

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

Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
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.
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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.
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SELBY, Erin	Southdale	N.D.P.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
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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.
<i>Vacant</i>	Elmwood	

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 9, 2008

The House met at 1:30 p.m.

Mr. Speaker: I have an announcement for the House. The *Hansard* has not been delivered by the printing company. It should be arriving shortly. As soon as it comes, we'll have it passed out.

ROUTINE PROCEEDINGS

PETITIONS

Long-Term Care Facility—Morden

Mr. Peter Dyck (Pembina): 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 Ernie Epp, Maurice Butler, Janice Reimer 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.

Pharmacare Deductibles

Mrs. Bonnie Mitchelson (River East): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The NDP government has increased Pharmacare deductibles by 5 percent each year for the past seven

years, with the curious exception of the 2007 election year.

As a result of the cumulative 34 percent hike in Pharmacare deductibles by the NDP government, some Manitobans are forced to choose between milk and medicine.

Seniors, fixed and low-income-earning Manitobans are the most negatively affected by these increases.

We petition the Legislative Assembly as follows:

To urge the Premier (Mr. Doer) of Manitoba to consider reversing his decision to increase Pharmacare deductibles by 5 percent in budget 2008.

To request the Premier of Manitoba to consider reducing health-care bureaucracy, as previously promised, and to consider directing those savings into sustaining Pharmacare and improving patient care.

This petition is signed by Theresa Kardynal, Anne Jaarsma, Edith Matthisen and many, many other seniors, Mr. Speaker.

Cancer Treatment Drugs

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

These are the reasons for this petition:

Colon cancer is the second leading cause of death.

Colon cancer affects both men and women almost equally.

Avastin and Erbitux are two drugs that have been shown to work and offer hope to patients who suffer from this disease.

CancerCare Manitoba is offering Avastin to patients on a case-by-case basis, claiming the cost to be too much to give all patients the prescribed treatment.

Consequently, patients and their families are often forced to make the difficult choice between paying for the treatment themselves or going without.

The CancerCare Manitoba Act stipulates, "The objects of the corporation are the conduct of a program of diagnosis of, treatment of and research in"

The principles of the Canada Health Act under the criteria list, universality: One hundred percent of the insured residents of a province or territory must be entitled to the insured health services provided by the plans on uniform terms and conditions.

Several other provinces are providing access to these two drugs for colon cancer patients.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier of Manitoba (Mr. Doer) and the Minister of Health (Ms. Oswald) to consider providing CancerCare Manitoba with the appropriate funding necessary to provide the standard of care treatment, Avastin, to all colon cancer patients.

To request the Premier of Manitoba and the Minister of Health to consider accelerating the process by which new cancer treatment drugs are added to the formulary so that more Manitobans are able to be treated in the most effective manner possible.

Signed by Margaret Treble, Leslie Lone, Julie Ireton and many, many more.

Education Funding

Mr. Rick Borotsik (Brandon West): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Historically, the Province of Manitoba has received funding for education by the assessment of the property that generates taxes. This unfair tax is only applied to selected property owners in certain areas and confines.

Property-based school tax is becoming an ever-increasing burden without acknowledging the owner's income or owner's ability to pay.

The provincial sales tax was instituted for the purpose of funding education. However, monies generated by this tax are being placed in general revenue.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Education, Citizenship and Youth (Mr. Bjornson) consider removing education funding by school tax or education levies from all property in Manitoba.

To request that the Minister of Education, Citizenship and Youth consider finding a more equitable method of funding education, such as general revenue, following the constitutional funding of education by the Province of Manitoba.

Mr. Speaker, this petition is signed by Lydia Shirtliffe, L.A. Shirtliffe, R. Funk and many, many others.

Provincial Nominee Program—Applications

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

The background to this petition is as follows:

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

Lengthy processing times for PNP applications causes additional stress and anxiety for would-be immigrants and their families here in Manitoba.

The government needs to recognize the unfairness in its current policy on who qualifies for a Provincial Nominee Certificate.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider establishing a 90-day guarantee for processing an application for a minimum of 80 percent of applicants that have family living in Manitoba.

To urge the provincial government to consider removing the use of the restrictive job list when dealing with the family sponsor stream.

This is signed by J. De Leon, A. Garcia and R. Peralta and many, many other fine Manitobans.

Paved Shoulders for Trans-Canada Highway

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:

The lack of paved shoulders on the Manitoba portions of the Trans-Canada Highway poses a serious safety risk for motorists, cyclists and pedestrians alike.

This risk was borne out again with the tragic June 2008 deaths of two cyclists traveling east of Virden on the Trans-Canada Highway and injuries sustained by two other cyclists.

Subsequently, the government of Manitoba has indicated it will pave the shoulders on the Trans-Canada Highway but has not provided a time frame for doing so.

Manitoba's Assistant Deputy Minister of Infrastructure and Transportation told a Winnipeg radio station on October 16, 2007, that when it comes to highways' projects, the provincial government has a "flexible response program".

In the interests of protecting public safety, it is critical that the paving of the shoulders on the Trans-Canada Highway in Manitoba be completed as soon as possible.

We petition the Legislative Assembly as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider making the completion of the paving of the shoulders on the Trans-Canada Highway an urgent provincial government priority.

To request the Minister of Infrastructure and Transportation to clearly articulate a time frame for paving the shoulders on the Trans-Canada Highway in Manitoba.

This petition is signed by Cheryl Porter, Margaret Rempel, Ron Begg and many, many others.

TABLING OF REPORTS

Hon. Eric Robinson (Minister of Culture, Heritage, Tourism and Sport): Mr. Speaker, I'd like to present the Annual Report of FIPPA for 2007.

* (13:40)

MINISTERIAL STATEMENTS

Canadian Country Music Association Awards

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

Mr. Speaker, it's with great pride that I rise today to congratulate Chris Thorsteinson, Dave Wasyliw and Murray Pulver of Doc Walker for their outstanding success at the Canadian Country Music Awards last night in front of 8,000 adoring fans at the MTS Centre. It was a beautiful night capping off a week of great country music and trademark Manitoba hospitality. Doc Walker took home top honours for group of the year, album of the year, single of the year, video of the year and the fans' choice award.

Also, on Sunday I had the pleasure of watching them accept the SOCAN songwriters' award of the year. In addition, Murray Pulver was named guitar player of the year and Brent Pearen bass player of the year at the All-Star Band Awards handed out on Saturday.

To Chris, Dave and Murray, the pride of Portage la Prairie and indeed all of Manitoba today, thank you and congratulations. You're truly remarkable ambassadors of country music for our province, and I know all Manitobans join me today in saluting your accomplishments.

I'd like to also recognize our other Manitoba winners from the Industry Awards held on Saturday. Congratulations to RGK Entertainment Group, management company of the year; House of Bands for Web site of the Year; Patrick Duffy, Traci Goudie and Jill Snell for album design of the year; and to Paquin Entertainment for booking agent of the year.

Of course, to all the organizers and the volunteers who put on another world-class event this past Country Music Week here in Winnipeg, thank you for once again proving that our province is the best place in the country to host major events and festivals.

Mrs. Leanne Rowat (Minnedosa): It's a pleasure to rise on this side of the House to bring greetings and to pay tribute to the success of Manitoba's country music artists at the annual Canadian Country Music Association's awards ceremony.

The CCMA Awards took place last night right here in Winnipeg at the MTS Centre as Winnipeg played host to the annual Country Music Week. Manitoba garnered an impressive 19 nominations heading into the hometown awards ceremony which honours both country music, stars and industry professionals for their achievements. All Manitoba nominees are to be congratulated on their

considerable contributions to the Canadian country music scene which is said to reflect the very soul of the Canadian identity.

In addition, we should pay special attention to the fabulous success of local group Doc Walker, who received five awards during last night's televised broadcast and various other industry awards for their album, *Beautiful Life*.

Doc Walker hails from the great constituency of the proud Member for Portage la Prairie (Mr. Faurischou), and group members Chris Thorsteinson, Dave Wasyliw and Murray Pulver demonstrated to all of Canada last night that music made here in Manitoba is second to none. The band's many accolades include single, album and group of the year and a fans' choice award, illustrating their appeal to the country music audience all across the nation.

Manitoba industry professionals are also to be applauded for their skills at advancing the country music sector in this province. Doc Walker's success was complemented by the award-winning performances of their album and Web-site designers, praises due to Patrick Duffy, Traci Goudie, Jill Snell for their work on the *Beautiful Life* album design and Ashley Harms, Tim Neufeld and the House of Bands for their collective efforts on the Doc Walker Web page. Further success was realized by Manitoba talent agency Paquin Entertainment, which took home the industry award for booking agency of the year.

Mr. Speaker, I'd like to offer my heartfelt congratulations to all CCMA award winners. Manitoba is very proud of their achievements and looks forward to following their continued accomplishments and listening to the melodies of their musical careers. Thank you.

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: Last night was great. Manitoba sings. Hey, the music was wonderful and congratulations to the Doc Walker group, Chris Thorsteinson, Dave Wasyliw and Murray Pulver. Just wonderful that you guys did so well and looking forward to some fabulous future.

