looking at, Mr. Speaker.

**Mr. Schuler:** Mr. Speaker, this Premier has funded nothing. It's been the taxpayers of Manitoba, least he forget that. This Premier, this NDP has a new policy: milk the politics of Bill 28 up front and then have no money to show for it at the end. Who pays for the cost of Bill 28? Overworked teachers, slashed children's programs, an education system forced into crisis, property taxpayers.

When will this minister consult with parents and school boards on how they've added the cost of Bill 28? How is this government going to pay for it? Who's going to pay for it? Why don't they have meaningful consultations instead of all this political bafflebab that does no good for parents and no good for school boards? Do the right thing and consult.

**Mr. Doer:** Mr. Speaker, property taxes for education went up 68 percent in the '90s. According to Stats Canada, this is the only province in Canada where education tax has gone down with increased funding and increased education tax credits. Again, the largest increase in the history of Manitoba was announced by the Minister of Education (Mr. Bjornson).

We also have the capital cost of schools already paid for. Doesn't it make sense to keep community schools open? Doesn't it make sense to look at administrative costs rather than community schools? Doesn't it make sense when we have a shortage of child-care spaces to keep those capital assets open?

Members opposite are in favour of closing schools down. Let the record show, we're in favour of keeping them open.

### **Eating Disorder Residential Treatment Centre Location**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, for many years, there's been a need for an eating disorder residential treatment centre in Manitoba, modelled after what's happened in Bridgepoint, near Milden, in Saskatchewan. The centre needs to be in a helpful environment, not, as the minister has been proposing, in the same building as a centre which holds known abusers who have court orders against them to not have contact with children under 18. Eating disorders are a serious matter and many of those with eating disorders have themselves been abused.

So I ask the minister to come to her senses and put a new eating disorder centre in a quiet, helpful, rural environment instead of what she's trying to do.

**Hon. Gary Doer (Premier):** Mr. Speaker, I want to point out that the member asked about Elaine Stevenson last week, a person we all know and I've known for a long time, and her passionate plea for added treatment centres for children with eating disorders. We did work on an underage investment with the program we announced just a few years ago.

Are there still gaps in the system? Yes, that we're working on, but I would point out to the member opposite that there are trained child psychologists, trained psychiatrists, other staff at that facility, and we certainly respect the fact that we've gone from very little resources—actually, we sent most kids, if we could, out of province in the past to the program that I have just talked about.

Are there gaps, particularly with youth over 18? Are there greater needs? Yes, and we continue to work as members of the community ourselves to try to find the most appropriate resources.

**Mr. Gerrard:** Mr. Speaker, as the Premier may well be aware, Elaine Stevenson has come to me and others in this Chamber very concerned because the minister, herself, has refused on numerous occasions

to even meet with the advisory committee. She has apparently threatened—this is the minister—not to do anything with the new eating disorders centre unless the members of the advisory committee agree to the questionable location put forward by the government. Certainly we need something which is a better kind of approach than this from ministers in this government.

I ask the Premier (Mr. Doer) when he's going to take charge of this and make sure that we have an appropriate eating disorder residential treatment centre in Manitoba like that in Bridgepoint, Saskatchewan.

**Hon. Kerri Irvin-Ross (Minister of Healthy Living):** Mr. Speaker, I can assure the member we are working closely with eating disorder people across Manitoba to address these issues. We do have services that we are providing for adults and adolescents. We continue to be in negotiations with them around best practices.

I'd like to inform the House that there has been no meeting request to my office at this time.

\* (14:30)

### **Crime Reduction Strategies**

**Mr. Kevin Lamoureux (Inkster):** This government's failure in terms of developing good, solid policy in combatting crime has really made crime one of the most important issues that Manitobans are looking at today. They are demanding answers, Mr. Speaker.

The government cannot just blame Ottawa. They need to take responsibility. We can talk about police in our hospitals. We can talk about our courts. We can talk about the impact of FASD. On so many policy fronts, this government has failed. As a direct result, we're seeing the crime on the street that we're getting today.

My question is: When is this Premier (Mr. Doer) going to start getting serious on having good, solid policy that's going to make a difference in fighting crime in the province of Manitoba?

**Hon. Gord Mackintosh (Acting Minister of Justice and Attorney General):** This is the member who all over proclaimed that he was opposed to more police officers for his community, Mr. Speaker, and for all of our communities. That's the position of the member opposite.

By the way, I was through enough years with Liberals in Ottawa to know that I always find it amusing when a Liberal asks a question about getting serious on crime.

Having said that, we're working hard with the federal government to ensure that all Manitobans and Canadians can have the protection of stronger laws because here, provincially, we're making best efforts to enhance the policing resources, the prosecution resources and the organizational efforts that have to be made. Organized crime must be countered by organized justice.

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

### **Speaker's Ruling**

**Mr. Speaker:** I have a ruling for the House. Order.

During routine proceedings on April 30, 2008, the honourable Minister of Aboriginal and Northern Affairs (Mr. Lathlin) raised a matter of privilege regarding comments spoken by the honourable Member for Minnedosa (Mrs. Rowat) from her seat, as well as comments spoken by the Leader of the Official Opposition (Mr. McFadyen) in media interviews, comments that the honourable minister found to be offensive and insulting. At the conclusion of his remarks, the honourable minister moved that a formal apology be made in this House by both the Member for Minnedosa and the Leader of the Opposition.

The honourable Leader of the Official Opposition, the honourable Member for River Heights (Mr. Gerrard), the honourable Government House Leader (Mr. Chomiak) and the honourable Member for Minnedosa offered comments to the Chair.

I took the matter under advisement in order to consult the procedural authorities. There are two conditions that must be satisfied in order for the matter raised to be ruled in order of a *prima facie* case of privilege.

First, was the issue raised at the earliest opportunity? Second, has sufficient evidence been provided to demonstrate that the privileges of the House have been breached in order to warrant putting the matter to the House?

I would like to remind the House that as the issue was raised as a matter of privilege, the Speaker is restricted to dealing with this issue strictly from the perspective of whether a *prima facie* case of privilege has been established. It is not the role of the

Speaker in dealing with issues of privilege to adjudicate who said what and whether the comments are appropriate.

I appreciate that this issue is one of great sensitivity and important to all sides of the House. I will do my best to deal with the matter appropriately to the best of my abilities, but it is important for the House to remember that the role of the Speaker in privilege cases is strictly limited to the determination of whether a *prima facie* case of privilege has been established, according to the procedural authorities and the precedents and practices of the House.

Regarding the first issue, the honourable Minister for Aboriginal and Northern Affairs (Mr. Lathlin) indicated that he was raising the matter in the House at the earliest opportunity due to otherwise being engaged in ministerial duties on behalf of the Province, and I accept the word of the honourable minister.

On the second issue of whether a *prima facie* case of privilege has been established, I would note for the record that the honourable Member for Minnedosa (Mrs. Rowat) had offered an apology in the House on April 30 so as to indicated on the record, this aspect of the matter is considered closed.

Concerning the comments of the honourable Leader of the Official Opposition (Mr. McFadyen), I must advise the House that, according to *Beauchesne Citation* 31(3), statements made outside the House by a member may not be used as the basis for a question of privilege. Marleau and Montpetit, on page 522 of *House of Commons Procedure and Practice*, state that the Speaker has no authority to rule on statements made outside of the House by one member against another. Joseph Maingot advises on page 255 of the second edition of *Parliamentary Privilege in Canada* that, because he presides inside the House, the Speaker will not unilaterally accept jurisdiction in respect of words spoken or written by members outside of the House in the sense that he will not normally ask a member to retract words spoken outside that, if spoken inside the House, would be considered unparliamentary.

The findings of the procedural authorities are consistent with the past practice of the House and rulings of Manitoba Speakers. It has been ruled a number of times by Manitoba Speakers that comments made outside of the Assembly Chamber cannot form the basis for a *prima facie* case of privilege. Speaker Walding ruled so in 1983, while Speaker Phillips made similar rulings in 1986 and

1987. Speaker Rocan ruled six times between 1988 and 1995 that statements made outside the House cannot form the basis of privilege, while Speaker Dacquay ruled the same way in 1995. I myself have made similar rulings twice in 2004, three times in 2005, and again in 2006.

Therefore, with the greatest of respect to the House and all honourable members, given the findings of the procedural authorities and previous Speakers' rulings and given the fact that the Speaker is limited strictly to determining from a parliamentary procedural sense whether a *prima facie* case of privilege has been established, I must rule that there is no *prima facie* case of privilege.

### Point of Order

**Hon. Steve Ashton (Deputy Government House Leader):** Mr. Speaker, I rise on a point of order. I'd like to seek clarification, following your ruling today, on a previous ruling from the Speaker back in 1995 and whether the ruling in 1995 applies today and, in fact, whether the term "racist" which was used in much of the background as submission on the matter of privilege can, indeed, even be used in this House.

I want to stress this is on a point of order. Members opposite seem to have some difficulty with that. You have ruled, Mr. Speaker, and this is a point of order. It deals with a matter arising out of the matter of privilege but, more generally, about the interpretation of the House rules and is consistent with *Beauchesne* 317 and 321 in terms of your role, as you pointed out in this ruling, which in the case of a point of order is referencing our rules and procedures and, indeed, some of the fundamental ways in which we operate in this House.

\* (14:40)

I want to stress, Mr. Speaker, that this has been an issue in this House really debating back to the debates of 1995, November 1, when at that time the Speaker indicated that she would not accept the use of the word "racist" in any way, shape, or form to describe members of the House, parties, government of the province, specific members of the Chamber, a reference to policies of a government or a political party. In other words, Mr. Speaker, despite the fact that there has been a clear evolution of our parliamentary system to a balance, you know, that protects the fundamental privilege of freedom of speech, at the same time protecting members in terms of unparliamentary language, since that point

in time there has been a cloud hanging over debates in this House in regard to all matters related to racism.

I want to quote from Marleau and Montpetit to give a real sense, I believe, of the balance in this case of freedom of speech versus unparliamentary language. I want to deal with unparliamentary language because that was the initial context of the ruling, but we seek clarification today in the year 2008 as to whether, indeed, that applies particularly following the ruling.

I note, Mr. Speaker, that in dealing with unparliamentary language Marleau and Montpetit points out the Speaker may take into account the tone, manner and attention of the member speaking, the person to whom the words were directed, degree of provocation, and, most importantly, whether or not the remarks created disorder in the House. Thus, language deemed unparliamentary one day may not necessarily be deemed unparliamentary the following day, and the qualification of unparliamentary language is proven impractical as it is the context in which words or phrases are used that the Chair must consider when deciding on whether or not they should be withdrawn. And expressions which are considered unparliamentary when applied to any individual member have not always been considered so when applied to a generic sense or a party.

I point to *Beauchesne's*, Mr. Speaker, where unparliamentary language—citations 485 through and including 488, 489 and 490 reference that. I say that in the context that we had a matter of privilege that you have ruled on in which concerns were raised by a member of this Legislature about comments and about matters that may or may not be considered racist. I say that, Mr. Speaker, not to question the ruling you've just made but to point out that we need a clear clarification in this House on whether we, as members of the Legislature, have the ability to challenge something as fundamental as racism. I say that because, if you look at the evolution of this Legislature and Parliament, it is incumbent on all of us to ensure not only freedom of speech but the right of members of the Legislature to even stand up and challenge what they believe is either a racist comment or a racist policy by a government, by an opposition in any context other than unparliamentary language.

I say that, Mr. Speaker, because it was indeed the Member for The Pas (Mr. Lathlin) who had to leave the Legislature in 1995 because he actually got

up, and by the way, on a matter related to fishing policy, how ironic, and talked about, not a racist member but a racist policy, if I could even ask the question. And I say it's something that has troubled many of us greatly since that time. In the context of the debate last week it particularly struck me that we still had lack of clarity in this House as to whether members such as the Member for The Pas could even challenge that without the risk of being ejected from this Chamber, and that is indeed what happened on November 1 of 1995.