This is clear demonstration of the role and the highlights of many people in Manitoba when it

comes to country music. Congratulations also to the RGK Entertainment Group, to the House of Bands, to Patrick Duffie, Traci Goudie, Jill Snell and Paquin Entertainment. We should have lots more nights like last night and we're looking forward to them. Thank you.

ORAL QUESTIONS

Health-Care Services Ambulance Wait Times

Mr. Hugh McFadyen (Leader of the Official Opposition): On August 19, 1999, the Premier, then the Member for Concordia, walked into the Hotel Fort Garry and promised Manitobans that, if elected, he would end hallway medicine. Mr. Speaker, yesterday, nine years and 19 days later, we had a situation where a man in Headingley, a roofer who was at work, had a fall and landed on his head. He was fortunate to have a co-worker like Gil Bramwell who called an ambulance but not so fortunate that they had to wait over 30 minutes for that ambulance to arrive.

Mr. Speaker, Manitobans who are upset about his broken promise to end hallway medicine are now worried that they won't even be able to get a ride to those hallways, given the lacklustre and disorganized way in which they manage the health-care system.

Mr. Speaker, we know our paramedics are working hard. They're stretched to the limit, but they're working within a system that is unsupportive and disorganized.

I want to ask the Premier: Why has he abandoned his fundamental promise to end hallway medicine and guarantee timely access to health care, including ambulances for all Manitobans?

Hon. Gary Doer (Premier): Mr. Speaker, I would point out to the member that we have bought, purchased 64 new ambulances. [*interjection*] The member that represents East St. Paul is chirping from his seat. I would point out we've also announced a new ambulance operation in the Capital Region between West St. Paul and East St. Paul that wasn't in existence when we came into office, as opposed to serving people from Selkirk.

Mr. Speaker, we also believe that ambulance services should be more timely inside the city of Winnipeg. We've increased the funding and the number of units through increased funding to the City of Winnipeg for the combined ambulance services.

Having said that, Mr. Speaker, we are investigating the allegations. We have been given information that indicates the time wasn't as great as the member purports, and we will investigate that discrepancy. We believe that is very important to identify. We have invested considerably in ambulances, both inside Winnipeg and outside of Winnipeg. We certainly want to know if there was a 30-minute delay. We want to verify that. We haven't been able to do that so far. Secondly, we want to verify the circumstances that may or may not have led to that delay.

*(13:50)

Mr. McFadyen: The information provided by the authority this morning was that an ambulance had to be dispatched from East St. Paul all the way to Headingley. Clearly there was a significant—a long wait for those individuals. Now, we've heard the announcements; we've heard the funding commitments, and we know he's had nine years to solve this problem.

Nine years is an awfully long time. We know they built the Hoover Dam in five years. They built the Panama Canal in seven years. World wars have been fought and won in less than nine years, and yet here we are nine years after this promise and they can't even get the basics right in terms of emergency rooms in rural Manitoba. They can't get ambulances to people who need them. People continue to wait in emergency rooms and in hallways.

I want to ask the Premier: If world wars can be fought and won in less than nine years, why can't he even honour his most basic promises to the people of Manitoba when it comes to—*[inaudible]*

Mr. Doer: The numbers of ambulances in Winnipeg are greater. The numbers of ambulances outside of Winnipeg are greater. The anti-rural treatment of members opposite where rates were just established on a whimsical basis and no protection for rural individuals which were established under the Conservatives, in fact, when the member opposite was the chief of staff of Premier Filmon.

Mr. Speaker, the other part of the investigation I would like to look at is when Headingley left Winnipeg, what was the agreement on shared services? I would like to know what that was. I think there were police services, if I'm not mistaken, were negotiated. Other services were negotiated. Certainly we want to double-check the facts on ambulance services. Having said that, the principle should be the

most available ambulance should be available, and we're going to make that part of our investigation.

Mr. McFadyen: The Premier wants to go back and investigate things that happened more than nine years ago, and that's fine. I mean, if that's how he spends his time—he's certainly entitled to spend his time, you know, *[inaudible]* the Clinton-Yeltsin era all he likes, Mr. Speaker, and that's fine. I'm sure it'll be an interesting academic exercise. But the fact is that yesterday we had Manitobans waiting for ambulances. Today we have Manitobans waiting in hallways. We had a promise nine years ago from this Premier that he would fix the issue. He still hasn't done it, and we would suggest it's because he's got his priorities wrong.

I want to ask the Premier: Why is he promising to spend more than \$30 million on a new headquarters for the Winnipeg Regional Health Authority when he can't even get an ambulance to Headingley in under 30 minutes?

Mr. Doer: As I said, there's a discrepancy in the information and we will investigate the allegation that's been made. It is important for us to investigate information brought to this House.

I would remind people that yesterday I reminded the House that the member opposite in the last week of the session said that there would be no internal trade agreement between the provinces and Canada. He was wrong.

Yesterday in the House he said that the building permits for Manitoba were down. Today we read that the building permits are up, higher than any other place in Canada. He was wrong.

I know the member opposite attends political conventions down in the United States, as a guest of his friends, but yesterday he alleges that the American system, disaster assistance, has to be made in this House or made by the government. There's no need for such pronouncements in Canada as the disaster financial assistance arrangements between provinces, territories and the federal government already allows federal monies to flow in a cost-shared basis should a disaster in Manitoba go beyond a certain threshold level. So he was wrong on that.

So, strike one, you were wrong; strike two, you were wrong; strike three, you're wrong, and that's why we have to check the facts, Mr. Speaker.

Emergency Room (Virден) Closure

Mr. Larry Maguire (Arthur-Virден): One thing we know is not wrong, Mr. Speaker, and that is that health care in rural Manitoba is in a crisis.

Yesterday I gave the Minister of Health an opportunity to tell rural Manitobans, particularly those in Virден and Melita, that she would replace doctors on a timely manner to reopen their emergency rooms before next February. The shameful reply was, and I quote, we hear crying about a lot of doctors, unquote. This is an insulting reply to 600 citizens of Virден, Melita and Westman area who came to the public meeting to voice their concerns.

When will she ditch her callous approach to rural Manitobans and take measures, even on an interim basis, to re-staff Virден and Melita hospitals with doctors before next February?

Hon. Theresa Oswald (Minister of Health): I can inform the member today, as I have [*inaudible*] that, of course, the work that the Assiniboine Regional Health Authority is doing in securing conditional licensure for international medical graduates is the one that has the February date. We are encouraged by that; however, we know that we're also working with the region, with members of the community to endeavour to have that ER opened as soon as we possibly can.

We agree that it's a very important service, and it's a service that we want to have opened by increasing the complement of doctors. We're working hard to try to recruit locums. We're working with the region to have return-of-service agreements made, and we're going to continue on that work so that the Virден ER can open as soon as possible.

Mr. Maguire: Mr. Speaker, the minister and her NDP Premier (Mr. Doer) have failed the health-care system and Manitobans seeking health care. She calls an eight-month emergency room closure, quote, and this is from yesterday's answers, and I quote, "temporary suspensions of ER services."

How out of touch can you be? Citizens in Virден and Melita and area called it a catastrophe, and she can't even guarantee a reopening of those ERs in February '09, Mr. Speaker, never mind do it sooner. This is no longer a summer holiday issue. It's a chronic crisis, a symptom of a government with no vision or workable long-term plan.

When will she, as the Minister of Health, who by her own admission has never closed a Winnipeg emergency room—thank goodness for that, too, Mr. Speaker—when will she accept her responsibility to provide doctors to rural hospitals in a timely manner? Next February is not acceptable.

Ms. Oswald: I think the member opposite is well aware that our rural health-care strategy of course primarily includes increasing the number of doctors and increasing the number of nurses that are available to do their service there.

We know that every year during the '90s, there was a net decrease of doctors in Manitoba every single year with a record-breaking net loss of 75 doctors in 1996. We know that since 1999, we've seen a net increase of doctors, a total increase of 288 more doctors with 105 in rural Manitoba, Mr. Speaker. We know that at a time of national and international competition for doctors that we have to continue to do more, especially for communities like Virден, and we're going to work to do that.

Mr. Maguire: Well, Mr. Speaker, the minister's failure is nowhere more evident than in her own department, the Manitoba Health and the College of Physicians and Surgeons of Manitoba who have indicated that 231 doctors left Manitoba for other provinces and countries in 2007. One of her strategies could be to emphasize retention.

Why has this minister let 231 doctors leave Manitoba when she is searching worldwide for physicians? Surely even 10 percent retention could alleviate today's needs and keep emergency rooms open in rural Manitoba.

Ms. Oswald: Mr. Speaker, interestingly the member opposite didn't cite the number of doctors that have come to Manitoba in that time.

We know that in every jurisdiction in Canada and, indeed, internationally that doctors will come into jurisdictions and go out of jurisdictions. I think the most important number to Manitobans is the net increase of doctors. Last year the college posted a net increase of 53 doctors. We know that this was one off the pace for a record-breaking year for Manitoba of 54 doctors, which was the year before, Mr. Speaker.

What's very important is that we provide opportunities for doctors to have return-of-service agreements, conditional grants and all other incentives that we can provide for doctors to work in rural and—

Mr. Speaker: Order.

* (14:00)

**Maternal and Child Care
Government Services**

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, this Minister of Health has received two alarming reports about maternal and child care in Manitoba and she sat on both of them. The first one was May 2005, and the second one was January 2008, nine months ago. She sat on both reports that said Manitoba had the highest teen pregnancy rate, the highest stillbirth rate and the highest rate of post-neonatal death in Canada.

Today in her announcement there was far more talk than there was action. I'd like to ask her why it took her nine months to start following through on some of the things that need to be done to address some of these serious issues in Manitoba. Why did she sit on that for nine months?

Hon. Theresa Oswald (Minister of Health): I thank the member for the question and the opportunity to inform the House that we were able to announce today that the site has been chosen for the new state-of-the-art women's hospital. You know, Mr. Speaker, this will not only be bricks and mortar, a new state-of-the-art facility for families, for moms and for babies, but it's going to be an entirely new era for maternal care in Manitoba as a result of the leadership of the maternal and child task force.

Mr. Speaker, the member opposite accuses me of sitting on reports when I don't mail them to her. They're not reports that we sat on.

Mrs. Driedger: Mr. Speaker, that is such a callous answer to such a serious problem out there.

Mr. Speaker, that second report which she got in January of this year said that access to high quality maternity and newborn care is an urgent issue, something we've been talking about for three years in Manitoba. It's taken her over three years to do anything with it.

Also, this report said that it will be a much worse problem in the next five to 10 years. Again, she sat on all of that for nine more months. There are serious alarm bells that she sat on for nine months in this second report.

So I'd like to ask her: This report was screaming out for action. There's some urgency to the issue of

maternal and child and she has done nothing for nine months. Where has she been?

Ms. Oswald: Today I was announcing the site of the new women's hospital. Yesterday I was talking to doctors and nurses about the fact that one of the most salient points in those reports that they clearly say is that the single most damaging thing that's been done to maternal care in this province was the loss of doctors and driving 1,500 nurses out of the system, the No. 1 thing that they said was wrong.

I can tell you, Mr. Speaker, that in response to the maternal and child health services task force, we're taking immediate action in providing supports for women from remote communities, Aboriginal women, that haven't existed before, when they have to travel to have special care in those days before they deliver. We're increasing technology available to other hospitals, and, of course, we're going to provide programming post and prenatal for moms—

Mr. Speaker: Order.

Mrs. Driedger: Mr. Speaker, there's more talk than action from this minister. She's putting nothing forward but rhetoric. She's had two alarming reports that she has done nothing with. This second report says that there are a very inadequate number of midwives in Manitoba, and yet today she only announces 11 more when we need 200.

The report also said that midwives are burning out and they can't meet the needs of moms. It also said that this government clawed back funding from the WRHA of a midwifery position. It also said midwifery in Manitoba could die because this government has not nurtured this program for years.

So I'd like to ask this Minister of Health: Why has she approved the spending of \$30 million on a new WRHA headquarters while we've got an alarming situation happening in maternal and child care in Manitoba?

Ms. Oswald: Mr. Speaker, I'm not surprised by the members opposite not acknowledging that there will be a primary care clinic in one of the most underserved areas of Winnipeg. Of course, they don't want to talk about that; they never have. I'm not surprised that the member opposite would call new construction of a women's hospital a rhetorical construction. This is the same group, of course, that let fruit flies develop in the operating room in Health Sciences Centre.

This is no great surprise, but I have to admit, Mr. Speaker, I'm a little surprised that the member opposite, who had zero-funded positions for midwives under her reign is scoffing at the fact that we now have 45 funded positions here in Manitoba.

Bill 38 Government Intent

Mr. Rick Borotsik (Brandon West): Mr. Speaker, yesterday the Minister of Finance accused me of being overly pessimistic towards his mismanagement of the province's finances. There's a world of difference between being a pessimist and realist. Perhaps the Premier (Mr. Doer) would like to hear these facts. Fact, Manitoba has the highest taxes west of Québec. Fact, Manitoba has the second-highest debt per capita in the country. Fact, Manitoba has an unsustainable dependency on federal equalization payments. Yet the Finance Minister's total preoccupation right now is how to get rid of the balanced budget legislation.

Will the Minister of Finance admit that the only way he can hide from his fiscal mismanagement is to get rid of balanced budget legislation and pass Bill 38?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, if we want to go back to facts, the member opposite yesterday said we had the second-lowest GDP per capita in the country. He's just dead wrong about that. If he wants to get his facts straight, he should start right there.

He might want to look at the fact that we're leading the country in private capital investment at 22.4 percent. He might want to look at the fact that we're leading the country in construction work at 22.2 percent. He might want to look at the fact that we're leading in overall capital investment at 18.8 percent. He might want to look at the fact that our Consumer Price Index is the lowest in the country at 1.8 percent. Those are four indicators where we're leading the country. In my next question, I will tell him the ones where we're No. 2 in the country.

Mr. Speaker, when it comes to the balanced budget legislation, I know he'd like to go back to the '90s. Unfortunately, those days are over, and even in Saskatchewan they're not getting—

Mr. Speaker: Order.

Mr. Borotsik: Mr. Speaker, there's absolutely no doubt we'd like to go back to 1995 when our

government put into place balanced budget legislation which was the best in the country at the time, and this minister is going to get rid of it.

Mr. Speaker, this minister was there during the Bill 38 committee hearings. This minister heard all the petitioners during that Bill 38 hearing. He heard the stakeholders: the Winnipeg Chamber, the Manitoba Chamber and the CFIP. He listened to Manitobans and each and every one of them was very concerned that this province is going back into deficit financing. This minister knows full well that Bill 38 gives him full rein to be able to put us back into deficit.

Why won't he pull Bill 38 right now or at least stand up and be man enough to admit to Manitobans he wants to go back into deficit?

Mr. Selinger: Mr. Speaker, retail trade grew 9.2 percent, No. 2 in the country. Total unemployment rate, 3.9 percent, second best in the country. Real GDP at basic prices, 3.6 percent, more than double the national average, second in the country. Private employment up 2.1 percent, more than 0.9 percent, second best in the country. Manufacturing employment, second best in the country.

Mr. Speaker, in 1995, the member talks about the members opposite bringing in the balanced budget legislation. He forgot to mention that they cancelled the Brandon Hospital in that year as well, right after they got elected, and then right after that they sold off the telephone system. Who has among the highest rates for telephones in the country right now? Manitobans used to have the third-lowest rates on telephone rates. Since they privatized the telephone system, they're among the highest in the country, a hidden tax from members opposite.

Jordan's Principle Lack of Aboriginal Input

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker—

Some Honourable Members: Oh, oh.

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

Mrs. Rowat: Thank you, Mr. Speaker. On this side of the House, we are cautiously optimistic about Jordan's Principle agreement that was signed last week. However, families need clarification on exactly what this announcement means. They feel it is too vague at this point to be supportive. These families are hoping that this government can do more

than provide them with false hope. *[interjection]* A member from the other side of the House is saying it's a federal responsibility. So that's how serious this government is taking this.

Mr. Speaker, we have been told by Aboriginal leaders that they have not been consulted on the details of this announcement. How can the Minister of Health (Ms. Oswald) make such an announcement without the full support of Aboriginal families who are looking for definitive answers from this NDP government?

*(14:10)

Hon. Kerri Irvin-Ross (Minister of Healthy Living): Mr. Speaker, I can assure the members opposite that we gave a definitive answer. We support Jordan's Principle. We were the first province to suggest that, the first province to approach the federal government saying, let's get to business; let's start working. We did that.

For over two years we met, we discussed and what we were able to do on September 5 was to announce an agreement with the federal government. This agreement ensures that children's needs will be met first, that the jurisdictional issues and disputes will be negotiated in closed doors without any disruption to those services that are needed for children with complex medical needs.

Mrs. Rowat: Mr. Speaker, unlike the Member for Kirkfield (Ms. Blady) who earlier today said we believe in action through press releases but no action in any other way, families with children that have disabilities and health-care problems need and deserve more than just rhetoric from this government. Families want to know definitively what does this announcement mean for their children.

The spirit and intent of Jordan's Principle is clear. The health-care needs of the child must come first. The jurisdictional issue will be dealt with later.

Mr. Speaker, Aboriginal families are concerned with the lack of substance in this announcement. So, Madam Minister, we need you to be doing something today to address the hundreds of outstanding case files that these children deserve answers to. They deserve definitive answers on this issue.

Ms. Irvin-Ross: I can identify many actions that we've taken. We came together with the federal government and said, let's work on a resolution, and we accomplished that. Together we accomplished a

definition. We have an agreement. We have the belief that we will work together and ensure that children's needs are met first.

As we continue to develop this, we will continue to provide the necessary services. We will ensure, when there is a jurisdictional issue, that that happens behind closed doors, that those needs are being met and a dispute resolution is being implemented. That's action.