The absurdity of not being able to talk about racism in this House is just beyond me, and the irony, we recently very appropriately talked about Holocaust denial and I was very proud of the tone in the Legislature at this time. Is that not talking about racism? We recently in this House talked about the Ukrainian genocide. Was that not talking about a genocide that was directed against Ukrainians, against a group of people that is fundamentally based on racism? And is what we do, day in and day out, not about challenging the fact that there is, unfortunately, Mr. Speaker, far too much racism in this province.

I say this, you know, I'm really proud to be a Manitoban, proud of our diversity, proud of our progress. You know what? It wasn't that long ago that Aboriginal people could not vote in this province. It was not until the 1950s, 1954 provincially, 1960 with John Diefenbaker federally.

You know, it was not that long ago in this country that we had more than a hundred laws in the province of British Columbia discriminating against Chinese and south Indians. In fact, when political parties ran advertising saying that a vote for the CCF was a vote for South Asians, Mr. Speaker, not until 1948 was that changed. Dare I say, in the context of the Aboriginal people of this province, I don't know how many times we've seen racism, whether it be in terms of the residential schools—and we still do not have a national apology for our First Nations and Métis people that suffered through the residential schools.

Here we are in 2008. Yes, we've made some progress, but even in this Legislature there is a cloud hanging over our head as to whether we can even challenge that and to think of the absurdity; could we—this was South Africa in 1948—could we get up and called apartheid racist? Not under the rules of this House.

I think, Mr. Speaker, if we're to make true progress—and I know I speak for all members of our caucus—we have to clearly make it understood that any one of the 57 members of this Legislature can stand, as the Member for The Pas (Mr. Lathlin) did last week, on a matter of privilege, on a point of order in debate, in question period, and challenge one of the most fundamental violations of human rights that one can ever see and that is in terms of racism.

I want to say that I have the privilege today to be speaking as Deputy House Leader for our caucus but I know I speak for all of our caucus and for our House leader and our leader. I want to say that there's another fundamental principle here, too, and why, with your ruling, Mr. Speaker, on this matter of order, you have the opportunity to do right what has been wrong in this House since 1995.

I want to quote Martin Luther King who, in the middle of the civil rights movement struggle for the most fundamental right of citizens in the United States, the right to vote, the right to exist in a racism-free society, he stated, and I quote, we will remember not the words of our enemies but the silence of our friends. It is important, not just for the victims of racism—and indeed, Aboriginal people have been victims for far too long—but it's incumbent for all of us to speak out on this at every opportunity.

That is why we are raising this matter of order because there is an opportunity out of what happened. I realize it is an uncomfortable thing when we talk about something as fundamental as racism in our society, and indeed, it is a point of order because I wish the Speaker—Mr. Speaker, we're asking that you rule on the appropriateness of the ability of members of this House to have the freedom of speech to talk about racism.

As a final comment, you may note that I talked about *Beauchesne's*. I talked about Marleau and Montpetit, elements of the British parliamentary tradition, *Beauchesne's* of course, honed by many of the experiences in our own House of Commons in Canada and, of course, our many rulings in this province. But what an irony, today is Manitoba Day. Well, perhaps it's an historic opportunity for us because Manitoba was founded in 1870 because of the courage of the Métis in Manitoba of the day—and First Nations were a significant part of that—who said no, that this land could not be bought from the Hudson Bay Company and the people just treated as a chattel.

They stood up, Mr. Speaker, and challenged the power structure, the ultimate power structure, British empire, the new Confederation of Canada. You know, we celebrate today because of the Manitoba Act passed by the House of Commons. Saskatchewan and Alberta became provinces in 1906—how many years later, 36 years later—and that is because of the fundamental contribution of Louis Riel and the Métis and Manitobans in those days who stood up and said, no, that will not be the case.

I want to say that because I also want to talk about one final thing that we should consider in this matter and you, Mr. Speaker, have a unique ability with your role as an officer of this Chamber, but with your clear experience as an Aboriginal person from—well, I was going to say from Churchill; I know you were born in Nunavut, Mr. Speaker, but with broad experience in this province.

\* (14:50)

You know, as we build bridges and unite this province, we know fundamentally we have to do it by challenging the racism that does exist in our society. But what I've learned most from Aboriginal people is that sense of respect, that sense of working toward consensus.

Mr. Speaker, I tell you, I've been proud to represent Aboriginal people since the day I was elected in this Legislature. I can tell you I hear racism in our non-Aboriginal communities about our Aboriginal people, but the respect with which Aboriginal people have treated me and other members of this Legislature and other members of society is just, quite frankly, incredible, given what Aboriginal people have been through.

So I want to raise, Mr. Speaker, not a matter strictly of our points of order in *Beauchesne*, not strictly a previous ruling of this House, but your ability, through the ruling on this point of order, to ensure that all Manitobans feel comfortable in this House. Aboriginal people, non-Aboriginal people, minorities, you name it, any and every Manitoban should feel comfortable in this House, comfortable to speak their mind. If they deem it necessary to speak out on the racism that does exist, and let's be realistic, it does exist. I hear it. We hear it. Until we do that, we will still be a work in progress in this province.

But I would suggest, today, on Manitoba Day, you have the opportunity, right now, to make a ruling that will do right the wrong that was done in 1995

when an Aboriginal member of this House had to leave this Chamber, was expelled from this Chamber by a majority vote for using the word "racist." By doing that, Mr. Speaker, you will, I believe, do a significant job in helping ensure that, on this Manitoba Day, we move forward with one more step to the racist-free society, the respectful society, the society in which all citizens and, fundamentally, our Aboriginal citizens are an equal part of this province. You have that ability and I would urge, on this matter of order, that you make, indeed, what will be a historic ruling allowing members, once again, to have freedom of speech to talk about fundamental issues in this House.

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

**Mr. Gerald Hawranik (Official Opposition House Leader):** Yes, Mr. Speaker, on the same point of order.

I listened very carefully to the Member for Thompson (Mr. Ashton) in terms of what he said, in terms of his point of order. I would submit that it isn't a point of order at all, Mr. Speaker. There are other ways that he can deal with the ruling if he certainly is not satisfied with the ruling brought down by the Speaker of this House. He has the opportunity to stand up and challenge the ruling, either challenge it or accept it.

I take it from his point of order, the language in his point of order, that he's not challenging the ruling of the Speaker. Instead, he tries to go through the back door by trying to raise a point of order that, in fact, is not a point of order.

I refer to the rules that he quoted, Mr. Speaker, rule 317 and 321 of *Beauchesne's Parliamentary Rules and Forms*. Those rules, I would submit, have absolutely nothing to do with this point of order. It's not good enough just to stand in this House and to quote rules without taking the rules and ensuring that—I can stand up in this House, too, and quote all kinds of rules in *Beauchesne*, but they have to have some relevance to the subject matter. They have to have some relevance to the argument that he's making. I would submit that those two rules, in particular, do not apply in this particular instance.

Really, what we've seen, Mr. Speaker, is the Member for Thompson abusing the rules of this House. In fact, if anything, we might have had a point of order against his point of order. He's abusing the rules of this House. He had a choice one way or

the other, either to support your ruling or not to support it. I would call what the Member for Thompson just did is showboating. To try to get around the rules of the House, to either support it or disagree with your ruling by, in fact, raising a point of order and going through the back door what he could have done through the front door.

As a result of that, I would say, he does not have a point of order. In fact, if I even refer to your ruling itself, the one that you just enunciated, Mr. Speaker, it indicates—one of the arguments that the Member for Thompson brought forward in his argument is about parliamentary language. When I look at page 2 of your ruling, it says that you quoted, in fact, Joseph Maingot on page 255 of the Second Edition of *Parliamentary Privilege in Canada*, that you rule and you preside with what happens inside the House, and you don't have jurisdiction with what happens outside the House, including words spoken outside the House, and you will not normally ask a member to retract words spoken outside that if spoken inside the House would be considered unparliamentary. That very argument, in fact, goes to disputing what the Member for Thompson (Mr. Ashton) had indicated in his very argument.

So, for those very reasons, I would submit, Mr. Speaker, that the Member for Thompson clearly does not have a point of order, and it should be ruled out of order.

**Hon. Eric Robinson (Minister of Culture, Heritage, Tourism and Sport):** Yes, Mr. Speaker, on the same point of order raised by the Acting House Leader on this side, I want to make it clear to all members that we're not challenging the ruling of the Chair on the point of privilege. I think that we're respectful of the ruling of the Chair, but rather, Mr. Speaker, what is not being heard in this room, in this Chamber, is in fact the point of order that has been introduced by the Member for Thompson.

I remember being here in 1995 and listening to the ruling of the then-Speaker of the Chamber, Mrs. Dacquay. It was hurtful because what happened at that time, it disallowed us from describing or talking about racism which we all know is predominant in our society. So, Mr. Speaker, we are trying to reverse a decision that was made previously. We should have done this a long time ago, I agree. We should have done this probably in 1999, the moment we took office.

We all have to admit in this Chamber that we all, to some degree, have witnessed racism in its

different forms, and wherever it is we may live, and some of us may have even practiced it unknowingly towards another race of people. I know I'm grateful for the opportunity to work with many different people from many different ethnic backgrounds. Today being Manitoba Day, I feel very honoured to work with South Asian people in my caucus as my caucus mates. I'm honoured to work with the member from the Filipino community. I'm honoured to work with women. I'm honoured to work with other people from other ethnic backgrounds. Mr. Speaker, I have worked in my lifetime for the oppression that Ukrainian Canadians have experienced in this country. I have marched with them on the streets of Regina and on the streets of Winnipeg in my youth. I also marched on the streets of Vancouver and other Canadian cities with Japanese Canadians who experienced atrocities in this country, so-called Japanese Canadians, who experienced those unfortunate incidences of racism in our own country, in their own country, as well.

I had the fortune of standing shoulder-to-shoulder with Mennonite people, for example, and the persecution that they experienced. I have had the good fortune since being a member of this Assembly to work with the Icelandic people who have made Canada their home as well. I have made inroads in trying to make a better province for our people. But, at the same time, Mr. Speaker, I still wear a slop pail ring around my ass because I come as an Indian person who was raised and born on a reservation in northern Manitoba, put there by a foreign government with racist policies against Indian people. I was also raised in a residential school where there were perverted nuns, perverted priests who took advantages of little boys and little girls like me who entered there at the age of 5. We would never think of even allowing our children to go into places like that in this day and age, Mr. Speaker.

\* (15:00)

So I believe I speak with some authority and some understanding about this illness called racism. I want to say that I know this firsthand. This is not ancient history. The last residential school was shut down very, very recently here in our own province of Manitoba. I want to just say that this afternoon we were talking about Shamattawa in question period. I remember in the early 1980s, a Mrs. Myles was sick, required some stitches on her stomach area. What they did to her at the hospital was they used beads on her sutures, and that was making fun, literally, of a grandmother and a mother; yesterday was Mother's

Day, wasn't it? I remember that, Mr. Speaker, and I remember being one of the only Aboriginal leaders to stand up to that institution, that hospital that did that to this Indian woman. I don't forget that.

I also wanted to say that I believe I have earned my place, my way into this Chamber. I have worked hard to advocate on behalf of Aboriginal people. Sometimes my wishes are contrary to my Cabinet colleagues, but, nevertheless, we come to a compromise after some thorough debate. At the end of the day we have a collective mind.

I want to say, too, that my ancestors served in the great wars of years gone by, starting with World War I, World War II, Korea; some of my nephews are serving right now in Afghanistan. Mr. Speaker, a lot of our relatives are buried throughout Europe, liberating and saving those people from further atrocities. I'm very proud of that.

What the Member for Lac du Bonnet (Mr. Hawranik), if I understand him correctly, is saying is that racism is not relevant in this point of order. I want to say, Mr. Speaker, that the member is absolutely wrong and perhaps is blinded by ignorance.

Mr. Speaker, I want to tell you by way of concluding that, indeed, I believe my colleague, the Member for Thompson (Mr. Ashton), has a point of order. I would seek your good leadership on this, and I thank you for the opportunity of addressing this issue.