Mrs. Rowat: But I'm not getting a definitive answer from this minister. Is the money there? Will these families receive the support they need today? No press release. Let's talk about action. Let's see the money. Let's see the families get the support they need today—not down the road, today.

Ms. Irvin-Ross: Mr. Speaker, we showed that action. Constantly we showed that action. Today at the FASD announcements, Grand Chief Ron Evans congratulated the Doer government for the work that we have done with the federal government to come up with a resolution for Jordan's Principle. He praised us for being the first jurisdiction in Canada to accomplish that.

We will continue to show action as we have before. We work with Norway House. We work with the federal government and we continue to provide services for those children. We're committed to continue to work together and to ensure that children with complex medical needs receive the services they need.

Independent Prosecutor Policy Taman Inquiry

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, the prosecutor appointed in the case of the death of Crystal Taman was supposed to be acting independently from the Department of Justice, yet the independent prosecutor has admitted that he had nearly 50 contacts with high-ranking officials in the Department of Justice. Department officials met about the potential plea and the house-arrest sentence. They took time to consider it. They slept on it and they reviewed the court's submission about the plea. The department even worked with the independent prosecutor to draft legal documents.

Does the Minister of Justice consider these contacts between his department and the independent prosecutor appropriate?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, it's a significant

fact that with regard to the matter we provided the commissioner, Mr. Salhany, with the widest-ranging terms of reference of any commission of its kind to review all of the matters respecting that particular issue, a number of matters have come to light by virtue of public evidence presented during the public process. As the member knows, the commissioner is in the process of writing a final report with recommendations. I think that not only speaks of the process, Mr. Speaker, but speaks of the fact that we should be waiting for the recommendations of the commissioner rather than having the member politicize the issue by raising issues that came out during the course of hearings—

Mr. Speaker: Order.

Mr. Goertzen: That's interesting because the Minister of Justice didn't wait for the recommendations to say that he was going to review the police act, something we asked for a year and a half ago. So sometimes he wants to wait, but sometimes, if it touches his department, then he doesn't want to discuss the issue.

Yesterday the Minister of Justice indicated that he believes the department's policy on independent prosecutors is a good policy. Of course, there can be a difference between how the policy appears in writing and how it actually functions in practice.

The independent prosecutor said that in addition to the nearly 50 contacts, the court submissions were forwarded to the minister's director of Prosecutions so that they could be read over and, to some extent, given approval.

We know the minister supports the policy as it's written, but does he support how it acted out in the case of Crystal Taman?

Mr. Chomiak: Mr. Speaker, following the matter coming to light with respect to Taman, before we launched a commission of inquiry in order to ensure public safety, we asked retired Justice Krindle to review the independent prosecutor policy. She gave us a report which said it was one of the most efficient and prolific in the country, and she gave us recommendations with respect to the independent prosecutor.

Now, we did that as a contingency because we knew when there was a commission report it would take some time, and we wanted to ensure that our policy was adequate, and, if changes were needed, they could be implemented. Now we're waiting for the final report of the committee.

I think, and I suggest, Mr. Speaker, by the member taking testimony outside of the commission he's going right into the bounds of politicizing an issue.

Mr. Goertzen: Just prior to a plea being entered in the death of Crystal Taman on July 17 of last year, a document called a controversial issues alert was sent from Prosecutions to the Deputy Minister of Justice. The controversial issues alert indicated that a plea would be entered dropping the alcohol-related charges against the man responsible for the death of Crystal Taman, that a house-arrest sentence would be considered.

On the alert it indicates that this is for the minister's information. I'm willing to table the alert today, although I'm sure the minister has seen it.

The director of Prosecutions indicated that the controversial issues alert is the normal way of getting information to the deputy minister and the Minister of Justice. Can the minister confirm this today?

Mr. Chomiak: Mr. Speaker, what I can confirm is what—now that we have a fully public commission of inquiry, the newly acquired and the newly called-to-the-bar Member for Steinbach (Mr. Goertzen) is now trying to politicize an issue and to take an issue that is removed from the department in terms of prosecution and trying to attach it to the government.

We've seen this game before. This issue is too serious to politicize and turn into a political football in this Chamber. I'm ashamed of the member's practice in this Chamber by trying to make an issue like this political. In fact, if we did this during the court process, as they often do, the charges would be tossed in court.

He knows that, Mr. Speaker. I think it's poor policy and poor judgment but not surprising coming from the member opposite since he was the campaign *[inaudible]* during the last election campaign. There was crime alert.

Fetal Alcohol Syndrome Disorder Reduction Strategies

Hon. Jon Gerrard (River Heights): Mr. Speaker, when it comes to improving wellness and preventing health problems the efforts of this government have been sadly lacking.

In our Liberal report on the health of children back several years ago we talked about FASD and the huge problem this is to the children of Manitoba and also in terms of the huge cost this is to our

government. In nine years this government has stalled when it comes to preventing and decreasing the incidence of FASD. Indeed we still don't have really good figures for the incidence of FASD because it's not a reportable condition.

Today is FASD day. I ask the Premier (Mr. Doer): When will this government support our legislation to ensure that there are warning labels on all alcoholic beverages sold in Manitoba, and when will the government have full reporting of all FASD in this province?

*(14:20)

Hon. Kerri Irvin-Ross (Minister of Healthy Living): I'm very proud to stand up and say in the '07-08 budget this government has committed \$8.5 million into providing services for children diagnosed and adults with FASD but, more importantly, the important value of prevention and ensuring that we're getting that message out to all Manitobans.

What we did today is we announced our commitment and the implementation of our FASD strategy along with many of our partners. We announced the Spectrum Connections. We announced four FASD specialists, but, more importantly, we announced prevention initiatives such as Stop FASD, as well as enhancing women's addiction services in the province of Manitoba.

Mr. Gerrard: Mr. Speaker, the government has uniform prices for alcoholic beverages all over Manitoba, and providing a major economic subsidy for the purchase of alcoholic beverages in northern Manitoba, they may, in fact, be enhancing the incidence of FASD in our province. Yet the government, at the same time, does nothing to help those who want access to milk, nutritious milk. Prices are so high for milk in northern Manitoba that it's a detriment and a barrier to mothers who want milk for their children.

I ask the government: Why are they putting a major economic barrier to those who want milk for their children while putting an economic subsidy to support the consumption of alcohol in northern Manitoba? Is this just another example of perverse NDP economics?

Ms. Irvin-Ross: Mr. Speaker, we have as a government provided prenatal benefits to women across the province of Manitoba to ensure that they have the nutrition that they need during pregnancy. We have continued to implement projects in the

north, the Northern Healthy Foods Initiative, to ensure that northerners have access to good-quality food. We have seen the success of this. There are freezers; there are community gardens; there are greenhouses that are being developed.

Those are initiatives that are taking action, and as we continue to take that action we will continue to support all communities. We will continue to provide people with information on FASD and, most importantly, the prevention of that. We do see the benefit, and we will continue to work together with all of our partners as we try to address these issues.

Fetal Alcohol Syndrome Disorder Liquor Bottle Warning Labels

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, just outside the Premier's office today there was a group of concerned Manitobans talking about FASD, and one of the issues came up on the whole idea of warning labels. If the Premier had a crack or a little bit of his window open, he would have heard Judy Wasylicia-Leis. We know how loud Judy can scream, and she screamed, and I quote: There are no ifs, ands or buts; it must be done. That's what Judy Wasylicia-Leis bellowed out just outside the Premier's office.

Mr. Speaker, even Judy has recognized the value of having warning labels on alcoholic beverages. We can make a difference in the province of Manitoba only if we see a progressive New Democratic Party adopt what Judy and the Manitoba Liberal Party are saying and put labels on alcoholic beverages. Will the minister do it today?

Hon. Gary Doer (Premier): Well, Mr. Speaker, it's too bad, when Mr. Martin visited the office of the Member for Inkster when he was a candidate, they wouldn't have opened the windows and listened to her private member's bill, which we support, to have national requirements for labelling on alcoholic beverages across Canada.

We think that's a sensible way to go. Yes, we're listening to her. We're disappointed that it wasn't passed in Parliament. We think it's a sensible idea, and I support her proposal in Parliament, which I understand has been dissolved two days ago. When Parliament reconvenes sometime in the future, hopefully there can be a meeting of the minds to get the national labelling in place.

We think that's an intelligent way to go. We obviously have products that come here from different provinces, different countries, but the place

to start is with the national products and labellings in the House of Commons, and, again, I would point—

Mr. Speaker: Order.

Women's Health-Care Facility Construction Site

Ms. Erna Braun (Rossmere): Mr. Speaker, health care is a priority among Manitobans and for our government as well.

Could the Minister of Health inform this Assembly of the most recent initiatives in the area of women's health care and medical services?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, I'm glad to have an opportunity to expand on information that we were able to deliver today concerning the site of the new women's hospital located at the Weston Bakery site in close proximity to the Children's Hospital which is, of course, the No. 1 item that we heard when we spoke to Manitobans, to health-care providers, the single largest consultation that's been done concerning a health-care facility.

We know that not only will this proximity to the Children's Hospital be so critically important but that the issues in functional planning like having spacious private rooms that are safe, that are homelike, that are inclusive for family members, that have private washrooms, that have all of the issues that we know that moms and babies want during delivery, we're going to deliver on that, Mr. Speaker.

Letellier Bridge Replacement

Mr. Cliff Graydon (Emerson): Mr. Speaker, the state of the Letellier Bridge has been debated in this House since 2000; 2000, we've been talking about this bridge in this House. The bridge access has been restricted for six years. Six years is a lifetime. Work tenders have been announced and yet for unknown reasons they're not carried out. Concerns about the bridge safety as well as the economic impact of the restrictions have been relayed to the minister many times. It would appear that this area is being punished for not voting Conservative, or for voting Conservative.

Will the minister commit to a fall tender so that work can get under way on the bridge this winter or early spring? Will you make a commitment today, Mr. Minister?

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): Mr. Speaker, I think it's punishment enough that constituents have to listen to him speak every time he comes out.

I have to tell you that we have six times improved the budget six times greater than the previous administration; \$341 million over the next number of years will be spent on bridges. The Letellier Bridge is in our multi-year capital plan. The member is very much aware that we've met with many, many R.M.s and business leaders from the communities and they understand that we are proceeding in a methodical way with regard to taking a closer look at the Letellier Bridge.

Mr. Graydon: Mr. Speaker, we've moved our John Deere tractors for you. We've done everything you've asked us to do. We've also met with all of the people out there, all of the stakeholders. Is it the minister's intention to let the bridge fall in the river and then replace it? It seems to be that's where we're headed. We just need to look at Minneapolis for an example of how quickly bridges can be replaced. The Letellier Bridge project is tiny by comparison; however, the replacement of the Letellier Bridge is equally important from the safety and economic standpoint.

Mr. Speaker, I again ask the minister: Will you commit to tendering this bridge this fall for 2009 construction?

Mr. Lemieux: Mr. Speaker, this bridge is truly important to the citizens locally as it is to us. Our department is currently working on plans with regard to that bridge. The member opposite, if he was paying attention at all, would have taken a look at a recent announcement where we're going to be putting \$85 million in Highway 75 that's going to go right by his tractor.

This member certainly is out of touch with his constituents and members in the southeast who understand the importance of Highway 75, along with other projects. We as a government are committed to putting half of that \$85 million into Highway 75 and continuing the \$75 million we've already put into the highway, Mr. Speaker, and we'll continue to work to upgrade and improve our infrastructure, which, regrettably, regrettably, fell apart and disintegrated under a previous regime's mandate.

Mr. Speaker: Time for oral questions has expired.

MEMBERS' STATEMENTS

International FASD Recognition Day

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, today marks International Fetal Alcohol Spectrum Disorders Awareness Day. Each year on September 9, this day is recognized around the world with a minute of reflection at 9:09 a.m., to remember that during the nine months of pregnancy alcohol can be very harmful to the baby.

FASD Awareness Day is also to remember the millions of people worldwide who face a lifelong struggle with intellectual disabilities caused by prenatal alcohol use. Although there are no exact statistics on the rates of FASD in Canada, Health Canada estimates that nine in 1,000 babies born in this country are affected by FASD.

* (14:30)

Even so, the sharing and understanding of information about FASD outside the research community has been slow. This year the Fetal Alcohol Family Association of Manitoba organized a walk for FASD in order to raise awareness and encourage the community to support individuals and families living with FASD. The theme of the walk was Stronger Together and it took place today at 11 a.m. on the Legislative grounds.

Mr. Speaker, today we have a special opportunity, as well as responsibility, to recognize the impact of this disorder on individuals as well as our society. Just as importantly, we must recognize that people with FASD have many strengths, skills and interests, and we have the responsibility to nurture and develop within the community.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

I ask the members here today to join with me in recognizing FASD Day, as well as the ongoing efforts of the Fetal Alcohol Family Association of Manitoba and all those who participated in the event today to bring awareness to this significant and far-reaching disorder. Thank you, Madam Deputy Speaker.

2008 Government Caucus Retreat

Mr. Gerard Jennissen (Flin Flon): The 2008 government caucus retreat was held in Cranberry Portage from August 25 to the 27. The trip north was

by bus with a stop at the small town of Cormorant for a community fish fry.

In Cranberry Portage, MLAs were accommodated at three excellent local lodges while the caucus retreat meetings were held in the Cranberry Portage Elementary School's gymnasium.

On the 26th, a community luncheon was held at the Grand Tipi, the world's largest canvas teepee. Many private citizens, business people and elected officials from Cranberry and neighbouring communities informally mixed with the Premier (Mr. Doer), Cabinet ministers and other government caucus members while enjoying a remarkable northern lunch including pickerel, buffalo meatballs, bannock and wild rice.

Later I joined the Premier for a trip into Flin Flon where he made a major funding announcement at the North Avenue Playground. The Premier committed \$150,000 to the initial and immediate soil cleanup at two playground sites which had been identified as having the highest levels of metal pollution. Eight other parks in Flin Flon will have their grounds remediated as well, starting in spring 2009. The total cost of making these parks safe for our children is expected to approach \$1 million.

That evening the Premier and caucus were hosted onboard by Teddy and Mary Ann Playford's fantastic boat, *Cheers*, for an evening cruise of Lake Athapapuskow during which caucus members were introduced to samples of the excellent new line of birch-sap-based wines being produced by Boreal Bounty. Thank you, Doug and Linda Eryou.

On Wednesday morning, I joined the Minister of Intergovernmental Affairs (Mr. Ashton), the Minister of Science, Technology, Energy and Mines (Mr. Rondeau) and the Minister of Finance (Mr. Selinger) for a drive to Sherridon/Cold Lake where we toured the community's mine tailings site. We met with the mayor and council and discussed the province's multimillion dollar proposal for the cleanup of the old mine site. That same evening, the Minister of Finance hosted a pre-budget consultation meeting at the Victoria Inn in Flin Flon.

I would like to thank my caucus colleagues and the many volunteers in Cranberry, Sherridon and Flin Flon for their help and support. I particularly want to thank the Cranberry Portage Aboriginal Arts Festival committee, of which I am a proud member, for its hospitality and hard work in hosting the

Premier and his caucus. Thank you, Madam Deputy Speaker.

Lee Clark

Mr. Rick Borotsik (Brandon West): It is with great sorrow that we learned of the recent passing of Lee Clark. On behalf of the Progressive Conservative caucus of Manitoba, I would like to pass on our sincerest condolences to his wife, Barbara, and the entire Clark family.

Lee Clark was a dedicated community leader in Brandon and will be deeply missed. At university, Lee Clark met and later married Barbara Woods. They started a family and he was a loving father to his daughters, Cheryl and Janine. One of his greatest joys later in life was his grandchildren, Jacob, Noah and Jade.

Mr. Clark began his lifelong love of learning in a one-room schoolhouse in rural Saskatchewan. He went on to receive his Bachelor of Education and Bachelor of Arts degrees from the University of Saskatchewan followed by a Master of Arts from the University of Oregon and a Ph.D. in Canadian history from the University of Alberta.

One of Mr. Clark's lasting legacies will be his illustrious career teaching at Brandon University and later serving as executive assistant to the president until his retirement in 1998. His passion and knowledge were well-known.

He will be remembered fondly by his colleagues and generations of students.

Mr. Clark had an avid interest in both contemporary and historical Canadian politics. He served as a Progressive Conservative Member of Parliament for Brandon-Souris from 1983 to 1993. He was well respected by those he served with and the constituency he loved to represent.

His community spirit and civic pride went beyond serving in public office. Mr. Clark was also active in a number of organizations that included the United Church and the John Howard Society.

Lee Clark was an exceptional caring man, and he will be remembered for his many contributions. He was an advocate for positive change and the betterment of all for Brandon citizens. Lee Clark was, in fact, a true gentleman, Madam Deputy Speaker.

Once again, I would like to pass on our condolences to the family and friends of Lee Clark.

They are in our thoughts and in our prayers. Thank you.

Early Childhood Education

Ms. Flor Marcelino (Wellington): Madam Deputy Speaker, I rise today to talk about our government's commitment to child care and early childhood education. This issue is of particular importance to the people I represent as it was repeatedly pointed out to me during my tour of several day-care centres in the Wellington constituency this past summer, which included the Salvation Army, Central Park, Victor Street, Children at the Centre and Freight House child-care centres. Indeed, I have seen first-hand the commitment, dedication and skills displayed by these workers in my constituency for the children under their care.

Throughout the 1990s, funding for child care was stagnant but since elected we have added over 7,000 funded child-care spaces with 6,500 additional spaces still to come by 2013. Our investments have also improved training and salaries for existing staff and helped train 950 new child-care workers. Our record of investment means that Manitoba has the lowest fees outside Québec. We've made more low- and middle-income families eligible for subsidies, an issue of particular importance to my constituents.

On the training front, more than 450 early childhood education graduates have entered the work force and their salaries increased by nearly 27 percent. Moreover, over the past eight years, Manitoba's training requirements for early childhood educators have developed some of the highest standards in Canada.