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I rise to this point of order today, not because solely as a member of this caucus, but more importantly as a member of this Legislature, representing a constituency that has a diverse population of several ethnic cultures, several cultural groups, including Aboriginal people, including Ukrainian people, including German people and many others.

I rise today to assist you when you have to give a ruling on this point of order because, I think you know me well enough that, throughout the years that I have worked in this Legislature, I have never felt as though I was in any way exhibiting any kind of racism toward any other member of this House.

It's incumbent upon us in this Legislature, Mr. Speaker, to provide the leadership for all Manitobans in terms of where our laws are going, in terms of our attitudes to one another, and in terms of showing an

example of how we relate to other people by the respect that we show in this Chamber to one another.

Mr. Speaker, I go back to many years of working in public life. As you know, I am of Ukrainian background. While I was growing up, along with many other people—and I know that the Minister of Agriculture (Ms. Wowchuk) can probably relate to this—that as young people, when we were growing up we saw that kind of attitude exhibited toward us because we were a little different. Our food was a little different; the way we conducted our religious life was a little different. So we were looked upon as being somewhat not different but, perhaps, even less than the others were in society.

Mr. Speaker, I can relate quite clearly to people who are struggling to get over the whole concept of racism in our society. I go back to—and it's prevalent, for sure. I worked with Aboriginal people in my constituency as a teacher. I'll never forget meeting Chief Hugh McKay [*phonetic*] who served in the Second World War—he's now the late Chief Hugh McKay [*phonetic*]—who said to me one day when we were visiting, he said, you know, we were treated differently too, Len, when we came back from the war. He says, because veterans of the war, who were not Aboriginal were allowed to purchase land under terms and conditions that were set out for veterans. Yet, because he was Aboriginal and because he had a reserve to go home to, he was not allowed that privilege. Throughout his life he kind of felt that he was treated as a second-class citizen in a country like Canada.

Mr. Speaker, when we deal with this whole issue of racism, we have to be sensitive and cognizant of what we are really doing and the kind of message that we are sending to the people that we are supposed to represent collectively and those are Manitobans.

Not a long time ago, the Member for Burrows (Mr. Martindale) and I together moved ahead by putting a bill forward in this House that was unanimously voted in approval in second reading, Mr. Speaker, and it is yet to pass third reading in this House. It's a very important bill, not because of its symbolism but because it commits all of us in this Legislature to do whatever it is we can to remove that stain on our society in the way that we relate to each other and in the way that we treat one another.

Racism is not just confined to one race of people. It is not confined to one group of people. We find it throughout our society. That is something that

all of us, all of us here need to work in terms of trying to eliminate. It's that attitude, it's the thinking, Mr. Speaker, it's the way that we speak to one another and the way that we speak about this whole stain.

When you are ruling on this point of order, I know you're going to want to go back to the ruling that was made by Speaker Dacquay and take the context of that ruling into consideration. It's easy for us to stand up on a point of order and say that back then there was a ruling that was made in this House that was very offensive to me. But, Mr. Speaker, there's no mention given to the context of that ruling and to ensure that, in fact, there is some sensitivity about the whole issue.

We need to move ahead, and we need to make sure that together we stand to combat racism no matter if we are standing on the government side of the House or on the opposition side of the House. Even you as Speaker, Mr. Speaker, will stand with all of us to ensure that racism is not part of our language in terms of a negative connotation but rather that we move ahead. When we talk about racism, we are going to talk about it in a context of moving beyond simply the stain, but, indeed, on how we can better relate to one another, how we can improve programming to ensure that our little ones aren't afflicted by that.

I want to relate to this House one other incident, an observation. When I was teaching in a school where there were both Aboriginal and non-Aboriginal children, we found that in grade 1, grade 2, kindergarten, grade 3, grade 4, the little children didn't understand what racism was. They would play together, they would tumble together. It didn't matter what race they were out on the playground.

Mr. Speaker, that stain begins to take impact later on in life. So we as leaders, we as people of influence in our society need to take these things into consideration and we need to treat each other without that kind of an attitude.

Even when we speak here in the Legislature, my goodness' sake. You ruled today on something that is extremely important. My colleague the Member for Minnedosa (Mrs. Rowat) felt that, even though her words did not have any impact or any relevance to that concept, she apologized because it may have hurt somebody, because it might have impacted on somebody. She was sensitive enough that, even though her comments weren't related to that, it was

heard in this House, and so she felt it important that she not be brought into that whole issue. She apologized if it offended anybody. I think that was the right thing to do because that's the honourable thing to do.

\* (15:10)

Sometimes, without intention, our words can hurt someone. It is at that time that we need to stand up and say, whoa, if I've offended anybody, please consider a retraction on those comments.

So, Mr. Speaker, I ask all of us to take a nobler stance on this issue and, instead of trying to make politics out of it in any way, shape, or form—and I'm not suggesting we are, but many times that's what brings us into this—I'm suggesting that, perhaps, we need to take a fresher look at this whole issue and keep reinforcing the fact that all of us in this House, regardless of whether we belong to the New Democratic Party, the Conservative Party, the Liberal Party, or independents for that matter, we stand up as one against racism in this country, racism in this province, and racism amongst us. Thank you.

**Hon. Oscar Lathlin (Minister of Aboriginal and Northern Affairs):** I welcome the opportunity to speak on the point of order. I want to start off, Mr. Speaker, that naturally, I'm disappointed with the ruling, but because I highly respect the office that you occupy, I accept your decision without any conditions whatsoever. But I want to talk a little bit more about why I took such a strong position.

By the way, I agree with the Member for Russell, you know, we should move on. But, you know what, Mr. Speaker? I've turned my cheek over too many times already. I've turned the other cheek too many times. I've done it consistently pretty well all my life and I'm still where I'm at today, experiencing racism almost on a daily basis.

So, my strong position. You see, Mr. Speaker, the Tories will continue what they do best, and the media will always be the media and they will do what they do best, and me, I'm going to continue what I have been doing all my life as best—I suppose I can say that I will do what I do best, as well.

I will always be a treaty Indian person, proud of my heritage and culture and also of my accomplishments, Mr. Speaker. I know exactly what I came from. I still visualize my environment when I was a young person, and I know where I am today and I've also, over the years, come to know who I really am. I also realize that the journey has not been

always that easy. There's been bumpy roads here and there, but I'm here nevertheless, just like everybody else. In fact, some people might say that, given my background, I shouldn't even be here to be one of the 57 legislators in this province for the past 18 years, and six years prior to that, chief of my reserve.

So, the member said, yes, racism is not directed only to one group. But, Mr. Speaker, in all the years that I've been here, 18 years, I have never heard of any other group being so viciously attacked. Aboriginal people have always been attacked. When we talk about child welfare issues, under the guise of protecting Indian children, you know, they attacked the government for moving along with devolution. Under the guise of protecting children. Yet, years before that, what kind of legacy did they leave behind, former governments, former child welfare agencies? You know what they did? They exported Indian children from the province of Manitoba.

So, of course, I get a little sceptical when I hear the members from across the way attacking our government for wanting to do the right thing.

Mr. Speaker, as I said two weeks ago, I've experienced racism all my life, and I want to give you an example of what I mean. Since I was born and till I die, I will always be subjected to the most racist federal legislation you can find anywhere in this globe, and they call that the Indian Act. In fact, Mr. Speaker, the federal government gave me an identifying number, and it's called a treaty number. My colleague for Rupertsland has one too. Mine is 802.

My people were herded into federal land called Indian reserves, and today it is—this is one of ironies that we're talking about today. I am actually working on a file where it is my job, along with others and the federal government, to give Indians back their land which has been owed to them for over a hundred years, and, Mr. Speaker, on top of that I was recently accused, right in this hallowed Chamber, of being in conflict of interest in my job, trying to deal with treaty land entitlement. How many other Cabinet ministers have experienced that? Those groups that the Member for Russell (Mr. Derkach) was talking about; how many members in the Legislature on the opposite side have ever experienced that?

I was asked that question once when we were dealing with Lake Dauphin fisheries. I was in Dauphin meeting with a bunch of people and one of the people asked me—a farmer—he said: Oscar, do you

ever find yourself in a conflict of interest situation? Here you are, you're a treaty Indian, you're dealing with natural resources, and you're also dealing with treaty rights. So my response was very simple. I remember I reminded that farmer that for a long time there was a member here from Lakeside. He was white. He was a farmer, and you know what? He was Minister of Agriculture at the same time and nobody, but nobody, ever accused him of potentially being in a conflict of interest situation.

But I have been accused of that and that's why I disagree with the Member for Russell when he says, oh yeah, it's okay because, you know, it's not only the Indians that are being picked on. Everybody gets picked on. That's what he said. My response is: Yeah, but how many Ukrainians here have been picked on? Never, for 18 years that I've been here.

So another irony, Mr. Speaker, when a Speaker made the ruling—no wait it was on another matter. It was a fishery issue that got me into trouble in 1995, because in south basin of Lake Winnipeg, I was asking the Minister of Fisheries—or Natural Resources at the time—whether his fisheries' policies were racist. That's what got me into trouble. We were talking about fish at that time as well, and just recently we've been talking about fish a great deal, particularly from the members from the other side.

\* (15:20)

When I was Minister of Conservation, Mr. Speaker, I received a lot of hate mail. Certain groups call that hate mail. I used to show it to my colleagues. You know, the kinds of letters I was getting. I let that through.

The other thing I want to say, Mr. Speaker, is I don't care whether people make comments in this Chamber negatively or outside the Chamber. I will continue to advocate for the rights of my people.

Mr. Speaker, you see, I have learned their ways. I went to their schools. I learned their language. I also learned their culture, their religion, their customs. I learned everything about members from the other side and also members from this side, but, you know what? They have never learned about Indian people to the degree that I learned from their society.

My first language was Cree; then I was forced to learn English. I don't mind it today because now I can converse with the folks across the way and this way.

Mr. Speaker, the point I am trying to make here is, I say that I'm a First Nations person. I know who I am, but I also have a very good idea what the other side and this side—the non-Indians—are all about, including members of the media. I know what they're all about because I've spent about six years learning all about them, learning their ways. I guess one might say that I've gotten to be educated on their psyche and I know what makes them tick.

The last thing I want to say, Mr. Speaker, is I have a little four-year-old granddaughter and I spend a lot of time with her when I go home. I always think of the things I went through and I don't want her to experience the same thing. So I always try to teach her the good things, nice things. When she says something negative, I say, that's not nice. I hope she'll become a good citizen of Manitoba; I hope she'll become a citizen in Manitoba where she doesn't have to experience racism the way Aboriginal people have. Every time we raise that racism, instead of getting support, we get attacked.

I know other ethnic groups, when they're under attack, it's like the whole world has come to an end. Everybody gets upset, but nobody gets excited when Indians get thrashed. Thank you.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I have a few words I would like to say and maybe on several points. Racism is, indeed, a very serious issue. I truly believe that all members of this Legislature are honourable members and, if provided the opportunity, could talk about the general goodwill and respect that they have for the diversification that Manitoba has. I get up with somewhat mixed emotions.

Just over a week and a half ago, I had a member from the East Indian community give me a call. He was going out to his neighbour's—he's a doctor, senior citizen over 65—goes out by his neighbour and his neighbour is yelling at him. He turns around, he's literally jumped and pushed to the ground and he's being slammed. If it likely wasn't for his wife coming out saying she's called the police, that particular individual could have possibly died.

Racism exists. It's cruel; everyone acknowledges it. Sometimes it's brutal, other times it's unintentional. It's there. It's real. We all believe that to be the case. I was here when we had the debate on the Holocaust inside the Chamber. I saw members from both sides of the House break into tears. We all feel passionate and have a hatred of those that

perpetuate or put any form of racism in our society. It's revolting.

Having said that, Mr. Speaker, you're in a very difficult position. You made a ruling and, if you look at Beauchesne's Citation 13, it talks about rulings of the Speaker. Mr. Speaker, you are being consistent with what it is in your ruling with previous Speakers. You've clearly demonstrated that.