Madam Deputy Speaker, it is clear that high-quality, early childhood care and education have long-lasting effects on a child's social, intellectual and emotional development. For every dollar invested in high-quality child care, there is a \$2 benefit to children, parents and society. This leads to significant benefits such as enhanced childhood development, economic productivity and lower cost of supports, like income assistance and social services. These are the kinds of forward-looking initiatives my constituents support. Thank you.

National Grandparents' Day

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, I just wanted to take this opportunity to express my appreciation and acknowledgement in terms of grandparents. Grandparents, I believe, are undervalued or underappreciated in many different

ways and I think at times we need to do a weekend in terms of just appreciating and expressing what it is that we believe and the contributions that grandparents make to our society.

Mr. Speaker in the Chair

More and more, grandparents assume all sorts of different types of responsibility. I raise it today because it's my first opportunity. This past weekend was Grandparents' Day. Even though it doesn't get the formal recognition that I believe it deserves, I trust and hope that in the future it will.

The idea actually originated out of the United States where the first presidential proclamation was issued in 1978 and every year since then the U.S. celebrates Grandparents' Day. It's on the first Sunday after Labour Day. That would mean in 2009, Grandparents' Day would be on September 13.

There was a motion a number of years back that was moved in the House of Commons, but nothing ever really came of it. I do think that we need to go further in terms of recognizing the importance and roles that our grandparents play today.

Why should we have a Grandparents' Day? For the same reason we have Mother's and Father's Day. Many grandparents today play a role of parents to thousands of children every day. A significant number of grandparents provide for basic needs of their grandchildren. Grandparents give a sense of stability to the family unit and provide history and wisdom in many different ways.

* (14:40)

Mr. Speaker, we need to ensure that there are more rights for our grandparents when families break up and so forth. The idea of moving and taking some form of action on Grandparents' Day would be a positive thing, also in terms of looking at other ways in which we can bring more rights to our grandparents to ensure that their grandchildren are, in fact, deriving the same sorts of benefits that we derived with our very own grandparents. Thank you.

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, pursuant to rule 31(8), I'm announcing that the private member's resolution to be considered on Tuesday, September 16, will be one put forward by the honourable Member for Rossmere

(Ms. Braun). The title of the resolution is Affordable Seniors Housing.

With respect to orders of the day, I wonder if we could call report stage amendments of bills in the following order: Bill 45, The Teachers' Pensions Amendment Act; Bill 32, The Personal Health Information Amendment Act; and Bill 37, The Lobbyists Registration Act and various amendments, Mr. Speaker.

Mr. Speaker: For the business for this afternoon, pursuant to rule 31(8), it's been announced that the private members' resolution to be considered on Tuesday, September 16, will be one put forward by the honourable Member for Rossmere and the title of the resolution is Affordable Seniors Housing.

We will deal with amendments in this order. We will deal first with Bill 45. When completed, we'll deal with 32. When, completed we'll deal with 37.

REPORT STAGE AMENDMENTS

Bill 45—The Teachers' Pensions Amendment Act

Mr. Speaker: So now I'm calling for the amendment for Bill 45, The Teachers' Pensions Amendment Act.

Mr. Ron Schuler (Springfield): I move, seconded by the honourable Member for Portage la Prairie (Mr. Faurschou),

THAT Bill 45 be amended in Clause 9(2) by adding the following after the proposed subsection 49(6.2):

Required consultations

49(6.3) Following the next actuarial valuation of the fund, the minister must meet with representatives of the Retired Teachers' Association of Manitoba Inc. and the society in an effort to reach an agreement on a long term funding plan that will ensure fair and equitable cost of living adjustments to retired teachers.

Mr. Speaker: It's been moved by the honourable Member for Springfield, seconded by the honourable Member for Portage la Prairie,

THAT Bill—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mr. Schuler: This particular amendment is very important, I believe, for all those individuals that rely on a pension plan for their continued way of life, for the way they conduct their day-to-day affairs, the way that they see themselves going forward for how

many years they have left yet on this earth. It's very important for them to know what kind of a pension they're going to have. They want to know that they're going to be getting a fair and equitable pension.

As we've mentioned in this House before, it is not that retired teachers are asking for something that is not coming to them. In fact, they have paid more than their share and are only asking for what is dutifully theirs. I've mentioned before in this House that it probably is best not to take my word for it but rather to listen to a few individuals who have come forward and made presentations to committee and let them make the case for this particular amendment.

I quote from one. This is a direct quote, Mr. Speaker: I am Dale Lund, Vice-President of the Westman Retired Teachers Association. I'm here to show my displeasure at the implementation of Bill 45. Bill 45 wants recommendations made by the Sale report to be put into law. I'm against the recommendations about COLA and the Sale report. Up to two-thirds of cost of living could mean nothing or anything in between. Teachers paid for a full COLA. More work is needed by all parties involved to bring a fair resolution of the COLA problem to the table. Also the plebiscite was not done fairly and should be disregarded by the NDP government.

Dale Lund goes on to conclude by saying: Getting back to legends such as Tommy Douglas, Stanley Knowles and Ed Schreyer, who did everything they could for the common people, I met Mr. Douglas in Maryfield, Saskatchewan, when I was six or seven years old. He gave a speech from a manure spreader. He said: This is the first time I've ever spoken from a Conservative platform. Well, Mr. Speaker, how things have changed. Now we have a government that is turning its back on Tommy Douglas, Stanley Knowles and Ed Schreyer, those individuals that stood up for what was right and rightfully coming to working men and women.

I believe that this individual came forward and did so with great credibility, with great integrity and was making a plea to the minister in saying please reconsider, and that's what this amendment does. I point out to the minister that it asks really for, it could be termed, a very gentle suggestion. It says that following the next actuarial evaluation the minister meet with representatives of RTAM and the society in an effort to reach an agreement on a long-term funding plan that would ensure a fair and

equitable cost-of-living adjustment to retired teachers.

It's very soft, very gentle. It doesn't attack. It's not going after the minister in any way. It suggests an approach on how to deal with this issue. It suggests a way for the minister to deal with this issue. The minister quoted myself yesterday, and I'd like to thank him for that because this was an issue that was building. It's like a hurricane. It was building and building and festering. It has developed certainly over the last nine years that the NDP have been in power, has festered to where it is today.

Now we have to deal with it. What this resolution does and what retired teachers were asking the minister to do is work more intensely. I think everybody recognized that what was happening in the last two, three months, where you had basically a dispute within the same family, individuals, men and women, who have done so well for us, whether they're retired or are doing so well for us as active teachers, that the teachers do us one of the greatest favours ever and that's educating us because that's how we define nations. That's how we judge nations, based on education levels. The men and women who stand in the breach and fight for a good education for our children, who stand there day in, day out, whether it's 20 or 25 or 27 children on a cold, blustery day where the kids come in with flus and colds and everything else but will stand there and continue to educate the children.

Yet, when the time comes, the time comes for them to retire, they find that they are fighting the active teachers. I've said to the minister before this was a failing of his leadership. He should stand up and 'fess up that this was a direct failing on him as minister. What this calls for and what presentation after presentation after presentation called for was on the minister to stand up, mediate between the two groups.

This is basically one family. It's a seamless organization. RTAM and MTS are the same people, it's the same family. Former MTS presidents and executive members are now retired teachers. It's a seamless organization. Yet we saw them come to committee and finding that they were challenging each other, that they were speaking against each other. The minister chose to sit there and allow this to happen.

I remember years ago between the architects and engineers, the Member for St. Vital, the Minister of Labour (Ms. Allan), and I sat there and the same

thing happened. I said to the minister, let's interrupt committee. Go and see if this can be resolved, and after about an hour and a half the minister saw her way clear, interrupted committee. We took about a half an hour break, and she and her department went outside to see if there wasn't some way to resolve the differences.

That, by the way, takes leadership because it means the minister has to say, perhaps I wasn't entirely right in the way I ran this process. Perhaps, I didn't show enough leadership in this. The Member for St. Vital recognized that she had made a mistake and tried to mediate between the two.

I think it's always unfortunate in this Chamber when we see two professional organizations that have always worked together, that are basically one family. To see them come forward and fight each other the way they did was very unfortunate. Certainly, it bothered me as one member of this Legislature. I know it disturbed a lot of members on the committee.

* (14:50)

What basically this amendment does is it asks in very simple terms, it asks for what we heard, presentation after presentation after presentation. It asks on behalf of those who made the presentations; it asks the minister to stand up and show leadership, bring the two sides together and see if there isn't some way to negotiate out of this.