The Member for Thompson (Mr. Ashton) states that it's not a reflection on the Chair, so let's assume that the Member for Thompson is being honourable and he is not reflecting on your ruling then, Mr. Speaker. Then he's standing up on a point of order. Well, his point of order seems to be based, in part, on an incident that occurred back in the '90s. So one then could question, well why are we bringing it up today? I believe, at times, it's advantageous to play a race card. I question why it is, of all the days, that has been chosen to bring up the issue today as a point of order.

Tradition of our Chamber has dictated that when you bring up a point of order you bring it up—I listened patiently to other members of this Chamber and I would request that the government members listen equally as patiently. When you bring up a point of order, Mr. Speaker, it should be followed up as close to the time of the incident as possible or as soon as you have been made aware of it.

Mr. Speaker, I can—and this is why it's a very difficult and it's a tough issue. You know, I drive down Burrows Avenue and I come up Salter every day, or every other day, depending on whether or not we're sitting. And I see situations driving in the North End, in the inner city, and I've raised this inside the Chamber. I see children in poverty, children on the streets at two o'clock in the morning.

I see all sorts of social issues that need to be dealt with and I had a colleague, Gary Kowalski, who spoke very well—much better than I can speak, no doubt—in terms of some of the issues that we need to overcome. When he spoke at a couple of different types of conferences which were sponsored from Aboriginal communities, he told me of one incident where he was called a racist because he gave his opinion.

You know, it seems to me that, far too often, we're having to be quiet in order to be politically correct. That we're prepared to sacrifice the lives of our children, Mr. Speaker, because we want to be politically correct. Well, the challenge for all of us is,

at times, to abandon being politically correct and doing what's right and saying what needs to be said. Sometimes some things do need to be said even if it's politically incorrect.

I respect what it is that the Member for Thompson (Mr. Ashton) is trying to raise in terms of the issue of racism. I would welcome a matter of urgent public debate on the issue. I would welcome any resolution in private member's hour to debate the issue. What I don't like is how the Chair, Mr. Speaker, is being manipulated to look back into the '90s on a ruling—that's option one—or the fact that it is a reflection on the Chair.

I would suggest, if the government really wants to have a good, healthy discussion and then maybe the Speaker can reflect on it, that the government, if they don't want to play politics on the issue, then bring forward a motion to debate the issue. As government, you can do that. Or do something tangible and make a real difference that would enable us to be able to deal with some of the racial barriers that are being put into place.

\* (15:30)

Mr. Speaker, I could talk in terms about performances of political leaders inside this Chamber, and some might not like what it is that I would have to say in terms of representation. I think that we all need to reflect on things that we can do that will make a difference. I would have no hesitation in terms of standing up and defending those individuals that I believe are really trying to make a difference, even if it means at times they might have made a politically incorrect statement, and I would encourage that all members should do likewise.

Thank you, Mr. Speaker.

**Mr. Bidhu Jha (Radisson):** Mr. Speaker, I rise to support the Member for Thompson on his point of order. I have a few issues to just add to that.

I have enjoyed your rulings, Mr. Speaker, for last five years that I have been here, which have been very non-partisan. I have hardly spoken on a point of order or on a point of privilege, but this particular issue, when the Member for The Pas (Mr. Lathlin) was very emotionally hurt, equally hurt me because, as much as I respect all the members here, they're all honourable and the Member for Russell (Mr. Derkach).

I have talked to most of these members from the opposite as equally. We are all honourable members. We all understand we all represent our people, but, at times, it is not bad to look back and correct what went wrong. So I think that with that feeling I would like to say that Indo-Canadian community, if you look back at the history, *Komagata Maru* where the ship was returned; Japanese Canadians were discriminated. But the Government of Canada has corrected those bad deeds of the past by speaking and openly talking in the House of Commons.

So my point is that here we are talking about a particular event that was done. I respect the Member for Minnedosa (Mrs. Rowat) to apologize. It doesn't take at all any weakness to stand and say, I'm sorry; in fact, it is a strength of saying, yes, I'm sorry if it hurts you. I come from the school that Mahatma Gandhi has got into literally my blood, Mr. Speaker. I cannot share—I have shared with my colleagues discrimination as such you cannot literally experience; then you will feel how bad it is. It is not watching a coloured television, looking at a hungry child, giving \$15 donation and unload your guilt.

If you are a person that has suffered hunger, then you will feel what hunger is. If you are a person that has suffered discrimination, then you will feel how much it hurts. I have experienced it, Mr. Speaker. I have experienced when I was coming to Canada, a bunch of people in the South African community were sitting and I went and they left because I was a bad person to sit with. I have children; my son is a Rhodes Scholar. They are wonderful kids. They have gone through a very rough time when they were growing up 37 years back, but I taught them the values of Gandhi, who said, I am not going to kill at any cost, but I'm ready to die for justice and truth.

So I think that I am standing here to say, we are all honourable members. Let us not bring the point that Member for Inkster (Mr. Lamoureux) say that we're manipulating you, Mr. Speaker. We would never do that. We are bringing a point, which is very important for us to understand, that we will leave a legacy for the next bunch of new members coming in to say that, yes, this Chamber has the strength to correct what went wrong.

I request you, Mr. Speaker, to look at this particular issue in which I call them my brothers because they are people that have given me the comfort to seeing that Canada is not a society that will be governed with the thinking that sometime back was right, that women could not even vote; we

have the largest number of women in this Legislature. We have two Indo-Canadians sitting here; we have for first time a woman of colour sitting here.

We are seeing the change. I get very great pride to be part of this particular government that is bringing those changes. I'm very proud to be associated with most of these colleagues from that side who understand, but understanding is not something that can solve a problem. The problem has to be solved by action.

I request you, Mr. Speaker, to look at this issue. I call this particular Chamber a temple, a temple that sins cannot be allowed. Racism is a sin. Racism is a sin, and we should eradicate that sin right from the surface of this particular Chamber, from the walls of this Chamber. We cannot allow this sacred temple to allow that sin called racism.

Thank you very much, Mr. Speaker.

**Mr. Speaker:** First of all, I'm going to rule on this because I think it's very important. I want to make it clear, first, that my understanding of the events as it occurred was that I had made my ruling, the House had accepted it, and the Minister of Intergovernmental Affairs (Mr. Ashton) had stood up on a point of order, a new point of order. That was my understanding.

I've heard a lot of comments from both sides and I've reviewed *Beauchesne* where we talk about freedom of speech. It says: "The privilege of freedom of speech is both the least questioned and the most fundamental right of the Member of Parliament on the floor of the House and in committee. It is primarily guaranteed in the British Bill of Rights which declared 'that the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place outside of Parliament'."

What I want to make very clear because when I heard the honourable member rise, he said he was rising on a point of order and, also, he asked, in my view, what I heard was clarification of the ruling that I had just made.

I, as the Speaker, cannot be responsible for past Speakers. I cannot be responsible for future Speakers. But, I, as the Speaker, and when I do research on making my rulings, there are some that I agree with and some that I disagree with. But, as long as I am in this Chair, any member in this Chamber, if there's a comment that is made that the

member feels it to be hurtful or offensive or intolerance, in any nature, and if a member deems that a comment is a racist comment either to themselves or to a policy, that member has all the right in the world to raise it in this House as long as I am the Speaker.

I'll give you a little story why I come to that conclusion. I don't know if a lot of you know this, but when I was eight years old we moved to Churchill. We were the first Inuit family to ever move to Churchill. I come from a different family than pretty well anyone in this room. I come from an Inuit-style family where my mother always had two men, like two husbands. That's why our family is Hickes and Tootoos, because we all lived in the same house. When we moved to Churchill, we were the only family living that way. Do you think we were not criticized or looked down upon? We arrived there with our caribou-skin clothing, our mukluks, and do you not think we had a lot of explaining to do? Over the years, we had tremendous amount of explaining to do.

But I can go to Churchill. I can hold my head high. People understand now. They are educated. I think when we talk about hurtful or offensive or intolerance of some people or a comment that is made in a racist manner, that is deemed to be racist by a member, we have the opportunity to hear it and for that to be explained so, hopefully, we can all get a better understanding of it. To me, that is very important and that's why, as long as I am the Speaker, any one of you, I don't care what side of the House you're sitting on, any one of you if you feel that way, you rise up on a point of order or—I would recommend a point of order, but if you rise up on a point of order or matter of privilege, I will hear you and I will make a ruling, because that is your right as a member. My job as the Speaker is to protect the rights of all members.

\* (15:40)

But I want to make it very clear that if a statement is made outside of the House, if it's made outside of the House, which a member deems to be hurtful, offensive or intolerance, in nature, or of a racist content, I as the Speaker cannot be judge of those comments. That is very, very, very clear in our rulings, but in the House, yes, I will deal with any issue that is raised.

I'm sad to say, upon the information I heard and the comments I heard, if a previous Speaker had indicated that if a racist comment was raised in the

House it would not be dealt with, I think that would be totally unfair. It would be totally unfair, because I was just reading through my *Beauchesne* and there is a word in here that says "Nazi," right in here. If I heard that comment, I would deem it to be a very racist comment, myself personally as the Speaker. I'm only giving you that as an example.

Like I said, I will not be responsible for past Speakers or future Speakers. I will be responsible for my own actions, and any member who feels that they are hurt in any manner, please raise it, and I as the Speaker will deal with it. So I want to share that with you, and I hope that takes care of the matter.

### **MEMBERS' STATEMENTS**

#### **TJ's Gift Gala**

**Hon. Christine Melnick (Minister of Water Stewardship):** I rise before the House today to highlight the second annual TJ's Gift Gala to be held tomorrow at Canad Inns Polo Park. The gala will be raising money for TJ's Gift Foundation to raise awareness among youth of the dangers of a life associated with drugs.

Last year's gala was an unforgettable event that drew business leaders, educators, politicians and community leaders together to raise money for this cause. I look forward to repeating last year's success at the second gala evening tomorrow night.

TJ's Gift Foundation has its roots in the TJ Wiebe Educational Awareness Fund in the Louis Riel School Division. The fund was formed in memory of TJ Wiebe, who was murdered in 2003 at 20 years of age. The awareness fund was set up by TJ's family to create a greater awareness among youth of the dangers that drugs and the life that often accompanies drug use presents. Teachers and students engaged in learning about the danger of drugs can access funds for educational purposes.

Moreover, in order to spread this message to a wider audience, the Wiebe family also organized the first TJ's Gift Gala in May of last year. The gala was a resounding success and demonstrated a tremendous amount of support from all sectors of society for raising awareness of this issue among youth. With the \$54,000 raised at the gala last year, the Wiebe family established TJ's Gift Foundation.

Mr. Speaker, I admire the courage and compassion shown by TJ's parents, Karen and Floyd Wiebe, as well as the rest of the Wiebe family, through their hard work and tireless efforts to

promote this issue. I ask all honourable members of this House to join me in thanking them for the work that they are doing to ensure that youth are aware of the dangers associated with drugs and for the inspiration they are to us all.

Thank you, Mr. Speaker.

#### **YWCA Women of Distinction Awards**

**Mrs. Myrna Driedger (Charleswood):** May 7 was the date of the 32nd annual YMCA-YWCA Women of Distinction Awards. The evening celebrated the contributions of a diverse group of talented women who have made exemplary contributions to their local communities and whose innovative, inspiring and compassionate actions have improved the lives of others.

These individuals are the embodiment of a positive, collective, community spirit that forms the foundation of any successful growth and development. Their dedication to the improvement of our communities permeates all aspects of our lives and, for this, they command our respect and admiration.

From among 58 exceptionally talented women, nine awards were presented, each representing a specific area of community contribution. The award winners included: in the area of Education and Training, Mrs. Christine Penner of St. John High School; The Gerrie Hammond Memorial Award of Promise was presented to Ms. Gladys Yeung, a student at Vincent Massey Collegiate; for Creative Communications, Ms. Margo Goodhand of the *Winnipeg Free Press*; Business and the Professions Award was presented to Dr. Kelley Beaverford of the University of Manitoba; Arts and Culture, Ms. Trudy Schroeder, the Executive Director of the Winnipeg Folk Festival; the Young Woman of Distinction was given to Ms. Jane Polak-Scowcroft, a student at the University of Manitoba; for Health and Wellness, Dr. Rayleen De Luca, an advocate and professor at the University of Manitoba; for Community Voluntarism, Ms. Nahanni Fontaine of the Southern Chiefs Organization and the University of Manitoba, and finally, for Research and Innovation, Dr. Karin Wittenberg of the University of Manitoba.

I would also like to recognize the efforts of the Women of Distinction Award Committee chairwoman, Pat Flaws, whose efforts helped to

make this highly successful evening possible and to make it such a success.

On behalf of the Progressive Conservative caucus, I would like to sincerely congratulate both the award winners and all of the nominees on being recognized for this unique honour and to thank them for their continuing work within our local communities. Congratulations also to all the Y volunteers who worked so hard to make this event such a success.

Thank you, Mr. Speaker.

### International Museum Day

**Ms. Sharon Blady (Kirkfield Park):** Mr. Speaker, May 18 is International Museum Day. Museums all over the world will be participating in events around this year's theme, "Museums as Agents of Social Change and Development." The International Council on Museums, or ICOM, has been celebrating International Museum Day since 1978. I would like to recognize the excellent work that museums, both big and small, do for our community.

The Historical Museum of St. James-Assiniboia, Grant's Old Mill, the Manitoba Museum and many, many others form an essential part of the fabric of our community. They represent our society's collective memory and truly are jewels in our neighbourhoods.

This year's theme highlights museums' role to remind us about where we have been and where we would like to go. I am proud to be part of a government that is an active supporter of our museums. With the decision to locate the first national museum outside of Ottawa here in Winnipeg, Canada's national human rights museum, it will act as a beacon to the world to embrace social change.

I cannot think of a better tribute to the work museums do as agents of social change than the construction of a museum totally devoted to human rights. Mr. Speaker, as museums continue to embrace the advances of technology, they are continuing to increase accessibility. I would like to congratulate all museums for their efforts to embrace development and increase access to their collections. Bringing the knowledge of the past to more Manitobans benefits our entire society.

Mr. Speaker, I call on all my honourable colleagues to use International Museum Day to support their local museums as they preserve our past and help us determine where our society wants to go. Special congratulations are in order for all the dedicated volunteers that help make our museums the treasures that they are. Thank you.

*Mr. Rob Altemeyer, Acting Speaker, in the Chair*

### Manitoba Day

**Mr. Cliff Cullen (Turtle Mountain):** In lieu of the point of order that was raised today, I've changed the context of my members' statement today. I want to begin by saying it's certainly a privilege to be in the House today as we celebrate Manitoba Day, and certainly as one of 57 MLAs. We all have different and unique backgrounds as MLAs and represent many unique cultures; our ridings are very unique as well. I think that's part of the unique culture and make-up of Manitoba, and it's something that we should be aware of as MLAs.

Yes, we recognize that racism is alive and well in Manitoba. It's something that we have to do some more work on; as Manitoba and as legislators, we should be taking a front line in that. Obviously, we've made changes in Manitoba. I think there have been some changes in the right direction. Clearly, there's more work to do, and we have to work together to overcome some of those issues.

Sometimes, as rural members, we're accustomed to certain cultures. Other cultures, we're not as accustomed to but we, I think, on this side of the House, are certainly trying to learn and appreciate the different cultures. As an example, Mr. Acting Speaker, just last week, I along with the Member for Arthur-Virden (Mr. Maguire) and the Member for Minnedosa (Mrs. Rowat) took part in the Helen Betty Osborne Foundation event last Thursday night. We had an opportunity there to visit with a lot of First Nations communities, hear some stories of First Nations students and some of the things that they have overcome. So we certainly are trying to understand the various cultures throughout Manitoba. I think we, as MLAs on all sides of the House, have to understand the different cultures.

Mr. Acting Speaker, I just want to thank you for this opportunity in Manitoba, as we celebrate 138 years. I think it's important that we all take a look in the mirror, and we move forward and deal with the racism issues and other serious issues that are throughout Manitoba. Thank you.

\* (15:50)

### Dauphin 2010 Royal Bank Cup

**Hon. Stan Struthers (Minister of Conservation):** I rise today to celebrate Hockey Canada's awarding of the hosting rights for the 2010 Royal Bank Cup to the City of Sunshine, Dauphin, Manitoba.

The arrival of this tournament in Dauphin will see eight days of some of the best Junior A hockey in Canada. The event will showcase the talent of the local Manitoba Junior Hockey League team, the Dauphin Kings, the hard work and skill of the host committee and the enthusiasm of all our local hockey fans. The tournament will also offer an opportunity to showcase the wonderful facility that is home to the Dauphin Kings, Credit Union Place. This is a state-of-the-art, multi-purpose facility that plays host to a wide variety of sporting events, trade shows and entertainment events and will be a fantastic location for this great tournament.

The spin-off opportunities before, during and after the Royal Bank Cup will have a tremendous impact on Dauphin as well as the surrounding communities.

Mr. Acting Speaker, with the potential economic impact of the tournament and the millions of dollars, the winning of the hosting rights to this event is truly a major accomplishment for our town and the host committee.

Approximately 400 volunteers will have the opportunity to be involved in the event, will be able to show Canada what Dauphin is capable of and will also exhibit the great community spirit that exists in our city.

Mr. Acting Speaker, Dauphin already plays host to Canada's National Ukrainian Festival which is celebrating 43 years this year as well as Countryfest, Canada's longest-running country music festival. Manitobans already—all of us know that this city knows how to put on a world-class event and I know that the 2010 Royal Bank Cup will be no exception.

Mr. Acting Speaker, I wish to thank the host committee, co-chaired by Randy and Kit Daley, as well as the entire Dauphin committee for their hard work in winning the hosting rights to this event. I know that all of us here in Manitoba share in Dauphin's excitement in this opportunity to

demonstrate Manitoba's love of the game to the rest of the country.

I ask all honourable members to join me in congratulating Dauphin and wishing them success as they plan for the 2010 Royal Bank Cup. I know they will make us proud.

Thank you, Mr. Acting Speaker.

### ORDERS OF THE DAY

#### GOVERNMENT BUSINESS

**Hon. Steve Ashton (Deputy Government House Leader):** Could you please call bills in the following order: 37, 38, 17, 28, 40, 15, and then in order?

**Mr. Speaker:** Okay, we'll call bills in order: 37, 38, 17, 28, 40, 15, and then in order.

### SECOND READINGS

**Bill 37—The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act**

**Mr. Speaker:** So now I will call second reading of Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and the Legislative Assembly of Management Commission Act.

### House Business

**Mr. Gerald Hawranik (Official Opposition House Leader):** Mr. Speaker, on House business.

**Mr. Speaker:** On House business?

**Mr. Hawranik:** Yes, House business, Mr. Speaker.

I would table the following list of ministers for concurrence. These ministers will be questioned concurrently. That would be the Minister of Agriculture, Food and Rural Initiatives (Ms. Wowchuk), the Minister of Conservation (Mr. Struthers) and the Minister of Education, Citizenship and Youth (Mr. Bjornson).

**Mr. Speaker:** Okay, for concurrence, the order of ministers to be called will be Agriculture and Food, Conservation and Education. *[interjection]* Concurrently, yes.

\*\*\*

**Mr. Speaker:** Bill 37.

**Hon. Steve Ashton (Acting Minister of Justice):** Mr. Speaker, on behalf of the Government House Leader (Mr. Chomiak), I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 37, The Lobbyist Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act; Loi sur l'inscription des lobbyistes et modifiant la Loi électorale, la Loi sur le financement des campagnes électorales, la Loi sur l'Assemblée législative et la Loi sur la Commission de régie de l'Assemblée législative, be now read a second time and be referred to a committee of this House.

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

***Motion presented.***

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

**Mr. Ashton:** Mr. Speaker, in moving this bill for second reading, I want to acknowledge the significant amount of work that the Government House Leader (Mr. Chomiak) has put into this bill, also, our Premier (Mr. Doer). It is a very significant bill. First of all, we believe this is an important step in modernizing the democratic process in Manitoba. We will be moving to fix election dates. I want to stress that's fixed election dates, not fixed elections. We've had some attempts in the past to fix the elections. Fixed election dates.

The bill is proposing that the second Tuesday in June every four years will be the date on which Manitobans will go to the polls. That would mean that the next election would take place, under normal circumstances, on June 14, 2011. I think that, traditionally in Manitoba, we have had, on average, a four-year electoral cycle, outside of when there are minority governments. This is certainly consistent with the Chief Electoral Officer's efforts to improve voters' lists and planning related to the enumeration process and the electoral process itself. That, we believe, is an important element in ensuring participation of voters. This allows enumeration to be done well in advance of the writ so that the parties have access to the voters' list sooner.

It's also important to note that the proposed legislation will shorten the writ period to between 28

and 35 days from the current 32 at 43 days. We are making this change, by the way, which is certainly new to Manitoba, but this brings us in line with British Columbia, Saskatchewan, Ontario, Newfoundland, Labrador and New Brunswick, as well as the federal election system.

This is something that is important in Manitoba. There are provisions to deal with postponement of an election if a major flood occurs. We do know that floods can occur at pretty well any month in this time period, so that will be there. There are also provisions to respect and reflect the parliamentary practice that, if the government loses confidence in the House, there is an ability to call an earlier election.

In addition to fixed election dates for improving the flexibility and fairness to the electoral process, opening the polls at 7 a.m., for example, which will improve access, we are adding advance polling days and improved access to advance polls for rural and northern residents by ensuring that no one in a community of more than 50 voters needs to travel more than 30 kilometres to cast an advance ballot. Members representing rural northern constituencies will, I think, appreciate how important that is.

Legislation also provides measures to ensure increased transparency to the electoral cycle. These include providing the commissioner of the election with additional tools to ensure that all parties follow the rules. This includes introducing compliance agreements and injunctions that are in place at the federal level. Compliance agreements are voluntary agreements between the commissioner and the individual in which they agree to terms and conditions, the commissioner being necessary to ensure compliance with the act. If a serious issue arises during the election period, the commissioner has the ability to go to court to seek an injunction to stop the violation. The commissioner for the election will have the ability to comment on investigations when the commissioner believes it is in the public interest. Since these are currently public information, the contents of the compliance agreements will also be made public. We'll also institute provisions defining lobbyists and requiring the registration of people who lobby the government, government agencies or members of the Legislature.

We are also taking the next step in improving fairness when it comes to elections financing. When we came to office, one of the first things we did was to ban corporate and union donations so that only

individual Manitobans can contribute to elections. Our next step is to ensure that the size of one's support, not the size of one's wallet, will determine the ability of a party to finance an effective campaign. This is not unique in Canada. New Brunswick, Québec and Nova Scotia followed this, as has the federal government.

This will lead to all registered parties receiving \$1.25 per vote from the previous election to help finance their campaigns up to a maximum of \$250,000. Parties will apply for the allowance on an annual basis. A party with one elected member will receive a minimum of \$10,000. All registered parties receive a minimum of \$600. Those measures in the bill, in terms of budget limits and fundraising ticket ceilings, those measures have been adjusted. There will be amendments to The LAMC Act to restrict mailing printing privileges before a fixed-date election and requiring caucus members to file a financial statement relating to payments for supplies and assistance. Amendments to The LAMC Act require the commission to make rules to ensure that materials produced at public expense by caucus members are not partisan.

\* (16:00)

These new measures build on other ways we've modernized the electoral process. We believe we're moving ahead with these changes in a way that will ensure our elections are independent, fair, and ensure Manitobans have access to a modern and transparent democratic process that is right. Mr. Speaker, given the fact that significant elements of what are in here are consistent with the Chief Electoral Officer's reports with what is happening in other jurisdictions, even what individual members of the opposition and opposition parties have said.

Mr. Speaker, we believe this is a very significant step forward in modernizing our democratic process, ensure greater accountability and I would recommend this bill to the House. Thank you.

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker. I have a number of issues with Bill 37 that I'd like to take some time and go over with it in some detail.