Is there not some way that the family can come together and say, you know, perhaps there's a better way of dealing with this, because the approach we saw at committee—and I know the minister has to be careful and he has to choose his words and so we all want to, but it really wasn't one of those pleasant committee meetings where you have people present, and it's just one of those standard committee meetings, some of the words said and some of the language used and so on and so forth, Mr. Speaker. I believe this is an important amendment. I would recommend on behalf of all of those teachers who stepped forward, retired or active, on behalf of all of them the minister should show leadership, support this amendment, bring the groups together.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Actually, I'm quite encouraged that the member would introduce such an amendment, albeit an unnecessary amendment, but I'm encouraged that he would introduce an amendment that would suggest meeting with

actuaries. Perhaps listening to actuaries would be the other part of that equation, because if you go back to the act in 1977 when it was introduced then—I was 13 years of age at the time, Mr. Speaker—it says right in the act, if, in the opinion of the actuary, payment in any year of the total pension adjustments would result in an unfunded liability in the pension adjustment account established for the payment of the fund's share of such adjustments, the level of the consumer price index for Canada at the end of the year in which the calculations are based shall be deemed to be at such a level as will, in the opinion of the actuary, result in no unfunded liability in the pension adjustment account.

That was the law as written in 1977. Now, the actuary provided warnings under the section which said actuarial reduction in pension adjustment. Now, the other part of that I read into the record, three actuarial adjustments, or recommendations, I should say, from 1988 to 1990, and I can read in June of 1991. The objective of the present rate of contribution is to finance pension adjustments, which would reflect two-thirds of the increase in the cost of living in the year, up to 9 percent. Each decision to grant full increases uses amounts that would be needed in the future as a result of the amounts available to finance future pension adjustments may not be sufficient to permit this objective to be realized in the future. The possibility becomes a certainty if the rate of inflation is significantly higher in the future than it has been in recent years. We will be pleased to discuss this report at your convenience. June 11, 1991.

Again, in June 1992, the 5th day of June, 1992, the same lines. In the report in '93 and in '94, it was bold print, italicized, boxes around that information contained by the actuary. So the actuary said that the legislation was designed in such a way that it should not be compromised for unfunded liabilities, right with the pension adjustment reduction, right in the act. The actuary said, for 10 years you're paying too much. Now, suddenly, the member opposite thinks it's important to meet with actuaries and listen to the actuaries.

Well, it is a perfect storm that we have inherited here, Mr. Speaker, when he had seven active teachers to one retired teacher, seven active teachers contributing and one drawing from the pension. Suddenly, you're allowed to retire at 55, drawing a pension for 10 years longer than most retired teachers and drawing a full pension because of the provisions that were made to the amendments in the

act in the 1980s. You also have a fund that is no longer sustainable, and it had been predicted to be this perfect storm by the actuary for 10 years in a government that didn't listen, but the member opposite suddenly thinks that we should legislate the need to listen to the actuaries.

Well, quite frankly, every time we go through this process—and I'm not surprised he's not unfamiliar with this process, Mr. Speaker, because during the Filmon government, there were no improvements made to the pension, none. So I'm not surprised and not unfamiliar with this process where half was with all actuarial evaluations. The next valuation will be reviewed by the government. It will be reviewed by TRAF. It will be reviewed by the Teachers' Pension Task Force.

I recall, I'm not sure whether it was during concurrence or Estimates or in the Chamber, when the member opposite said, why do we even bother having a Teachers' Pension Task Force? That really speaks to the fact that they never used the Teachers' Pension Task Force to make any improvements to the teachers' pension. So now, here we are, after ignoring advice for 10 years, that he had to do something after ignoring the law, which did indicate actuarial reduction in pension adjustments so you wouldn't have any future unfunded liabilities, suddenly the heroes opposite are professing to be teacher advocates and professing to be the ones that'll fix the pension.

Quite frankly, Bill 45 is a fair and reasonable proposal that is sustainable and responsible to all the proponents of the teachers' pension. For the members opposite to suddenly suggest that they firmly believe in meeting with actuaries and working to this end, I think—quite frankly during this discussion, I also had the member opposite tell me that he was working on behalf of me and working on behalf of my wife.

Now, my wife isn't in this Chamber, but, if she were to reply in this Chamber, from what the member opposite suggests—I know George Carlin had seven words you can't say on television. The member opposite does not want to know how my wife feels about their political party's policies toward education, toward teachers and to this whole issue that we've been trying to deal with respect to resolving the Teachers' Pensions Act, Mr. Speaker.

So this is not a necessary amendment. I'm not going to support this amendment. It's something we already do. If members opposite had done anything to fix the pensions when we had an unfunded

liability which we were funding, if they did anything to increase the pension contributions, if they did anything to improve the pension at all, then perhaps they'd have some credibility on this issue.

I hear them say, we paid COLA. You didn't listen to the actuary who said you can't afford to pay full COLA, and that's why we're here today having this debate. If you would have followed the actuarial advice, this would not be an issue, but it is an issue. It's a perfect storm. We're dealing with that perfect storm.

We all have some accountability here. I've accepted responsibility on behalf of our government, on behalf of previous governments and the member opposite even mentioned that this is a long time coming, that nothing has been done to address this. He acknowledged that it was previous governments, not just ours that's had to deal with this issue. This does not make the issue any better by proposing this amendment because we already do this, Mr. Speaker, so I'm speaking against this amendment.

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, it's passing strange that we have a minister stand up and say he already had the ability within legislation to deal with the kind of amendment that has been put forward and that it's redundant. If he had the vehicle within legislation, why on Earth did he hold a plebiscite and pit retired teachers against teachers? If the solution was there within the legislation, why didn't he just use that instead of taking the unusual move of holding that plebiscite?

I think we have seen a minister that has shown the ultimate disrespect for retired teachers in this province. I'm sure that those teachers, many of them who are retired today, who taught him, Mr. Speaker, didn't teach him to show the kind of disrespect that he is showing them today. I hope that, when he was in the classroom, he didn't teach to his students the kind of disrespect that we're seeing from him and his colleagues, many of whom are former teachers. Maybe they don't take the issue of COLA seriously for retired teachers because now they have the benefit of COLA, as they sit in the government benches and their pensions will receive COLA.

Mr. Speaker, I have serious concerns about the direction this government is taking and the way they've managed this issue and the lack of leadership that's been shown by this minister and this government. Retired teachers deserve to be treated fairly, and two wrongs don't make a right. I stand here today and indicate that there were issues that

weren't dealt with during our tenure as government, and no one denies that.

But we have a government that has been in power today for nine years, and they've had every opportunity to do something constructive to try to deal with this issue if we were so wrong, but they would rather sit and blame everyone else. Blame the Filmon government and blame the Schreyer government and blame the Pawley government and blame everyone. Blame the retired teachers, but accept no responsibility themselves for trying to fix the problem. As a result, we have retired teachers and teachers that are employed today within the system fighting with each other.

* (15:00)

Now, Mr. Speaker, I have the utmost respect for those that taught me in the public education system. I have the utmost respect for those that are teaching our children today in the public school system and right throughout the school system in the province of Manitoba. But I have great difficulty having respect for a government that hasn't shown leadership and continues to blame everyone else for the problems and take no responsibility themselves. They've shown great disrespect to retired teachers by not allowing retired teachers to choose who they would like to sit on the TRAF board. Do they not have the ability to make that kind of decision themselves, or does government have to dictate from on high who that person should be? What's the hidden agenda behind that? Do they not trust retired teachers to make a good decision, or is there something that they're trying to hide from RTAM and retired teachers?

These are questions that have to be answered and they have to be answered by this minister. The buck stops in the Minister of Education's (Mr. Bjornson) office, and he has failed miserably to deal with this issue and, as a result, we have retired teachers in this province of Manitoba that are being treated in the shabby way they're being treated as a result of the lack of leadership, the lack of trust of retired teachers, and the disrespect that this government has shown.

I would ask this minister to stand up, to be accountable, and to show some leadership, bring the two sides together and find a solution that everyone can live with. It will be to his detriment if he doesn't do that, Mr. Speaker, because there were many, many at committee who expressed that feeling of betrayal by the party that they had supported for

many, many years, and candidates that were sitting in the House today, that they had worked tirelessly on campaigns for, that were now being betrayed by a government that's lost touch with the electorate.

You know, sometimes there are many Manitobans that feel that a government becomes somewhat arrogant after being in government for a long period of time, and they don't really have to listen. They govern by decree, they govern by a top-down, heavy-handed management style, and this is, I think, what we're seeing today from this minister, from this government. I would hope, I would hope that the minister would have some second thoughts about the disrespect that he has shown take responsibility, show some leadership and resolve the problem without creating any more animosity and dividing retired teachers from active practising teachers. I would ask the minister to do what he is supposed to do. He is supposed to be the advocate for education. I'm not sure that we're seeing advocacy on his part in the way he has treated retired teachers. So what I would ask him, to support this amendment or, better still, to withdraw Bill 45, go back to the table, bring all sides together, and find a solution that will work for retired teachers and for practising teachers who will one day be retired.

Thank you, Mr. Speaker.

Mr. Speaker: Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House: Is it the pleasure of the House to adopt the amendment moved by the honourable Member for Springfield (Mr. Schuler)?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: Okay. All those in favour of the amendment, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the amendment, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Nays have it.

Formal Vote

Mr. Gerald Hawranik (Official Opposition House Leader): Mr. Speaker, a recorded vote.

Mr. Speaker: A recorded vote having been requested, call in the members.

Order. The question before the House is the amendment moved by the honourable Member for Springfield (Mr. Schuler).