The first thing in terms of looking at Bill 37 that stands out, Mr. Speaker, is the fact that you have what likely should be five bills being condensed into one bill. I do believe that that's a very poor practice of the government to be trying to bring in several changes to legislation that typically should have been

done in more of a consensus fashion where possible. At least the attempt should have been there to form some sort of a consensus, given the very nature of some of the legislation that the government is proposing to change.

So I do take great exception to the fact that the government has bundled bills when they should have been unbundled or should have came in as separate pieces of legislation. I suspect that it's being done that way for two reasons.

One of those reasons is the fact that by having one bill they're getting more of an assurance that the bill will ultimately get through quicker, Mr. Speaker, as opposed to having five bills where each bill then would have been debated. I suspect you would find that there are different levels of support, or lack thereof, depending in terms of which bill you're actually addressing.

So, for example, when we talk about The Lobbyists Registration Act, in most part, that is something that's quite supportive, that people can get behind, Mr. Speaker. But other aspects of the bill, there are serious concerns, and the government has really let down, I would say, us in many different ways. But the most important way is the fundamental principles of democracy, of the ability for MLAs to be able to communicate, and I'm going to be very precise in a couple of things.

First of all, in the announcement of this bill, the government went out saying that Manitoba is now going to have fixed election dates. Well, Mr. Speaker, it would have been better to have called it set election dates, but most jurisdictions do call it fixed election dates, and Manitoba is not leading the country when it comes to having set dates. In fact, I believe it's now—we would be the sixth province to do it.

In the legislation, when I first received a copy of the bill, I actually initially sent out a press release complimenting the government in terms of that we finally have those set dates, only to read in the details that it isn't a set date, that there's nothing that prevents the Premier (Mr. Doer) from being able to call an election before that June 14 date. It's only because we raised it in question period that we now have the Premier saying, nope, the election will be on June the 14. There's no way it will be on June the 14, and the government, then it suggested that they would be open to amendments if, in fact, that aspect of the legislation could be made better so that there would be no doubts the next election would be on

June the 14, barring, again, a flood or some thing of that nature. So I do believe that there is a need for an amendment to make sure that it is a truly set date, Mr. Speaker.

In going through the bill, there are some positive things and there are some negative things; I wanted to look at it generally. The part that offends me the most, that Manitobans need to be aware of, I would argue, is antidemocratic to the degree it attacks some of those fundamental needs of this Legislature. It's absolutely critically important that opposition members have the ability to be able to communicate with Manitobans. This bill has putting in serious restrictions that will prevent us from being able to do that.

Every day or every other day, if not every day, I usually will bring forward a petition. I read that petition on the record. I know the Member for Wolseley (Mr. Altemeyer) enjoys every one of them. We talk about The Elections Amendment Act, Mr. Speaker. We talk about the Crocus Fund, the Provincial Nominee Program. There are many programs or petitions that I bring forward that deal with important issues. I think it's important that sometimes things are worth repeating and to remind the government that we are watching, that we haven't forgotten.

Mr. Speaker, I bring it up because those petitions—I can't go to Staples and get them printed and then claim them. It is because LAMC disallows me because it has NDP in them, yet it is a document that I can read into the Chamber. It qualifies under our rules to be read, but I have to pay for them out of my own pocket.

Now it wouldn't be as bad if we had a caucus in which we could go to a photocopying machine and run off 500 or 100 copies of it and then circulate it. A copying machine with that sort of capability we don't have within our caucus. The point is that LAMC prevents me from being able to claim those very petitions that I table inside this Chamber.

Mr. Speaker, I have a business card and I'm not allowed to claim my business card. The reason why is because I have deputy leader on it. Because it says I'm the deputy leader, I cannot claim the business card. Some members opposite might laugh at that gesture, but I tell you providing business cards, having portfolios, every Cabinet minister does it. I trust that they're not paying for their business cards, but I have to pay for my business cards.

If I find that there's a newspaper article that I have an interest in and I want to circulate it to some of my constituents, again, I'm the one that has to cover the cost for producing that newspaper article, Mr. Speaker. Why? Because it has the word "NDP" in it. So here is something that LAMC—which I don't even have a right to receive the minutes or participate in those meetings—is putting restrictions on me personally as an MLA in my ability to be able to communicate a message.

Now, what we see is the government of the day even wanting to put in more restrictions. Now they're trying to say that they want to put rights or limit the number of mail that I send out. So not only am I going to have to potentially pay for my petitions, I'm going to have to pay to send out Crocus petitions to those individual Manitobans that have lost hundreds, if not thousands of dollars, because of government incompetence, because this government doesn't like the fact that I'm doing what it is that I'm supposed to be doing, and that is to be a critic of this government.

So they're putting more restrictions on my abilities to be able to do what it is that I'm supposed to be doing as a legislator, Mr. Speaker. They say we're going to put in now caps on the mailing. What's going to happen? I could imagine the great minds within the NDP Cabinet that had the idea of this. They're going to sit around and say, we can put more limits on the Liberals. What we'll do is—say hypothetically it's going to be a \$57,000 budget and, given that there are two Liberal MLAs, that means they get \$2,000 to spend.

\* (16:10)

**An Honourable Member:** Well, elect some more members.

**Mr. Lamoureux:** Elect—you know, that's the arrogance of the minister of whatever she is, Mr. Speaker—of secondary education. What a joke. What a joke. Elect more members is the attitude. The member at times simply amazes me. It's a slap in the whole concept of democratic principles. It's no wonder we see legislation like this when we bring in amendments like this, when we get that sort of an attitude.

These are very serious changes that are having a negative impact on democracy in this province. I don't even believe the government backbenchers or some of these ministers even are aware of it. It's an absolute total disgrace. They should take an interest in what's taking place or have the courage to be able

to debate the issue. They won't even debate it. I'll take the minister into her own constituency and debate the issue, but we know full well, Mr. Speaker, they don't even have the courage to show up for some of the debates. Even if they know they're wrong, they plough ahead. They put on more restrictions and more limitations. This Premier (Mr. Doer) learned well while he was in opposition how to limit the rights of members of this Chamber, both outside this Chamber and inside this Chamber. I find it disgraceful. Whether I have to continue to raise more money in order to get that message out because the government is putting more limitations on me, I'm prepared to do that. I'm prepared to take it to Manitobans and let them know just how undemocratic this government is when it comes to the rights and privileges of MLAs inside this Chamber.

Ministers that take it so lightly, I warn, Mr. Speaker, that it is a very serious issue. That's why, you know, I would argue that there should be an amendment brought forward to this legislation that would ensure that every member of this Chamber has representation in LAMC because that's where, that's where our rights are being debated and talked about.

Why should not the Member for River Heights (Mr. Gerrard) or myself have representation in LAMC? Why are not all members provided the minutes from LAMC? Why should we have to learn through budget process what it is? Who's defending the rights, our rights? How am I going to know that, in the future, as a Justice critic or the Member for River Heights as the leader is going to be able to send out communication, not only to our own constituents—we have a broader responsibility. We in the Liberal Party are a little bit more of a visionary; we don't just look in our own backyard. We have a responsibility that goes beyond our constituencies, Mr. Speaker. That responsibility, even with the current legislative restrictions that you're going to impose on us if this bill passes without amendments, we will overcome it. We will overcome it.

The members opposite should hang their heads in disgrace if they feel that passing this legislation is good as it is, because it is not. If they believe they're doing a service for democracy in this province, they should shake their heads because they're not.

If you want to talk about something that they're doing that's good within the legislation, there are some positive things. That's why I say it's unfortunate that they bundle it together. Manitobans

do want a set date. It puts political parties more on an equal playing field. That's a positive aspect of the legislation. We applaud the government for doing that. Now, it happens to be June 14. I know when I did a task force on electoral reform, I suggested that it could possibly be in the fall. That's what most Manitobans back then were telling me for a number of wide variety of issues. Maybe that'll come up during committee. But that's a positive thing if, in fact, it continues to be a set date.

The other aspect is an issue on which we have talked in the past. That's in regard to the funding formula. You know, when the government brought in legislation a number of years ago in order to ban union donations and to ban corporate donations, what they were doing is they were looking at what was happening, in particular, in the province of Québec, and they brought it in. I suspect they had a fairly good understanding of what the status of political parties financially was back then. We have a good sense, as political parties, where other parties are financially. They brought it in and they didn't have what other jurisdictions do have. If you take away ability for political parties to be able to generate funds in traditional ways, what you'll see is that there are other jurisdictions have provided for public funding. We see that as a positive thing; that's something that would assist all political parties, whether it's the Green Party, the New Democrats, our party or even, ultimately, the Conservative Party. The idea of having spending limits is very important. I had an interesting tour when I went down to the States. I was amazed on how you get some of these House of Representatives and the amount of money they get paid, and it's not very much. One, I think, was less than \$15,000. Yet they'll spend hundreds of thousands of dollars to get elected. One's got a question in terms of how and what sort of representation do you get, and what sort of handicap does it put on individuals that maybe don't have the financial resources.

So there are areas of the legislation that does, I think, move us—that does allow us to move forward. That's why I say when I look at the bill it should have been broken. There are aspects of the bill that move us forward, but, unfortunately, there are other aspects of the bill that are very regressive in their nature. The other day, it was May 7, and I'm taking it from *Hansard*, the Government House Leader made it very clear as to why it is he felt that this legislation was necessary, and here he's talking about a screening process. He wants LAMC to be able to

screen what's being done and what's being sent out by opposition members. He wants to put in caps to prevent MLAs to be able to send out the type of mail, or the amount of mail, that they would want to. This is the first government to ever do that here in the province of Manitoba, I must say.

Here's what the Government House Leader said in *Hansard*. It's on page 1817, and I quote: "In fact, we are trying to prevent partisan mailings into places being paid for by the government. We're trying to prevent that. If the member is against that he ought to stand up." Well, Mr. Speaker, I am standing in my place to tell the minister that I do disagree with it, and the minister needs to reflect on what impact he is really having by bringing forward this legislation. The bill could be positive. There are things that we can do to amend the bill that would make it acceptable, that we could be moving forward, that there is no need for us to be moving back.

There are some fairly simple amendments, such as using the set date and dropping the part that leaves it open, maybe model it more like British Columbia so that we know that the election will be, in fact, on June 14. That would be a very positive amendment. Ensuring that every member of this Legislative Chamber has the opportunity to be able to participate directly or indirectly in LAMC. If you're as independents, you should have at least an observer's status, and you should be given the opportunity—every member, I would argue, should be given the opportunity to have minutes from the LAMC.

Those types of amendments, I believe, would go a long way in making this legislation better. We need to ensure that there is no mailing cap put into the legislation. By instituting a mailing cap, you are putting the opposition in a disadvantage situation. After all, the government has numerous departments that pump out a lot of material every day. Why are we limiting just opposition by that one line on the budget? The Government House Leader the other day stood up in the Chamber and he said, while we—we being we, NDP and Liberals—were in opposition, is what he was referring to, we had a mailing. We had three franking pieces. Well, we had one of those franking pieces taken away from us in one year. I remember that. In fact, we might have even had it twice. But what the Minister of Justice—or the Government House Leader (Mr. Chomiak)—fails to tell this House is that that was agreed upon, that was a consensus in LAMC, and that's why there was no whining. He was, at the time, saying, well, we didn't whine when it happened. The reason why they didn't

whine is because there was a consensus that we would do that, that we would put the limits in.

\* (16:20)

Mr. Speaker, when you're starting to talk about the rights of MLAs and the privileges that we have, we need to ensure that when they're changed, they're either changed to the degree in which everyone supports it—or it's a consensus—or you don't change; you don't make the change. You find other ways to accommodate. I'd rather get rid of the franking pieces, quite frankly, from a personal point of view, than put a cap on my ability to be able to send out direct mail, let alone to have it vetted through LAMC, which I have no idea what's taking place in LAMC because I can't even sit as an observer, nor am I entitled to any minutes.

So those are the types of things that we need to be concerned about. Each and every one of us have rights inside this Chamber. I remember when we were the official opposition inside this Legislature and we had an individual by the name Jay Cowan sitting in LAMC. The Liberal caucus back then defended the rights of the NDP when they were the third party inside this Chamber, Mr. Speaker. We didn't say to them, go elect more MLAs and then you'll have more say. We defended the rights of New Democrats inside this Chamber when we were the official opposition, and the record would show that.

We hear from arrogant members of the Legislature that will say, well, elect more members. Well, Mr. Speaker, it's this Legislative Chamber that said that in order to be a party, recognized as a party inside this Chamber, you have to have four members. Look beyond the borders of Manitoba and you'll find that there are political parties that are being recognized with higher populations and with fewer seats that are being elected. In other jurisdictions it only takes two members to have a party status. As opposed to trying to keep opposition parties down, you should be looking at ways in ensuring that there is validity to what Manitobans have voted for. Let the vote mean something. Don't try to take advantage of, oh, we got more seats so we can suppress you all we want. What about defending the minority rights?

We talked about racial issues earlier today. Racial issues, in good part, are about minority rights. This government has not had a good track record on minority rights, Mr. Speaker. They haven't and they definitely haven't protected the rights of members inside this Chamber. They need to start showing

more respect for everyone's role inside this Chamber, and one member yells, resign.

**An Honourable Member:** No, we defend your right to resign.

**Mr. Lamoureux:** Defends my right to resign. Well, Mr. Speaker, serious—and the Member for Burrows (Mr. Martindale) said that I would. It's interesting, you know, because you have 35 members, and they all can clap at the right time, and they all can yell from their seat, resign, from the right time. Let me suggest to you, even a minority of one inside this Chamber can be right. I'll suggest to you that, because the NDP issued out a press release asking for me to resign, I am not going to resign because of an NDP press release. I never said I would resign if an NDP issued out a press release asking for me to resign.

Would the Member for Burrows or any other member resign if the Liberal Party issues out a press release asking for your resignation? You know, Mr. Speaker, to this very day, the Premier (Mr. Doer) won't even stand in his place to provide me one ounce, one letter that shows that nothing was done. That was wrong. He has never stood in his place to defend what I have said, or his staff people, or the individuals in questioning me. He has never, and that's what I mean about defending the minorities inside this Chamber. Minorities are defined in many different ways. This government's attitude toward the minorities and minorities' rights—because it goes beyond just racial—is not good. It's not good at all.

I've been at the other end of it on numerous occasions, Mr. Speaker, where this government believes that it can just walk on the rights of individual members, and I think that it is sad. There is so much more that a truly New Democratic Party could be doing, but I would argue that today's NDP is not NDP. That's the problem. They're more opportunist than they are New Democrats, and that's why they're in the situation, in part, that they're in today—*[interjection]* And some say, hear, hear.

Well, you might want to be proud in some of the things you've been able to accomplish, but I'll tell you something. Anyone could be a good premier if you have the type of money that's funnelling into the province from Ottawa. Anyone can spend recklessly the way in which this government has done it. The real issue is, do you have the ability and the leadership to make good decisions?

You know, the Liberal Party, through our leader, has adopted the position in terms of the hydro line going underneath Lake Winnipeg. This government's burying its head in the sand because they know they've made a bad decision and they're not prepared to admit to a bad decision. They'd rather waste hundreds of millions of dollars because they don't want to admit that they've made a mistake, Mr. Speaker.

What about health care? Billions more in health, yet we still have the problems. Hallway medicine is still being practised, a phrase that was coined by this Premier (Mr. Doer). Spending smarter. But, no, they won't admit when they've made mistakes, Mr. Speaker, and the list goes on.

I believe that I have a responsibility, as a member of the opposition, as a representative of Inkster, to let Manitobans know where this government is failing them. That's my responsibility, Mr. Speaker, and I take that responsibility very seriously. That's why we bring forward legislation, private members' bills, that could really make a difference, and I can tell members opposite that the public is in tune and is watching in terms of what it is that you do on the types of legislation that the Liberal Party has brought forward and you just ignore.

One of the best examples is one that we brought in the other day in terms of banning the plastic bags, you know. Not only does the government recognize that it's a good idea, because some time in the future, no doubt, they'll do it, Mr. Speaker, but they don't want to act on it now because it wasn't their idea. How sad. Hundreds of millions of plastic bags will be dropped in our landfills and all over our province in our trees and so forth this year and next year because this government doesn't recognize a good idea for what it's worth and act on it.

What's worse is, this legislation tries to limit our ability to tell Manitobans that banning plastic bags is good for the environment. They don't want us to be able to say that. There are endless examples that I could bring forward where the Liberal Party has brought ideas to the floor of this Chamber to be talked about, to be debated, and are worthy of sharing with Manitobans.

You share your ideas and thoughts in many different ways, and you've got to ask yourself, how is this bill helping us as individual MLAs, Mr. Speaker? When it comes to LAMC and the mailings and the advertising, it's putting in serious limitations

and restrictions. So my advice to the government is, you have a choice. You can be more democratic. You can do the right thing and allow opposition parties the opportunity to do the things that you were allowed to do when you were in opposition—no one put restrictions on you when you were in opposition as a New Democratic Party—and amend the legislation that would enable MLAs such as myself and others the ability to communicate with Manitobans as we should be able to. Bring in those amendments. Make some changes, and you would be at least able to get two political parties inside this Chamber supporting the bill. I encourage the government to do the honourable thing, the right thing. Bring in some amendments so that you can have two parties, at the very least, supporting this legislation.

Thank you, Mr. Speaker, for allowing me to say these few words.

\* (16:30)

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

*Motion agreed to.*

**Bill 38—The Balanced Budget, Fiscal Management and Taxpayer Accountability Act**

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I move, seconded by the Minister of Advanced Education (Ms. McGifford)—who, fortunately, is in her seat in the front row—that Bill 38, The Balanced Budget, Fiscal Management and Taxpayer Accountability Act; Loi sur l'équilibre budgétaire, la gestion financière et l'obligation de rendre compte aux contribuables, be now read a second time and be referred to a committee of this House.

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

*Motion presented.*

**Mr. Speaker:** His Honour the Lieutenant-Governor has been advised of the bill, and the message has been tabled.

**Mr. Selinger:** Mr. Speaker, I am pleased to speak about Bill 38, The Balanced Budget, Fiscal Management and Taxpayer Accountability Act.

This bill replaces The Balanced Budget, Debt Repayment and Taxpayer Accountability Act and establishes new requirements for fiscal

accountability and balanced budgets. This new balanced budget legislation addresses two main issues.

We have implemented summary budgeting in response to recommendations by the Auditor General and in accordance with standards set by the Public Sector Accounting Board and the Canadian Institute of Chartered Accountants. Maintaining two sets of accounts—long a matter of concern for the Auditor General—is eliminated with this legislation. This means budgeting and reporting will now be based on the broader government reporting entity, which includes core government operations as well as Crown corporations, school divisions, regional health authorities and universities and colleges.

The second issue addressed is improved accountability, as the bill includes a requirement to publish a financial management strategy for the government reporting entity at a set time each year and for which outcomes must be reported.

Mr. Speaker, the legislation was developed with recommendations from Deloitte, which reviewed the Auditor General's advice and held public and stakeholder consultations. Under the new act, the government is still required to achieve a positive balance each fiscal year based on the audited summary financial statements for the government reporting entity based on a four-year average that includes the current fiscal year and the results of the previous three years, positive or negative.

Similar to the existing legislation, the new act makes provisions for certain adjustments for increased expenses or revenue shortfalls resulting from specified exceptional events or circumstances.

However, under the new act, transfers to and from the Fiscal Stabilization Fund can no longer be used to affect the calculation of balance. Consequences for failing to achieve a positive balance are the same as in the existing act.

Mr. Speaker, this act introduces new requirements for the government, such as the requirement to table, by April 30 of each year, a summary budget that projects a positive balance for the end of the year. The April 30 deadline must be met each year except in unusual circumstances or if the Legislature is dissolved in March or April.

The legislation also introduces the requirement for the government to prepare a financial management strategy for each fiscal year that includes objectives for measurable outcomes for the

upcoming fiscal year, and future years as well, as a summary of core government expenditures and revenues. The new act requires that a report that compares the results for the year with the stated objectives including actual core government expenditures and revenues be tabled in the Legislative Assembly.

Finally, Mr. Speaker, the new act retains provisions in the former legislation for the tax referendum requirement, the requirement for repayment of the government's general purpose debt and its pension liability, and the restrictions regarding any proposed bill to amend, override or repeal the provisions of the act.

In closing, I would remind all honourable members of the advice we received from the Auditor General in December '04. Quote, he said: The special purpose financial statements are not appropriate for assessing the government's fiscal performance. In essence, therefore, it is illogical to have balanced budget legislation refer to an inappropriate set of financial statements. It would be more appropriate to have the balanced budget legislation refer to the summary financial statements prepared in accordance with GAAP.

This legislation follows that advice, Mr. Speaker, and I am pleased to recommend it for consideration by the House.

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

*Motion agreed to.*

**Bill 17—The Environment Amendment Act  
(Permanent Ban on Building or  
Expanding Hog Facilities)**

**Hon. Stan Struthers (Minister of Conservation):** Mr. Speaker, I move, seconded by the Minister for Competitiveness, Training and Trade (Mr. Swan), that Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities); Loi modifiant la Loi sur l'environnement (interdiction permanente visant la construction ou l'agrandissement d'installations réservées aux porcs), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Struthers:** Mr. Speaker, this bill prohibits the construction or expansion of confined livestock areas

for pigs and pig manure storage facilities in specific areas of Manitoba.

The prohibition replaces the former suspension of the director's authority to issue permits under the livestock manure and mortalities management regulation. The bill recognizes three environmentally sensitive regions of the province. These regions are southern eastern Manitoba, the Red River Valley management zone, including the Capital Region, and the Interlake.

The bill does allow for exceptions to the prohibition and these exceptions include allowing for the construction, expansion or modification of manure storage facilities if the storage facility is built or using anaerobic digestion or equivalent, or more environmentally sound technology and allowing for situations where operators have been ordered to undertake repairs to improve manure management to correct a deficiency or to allow the construction of a replacement facility that has been significantly damaged. The purpose of the exceptions is to ensure that hog producers are constructing and/or upgrading facilities that more effectively protect the environment and improve environmental sustainability of the industry.

Finally, the bill includes an amendment to allow the government the ability to prohibit, by regulation, any use, activity or thing that may cause adverse effects to the environment. This amendment makes certain that the government will have the ability to protect the environment today and in years to come for all Manitobans.

This legislation is another step in an orderly process of establishing strong environmental protection following from the Clean Environment Commission's report and this government's regulation to halt new or expanded hog barns. When we first introduced the pause, we did so to determine if growth in the industry is environmentally sustainable. We have concluded that some areas can no longer sustain expansion of the hog industry.

The Clean Environment Commission has raised concerns regarding regional imbalances, industry concentration and phosphorus loading. Bill 17 enshrines in legislation regional hog moratoriums previously announced and provides enhanced protection for the three areas of Manitoba.

South-eastern Manitoba is considered an intensively developed area, meaning it does not have sufficient land base to allow for further sustainable

spreading of livestock manure. The Red River Valley special management zone, including the Capital Region, was identified by the phosphorus expert committee as vulnerable because it is a flood-prone area. The Red River is the source of 54 percent of phosphorus loading to Lake Winnipeg. The third area is the Interlake, a region bordered by our two major lakes and home to wetlands and other marginal and ecologically sensitive land unsuitable for further hog industry expansion.

In conclusion, Mr. Speaker, I would urge all members of this Assembly who share our commitment to protecting the environment, particularly water, to support the proposed amendments. Thank you.

\* (16:40)

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I do have a number of words. I'd like to be able to talk about on Bill 17.

I thought it was interesting. The other day I had asked a question of the Minister of Agriculture (Ms. Wowchuk) about the hog industry. In listening to the Minister of Agriculture, she attempts to give the impression that the hog industry's behind her, the things that she's doing. She talks about, they wanted a loan program, we gave them a loan program. They wanted us to help out here, and we're helping out there, trying to give the impression and, in fact, she even said, and I quote: "Well, I can assure the member opposite that I have talked, I can guarantee him, I have talked to more hog producers in this province than he ever has."

*Mr. Rob Altemeyer, Acting Speaker, in the Chair.*

At the time when she made that statement, I thought, yes, she probably has, but I then had argued that she might have talked to them, but I was actually listening to them, Mr. Acting Speaker. Then, on the weekend, there was this ad in the *Winnipeg Free Press*. I thought it was an interesting ad, given the minister's comments on Thursday, because I think it's the first time that I can recall in 18 or 20 years where I've actually seen the hog industry take an ad out against the government to the degree in which this ag levels concerns.

This is two or three days after I had posed the question, when the minister was trying to say how in love the hog industry was with this government. It would seem that nothing could be further from the truth. When you look at it—and I thought the headline was wonderful—in reading through the *Free Press*,

you get this whole page. It said, "Who took the friendly out of Manitoba?"

Mr. Acting Speaker, that can lead to another half-hour debate about Spirited Energy. They did attempt to get rid of Friendly Manitoba. They tried really hard to get rid of Friendly Manitoba and replace it, of course, with Spirited Energy. It didn't go over too well because all of our billboards, all 500,000-plus billboards that are on our cars still say Friendly Manitoba; I'm glad it still does. I thought it was interesting that the title would be, "Who took the friendly out of Manitoba?"

Then I went on to the Web site. It says: "Bill 17: farmer unfriendly, rural unfriendly, and business unfriendly." Mr. Acting Speaker, quoting from the article, you have: Bill 17 is an unprecedented act of government poised to devastate one of Manitoba's biggest economic contributors, erode rural economy, harm countless related businesses and leave all other businesses in Manitoba vulnerable.

This is from the member of Conservation; they're talking about his bill. Coming from that Dauphin area, I thought he might have been more in tune. I suspect that he might have even car-pooled with the Minister of Agriculture on occasion, being so environmentally in tune sometimes. To listen between the Minister of Agriculture and the Minister of Conservation (Mr. Struthers) talk about the hog industry, it would be a very interesting discussion, no doubt.

What I know is only what I've been told from representatives from the hog industry. I can tell my constituency office is actually located on Tyndall Avenue, and there's Tindahan Food. They sell a lot of pork. Pork is a major staple out in my area. I enjoy pork a great deal, Mr. Acting Speaker, whether it's fried, on stick, whatever, you name it, lechón. It's great.

Having said that, Mr. Acting Speaker, I had asked him what he thought. He expressed his concerns about the hog industry and the lack of co-operation, felt that there was little, if any, sympathy coming from this government. In fact, through him, I was able to get in contact with another hog producer. That hog producer really, I thought, put it quite well, that the only thing that this government is doing for the hog industry is enabling them to get more into debt, nothing more than that.

Ottawa is helping out Manitoba, it's just a debt-creation project. We don't realize that the hog

producer in Manitoba needs more direct involvement from the government in terms of trying to assist him in getting out of this crisis. That's why, after having talked to not only those two individuals, but others related to the hog industry, I felt that it was very important that we do something, and felt that, you know, it was a question that I had to ask last Thursday. I know I don't usually stand up in question period and ask too many questions on agriculture, but I am concerned, and if I was afforded more questions, Mr. Acting Speaker, you can count on it that I would. You give me a couple of questions a day, agriculture would be right up there.

Having said that, Mr. Acting Speaker, I can tell you that the hog industry today is reminding me in terms of what the government actually did when the BSE crisis came to Manitoba. I look over at Alberta and I look over at Saskatchewan, the cattle industries in those two provinces, I think, fared much better than the cattle industry here in the province of Manitoba. I look at slaughter capacity, and I am told that the numbers actually went up and they've taken advantage, at least in part, of the crisis that hit their provinces.

What happened in Manitoba? Well, again, you know, it's not my critic area of responsibility, so why hear what most Manitobans would hear and maybe a little bit more because of the Estimates process and so forth, but, you know, we had Ranchers Choice. It seems to me that the government went out of its way to ensure that Ranchers Choice never really stood much of a chance. I would have thought that a government that was sympathetic to the cattle industry would have done a whole lot more to help the cattle industry, such as ensuring that Ranchers Choice got off the ground, because they would've been able to make a difference.

*Mr. Speaker in the Chair*

So what are they doing now in regard to the hog industry? The other day, I ran into some members from the Filipino community, and in the Philippines, they thought, well, it would be wonderful for us to get some of these hogs. Manitoba, they're talking about killing hogs, even burying or burning or culling them, you know, *[interjection]*—rendering. Here you have four or five individuals that were genuinely concerned in terms of, well, maybe that they might be able to help out, and it's a long story and I'll avoid the details of it, but suffice to say that there were some discussions that had taken place and, from what I understand, because of the world

market, it was deemed that there's really nothing that they could do in that area. The individuals in question, because I had talked to them to try to get better understanding of it, felt disappointed because they thought they had an idea and that it had some merit to it.

Not wanting to read too much into it, Mr. Speaker, over the weekend, I was reading the *Grassroots* newspaper, and it's an Aboriginal or First Nations newspaper, and there was a letter to the editor. It talked about having some of the hogs go onto some of the reserves and the potential of doing something of that nature. We have places like Winnipeg Harvest, you know—and I think the government did do something with Winnipeg Harvest. I'm not 100 percent sure, but I believe they did do something with Winnipeg Harvest. But the point, and the reason why I bring these things up, is that the government needs to realize that it can do things. It can make a difference. You can talk to people. You can consult a consultant. By consult, that means not only talking to the hog producers; it also means listening to them. You consult with the hog industry representatives and you work on programs that are going to assist. Don't settle, you know. Look at ways in which you can have a positive impact for the average hog producer.

I will wait and see in terms of just what percentage of the hog producers take advantage of the program that's being offered by the government. Again, my understanding, Mr. Speaker, is it's just dealing with loans, and I find that that's unfortunate.

\* (16:50)

What about the bill itself? How's the bill helping the industry? Well, it's an environmental bill. That's the primary reason why we have the bill before us today. So, if you think about it, we have this great body of water, Lake Winnipeg, and the Leader of the Liberal Party brought in the phosphorus-free dishwasher soap and we felt that you could ban certain chemicals in dishwasher soap that would've made a huge difference. Government sat on it for a while. Months later they bring in what they call more comprehensive legislation, right? Well, their comprehensive legislation didn't even deal with commercial dishwashing soap, which makes up 50 percent of what's going into Lake Winnipeg.

It wasn't more comprehensive. It wasn't having the same sort of an impact that the Liberal bill was proposing to have. It was, you know, it was very much a watered-down bill. Then let's, you know, we

talked about the environment earlier today—I talked about the plastic bags, that's an environmental issue, you can do something on plastic bags.

There are other environmental ideas. Here's one that we haven't acted on yet, but I suggest that we might act on it, so the government might want to take it before we actually introduce it. What about the idea of having refundable return deposits on some of our beverage containers? It happens in Saskatchewan and Alberta. I think it's a good idea. I bring it up because I give the government notice that, if you act quickly, let Leg Counsel know, you might be able to prevent a Liberal bill from appearing in the next session talking about having another progressive piece of legislation that would have a positive impact on the environment.

Well, Mr. Speaker, why do I bring up those examples? It's because of what Bill 17 is doing. It's the moratorium. You're prepared to say, moratorium, because you want to come across as being environmentally sensitive. That's the reason for the bill. If you look at it, like, provide the documentations from CEC that clearly indicate that this is good legislation. I took the advantage of the Unfriendly Manitoba Web site, and I would suggest all members look at that particular Web site because they'll provide a summary of the bill. Now I don't know if all the details are accurate. I am going to assume that they're good details, but here's one of the things that it states—*[interjection]* No, there are no hog barns in Inkster.

This is taken from the Web site of unfriendlymanitoba.ca: "Currently, under the Environment Act's Livestock Manure and Mortalities Management Regulation, the 'Director' has the authority to issue a permit for the construction of a manure storage facility. If the applicant can successfully meet all the requirements, the 'Director' must issue the permit." That means you can put in the requirements, and if you put in the requirements and you enable the director, well then you're not going to have a problem, then one could question why the moratorium. If the ability is already there to accomplish what it is that you're wanting to accomplish by bringing in the moratorium, then why are you doing it?

Mr. Speaker, I think that that is the question that the hog producers, cattle producers, any farming community, anyone that's working on the family farm today should be concerned about. Why is the government doing this if, in fact, they can't even

justify it through the Clean Environment Commission? They can't show a report coming from the Clean Environment Commission saying that the legislation is necessary. Rural Manitoba needs to be concerned about it. This is one of those issues which, I suspect, those rural Manitobans, those farmers are not going to forget. What've you got against the farmer? That's the question that I'll be posing, and I suspect that this government has offended a great number of them.

That's why, I don't know if the Minister of Conservation (Mr. Struthers) really ran this thing through all of his Cabinet colleagues. I don't know if the Minister of Agriculture (Ms. Wowchuk), when she was doing all that talking, if she talked about Bill 17. She never said anything about listening, we know that. At what cost? Well, as I say, I know why the government did bring in Bill 17. I think that, when you explain the rationale behind Bill 17 to our rural communities, they are going to be very upset because what it all boils down to is political, environmental credits that this government is trying to generate by bringing in the moratorium. Based on the information that the minister has provided this Legislature, one cannot help but come to that conclusion.

The minister should be standing in his place and saying, no, the director cannot prevent it. He's not saying that. He's not saying that the director doesn't have the ability. Where it's not proven to be good for the environment to prevent it from happening, he's not prepared to say that. That's why it goes back.

So I'm going to give a suggestion to the government. The government always talks about how they want ideas. I suspect after the number of years that they've been in governance, far too many some of us would argue, including myself, that I'm going to share with them and repeat and regurgitate some of those ideas. Some ideas, Mr. Speaker, that would give them some environmental credits, and that's what they want. That's what this bill's all about, environmental credit, No. 1. The idea isn't just the Liberal Party's.

You know the Member for Wellington (Ms. Marcelino), who is here and listening so tentatively, has a school, Cecil Rhodes School in Weston, great group of young kids. I would suggest that members should watch the video that was produced from Cecil Rhodes School. It's a great video. It talks about banning the bag, Mr. Speaker. When we presented the bill, some of the students were actually here in

the public gallery, and you had members of the government being critical saying, well, it's only a small step; it's only a small step. We want a big step. Well, I'm sure a small step is better than no step. That's what we get from the government on the banning of the plastic bag.

Well, I promised some advice. Mr. Speaker. We are not too late. We can still pass that bill—the will of the Chamber, because the Conservatives have seen the merit of that environmental credit. If the government saw the merit, we could actually pass that bill and make that the law. There are things that the government has done.

I've made reference to the phosphorus-free dishwasher detergent. It can make a statement about, or show us a regulation about the commercial use of dishwashing soap. By showing that, we'll actually know what it is that the government is doing on the dishwasher soap, the commercial component to it because that would have a huge impact on Lake Winnipeg.

I made reference earlier about those refundable deposits. I know of individuals who will gather those little pop cans and they put them in these super huge, clear bags, and they just stuff them full of them. They'll crunch them up, put them in and, once they have four or five bags of them, quite often they'll go to Saskatchewan because they're actually providing financial incentive for it. Initiatives such as those refundable deposits can make a huge difference.

With those few words, I'm prepared to conclude my remarks. Thank you Mr. Speaker.

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

***Motion agreed to.***

**Mr. Speaker:** The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Tuesday).

## LEGISLATIVE ASSEMBLY OF MANITOBA

**Monday, May 12, 2008**

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**GOVERNMENT BUSINESS**

**Second Readings**

Bill 37—The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management

Commission Act

Ashton

2051

Lamoureux

2052

Bill 38—The Balanced Budget, Fiscal Management and Taxpayer Accountability Act

Selinger

2057

Bill 17—The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities)

Struthers

2058

Lamoureux

2059

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>**