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Borotsik, Briese, Cullen, Driedger, Dyck, Eichler, Fauschou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler.

Nays

Allan, Altemeyer, Ashton, Bjornson, Blady, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Saran, Selinger, Struthers, Swan, Wowchuk.

Madam Deputy Clerk (Bev Bosiak): Yeas 18, Nays 32.

Mr. Speaker: I declare the amendment lost.

* * *

Mr. Speaker: Okay, we'll move on to the next amendment to Bill 45.

Mr. Schuler: I move, seconded by the honourable Member for Minnedosa (Mrs. Rowat),

THAT Bill 45 be amended in Clause 10(1) by striking out "government and the society" and substituting "government, the society and the Retired Teachers' Association of Manitoba Inc." in the proposed subsection 52(1.0.3).

Mr. Speaker: It has been moved by the honourable Member for Springfield (Mr. Schuler), seconded by the honourable Member for Minnedosa (Mrs. Rowat)—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. Schuler: This, the fourth and final amendment to Bill 45, is very self-explanatory, and again, it's one of those eminently reasonable amendments. It is an amendment that has been referred to often through the committee hearings that we just went through.

Basically, what it does is it recognizes that there are individuals that would like to be part of a process, a process that really does impact them and affect them greatly. It doesn't take away from the process; it actually adds to it. I think that we in this House all would agree that the more inclusive that we are, the more advice that we get, the more people that are at the table and are able to look at what's put forward and contribute, that's actually a positive process.

We're not really asking for individuals from outside. In fact, we're just asking for basically another individual or group of individuals from the same family. These are individuals who have participated as active teachers in their local organizations, and have by and large often sat and supported their provincial organization. They just want to be there as one more voice at the Pension Task Force so that they are recognized as having an important part of the process. They want to have their voice and be able to respond when issues are raised, but again I would like to caution this House. Don't take my word for it.

* (15:20)

Mr. Rob Altemeyer, Acting Speaker, in the Chair

I've selected a few individuals that I'd like to quote from who, I think, have put forward a very compelling argument why we need to have more, not less, individuals as part of the process.

There was one issue in particular—and I know others caught it. Certainly, I did, and it was telling. I think we should be aware of it. It's not an issue we should shy away from. In fact, it should be discussed more openly and probably with a lot more time, and that has to do with the impact of the loss of COLA on women.

As we know, a lot of the teachers are women. We had come forward to committee quite a few of them, talking about whether their spouse died or they had a divorce and often some of them had to split their pension. In a lot of the cases, the pension isn't very large.

I'd like to read one of those for the House and I quote directly: "I've great concern, particularly for retired women teachers whose pensions are often quite a bit lower than many of their male counterparts. Most of these women are widowed or married to someone who does not receive a pension and either because of the lower income from their salary class as a teacher, or due to the fact that they were removed from the workforce for childbearing years are receiving a lower pension to begin with.

As a part-time class 1 teacher who took years out of the work force to care for a young family, my pension is very small to begin with. To expect us to accept a lower dollar value for our money each year when in fact we paid for a full COLA is totally unacceptable, and I wish to ask this government to vote against this legislation which will see the retired teachers of the day being the losers and bearing the brunt of the problem at our expense."

This is respectfully submitted by Dorothy Strachan, spelled S-t-r-a-c-h-a-n.

I would say, if for no other reason, it's because of the Dorothys and many of the other teachers who came forward that we should be endorsing this particular amendment because Dorothy makes a compelling issue. She makes a very compelling case why women, why individuals from her particular perspective should be heard. It doesn't mean that that is the only voice which should be heard at these meetings, but that input, that that sort of perspective that many of us—it's not our reality. We don't have to live under some of these conditions which Dorothy describes, so it's important that they be at the table, that they have the opportunity to say, hold on just a moment. My life is a little bit different than the others. My life is impacted greatly because of—and the reasons were listed by Dorothy, and I think she does it better than probably anybody else can.

Because of the Dorothys, because of the women that came forward and made this case and made the best case on their own behalf, they're a lot better at making their own case than others are. That's why we need to make sure and ensure that this voice, the voices that represent the Dorothys of the retired teachers are heard at these meetings.

I'd like to point out that it wasn't just Dorothy, that there were many others. I'd like to read to this House another presentation. It was presented by Jane Bramadat, spelled B-r-a-m-a-d-a-t: I must begin by expressing my frustration and not being able to speak at the hearings into Bill 45. I was actually in Winnipeg on July 21 and 22 and phoned the Clerk's Office to find out how things were proceeding, and I was told that I was number 290.

I would like to interject here, Mr. Acting Speaker, that this is a reflection on the process, and certainly not a reflection on anybody who was involved with telephones or anything like that. As we know, the clerks and the Clerk's Office has done an unbelievable job trying to accommodate individuals, so this is about a flawed process.

I'm back quoting: I phoned this past Monday, not having received any notification even though my name was on the list of speakers. Apparently, I was phoned the previous Thursday, which is the day I left Victoria for Winnipeg, but, when I was talking to the Clerk on the Monday, no mention was made to the fact that those of us from out of town would be allowed to speak first. This feels somewhat underhanded. I needed to say this first.

What it is, it's an individual expressing frustration about the process, and I think many of us have discussed that the process is clearly flawed. This is not about the Clerk's office or any employee of this Chamber. This is about a process that is going to have to be changed.

Jane goes on to say, don't encourage the heart of Manitoba to shrink. If there has been shoddy financial planning in the past, don't pass on the results of that planning to the weakest among us. There are financial planners in Canada who can help to dig you out of the hole you have ended up in. If you need some names, give me a call. And again, Jane mentions, and I will quote again: don't pass on the results of that planning to the weakest amongst us.

That is something that has been particularly heart-wrenching for myself, to hear presenter after presenter, predominantly women, stand up and say, you are harming me as an individual. I paid in good faith—meaning they, these teachers. They paid in, seemingly under the impression that they were going to receive a full COLA, that they would be taken care of, that after all the years and years of hard work that they put in—and money—that the percentage of their paycheque that went into this, that they at the end would have no worries. It would all be taken care of.

Mr. Speaker in the Chair

The weakest, those who maybe didn't have the most education, they're a level 1 teacher, but they taught, they gave it their best and, frankly, look at the province, look at the nation. We have incredibly bright men and women who are taking on the challenges of society and it's because of these teachers. To now punish the weakest is unfortunate. The weak should have a voice at the table and should be heard, and this amendment, I would recommend to the House, is an amendment that should be passed.

Mr. Bjornson: I rise to speak against this amendment. It is not a necessary amendment. I

would like to—and again I'm not surprised to hear the member opposite talk about the process that we were engaged in through the committee hearings and implying in some way, shape or form that this is solely the responsibility of the government. As the member knows full well—and we saw it during the committee hearings—talking about the nature of the time that was set aside for the public hearings and whatnot—the member knows full well that we can't do that without agreement of all parties. For him to suggest or imply in any way, shape or form that it was solely our choice is just trying to score some points about the process itself and how we do need to address that and we do need to make it more friendly for those who take the time out of their schedules to come and present on bills and be part of the committee hearing process, which is unique to Canada, and we should continue to do so. But obviously, we need to do a better job and find a way to make it more user-friendly.

Now, the member talks about the amendment with respect to the idea of raising—or any changes to the pension contribution rates. Of course I cited an article yesterday that appeared in the kit. We know that mistakes were made in the past where neither the government nor MTS wanted to increase teacher pension contributions during a period of economic distress when teachers were receiving minimal salary increases and both the basic pension account and PAA were experiencing surpluses, and to defer discussion of contribution increases to a later date when hopefully economic circumstances would have improved. In retrospect, that agreement may have been unwise. So now he's talking about having another voice at the table to establish the rate of contribution, but as that relates to the COLA account, there is a formula in place where the increase in the contribution rates—you will see an increase into the pension adjustment account based on the percentage that goes to the COLA account. So this is not a necessary amendment.

Now, I also had to take exception to many of the things that were said by the Member for River East (Mrs. Mitchelson) in the last discussion about this particular issue. When they talk about respect for the profession, it is the respect for the profession that found me in this seat, Mr. Speaker, because of decisions that were made by the Member for River East when she was in Cabinet and cut us out of—locked us out of our classrooms with Bill 22, cut our salaries accordingly, one two-hundredths of a salary

for every day we were locked out, at the choice and the discretion of the school boards.

* (15:30)

Talk about divisive. Give the school boards the power and authority to make that decision. Don't make a decision as government, but give the school boards the authority to make that decision.

So they divided teachers with that bill. Where my school division chose to lock me out a total of 15 days over two years, some divisions—their school divisions raised taxes to address the shortcomings of the funding announcements in the '90s and chose not to lock out their teachers and value their professional development. Stripping us of our collective bargaining rights and underfunding the system for year after year after year, never once opening up the pension act when they were in office, and they want to talk about respect for the profession. I really have to take exception to that, Mr. Speaker.

If you want to talk about respect to the retired teachers, during the campaign in the last provincial election, members opposite said they would guarantee two-thirds COLA with \$20 million for 10 years. They could guarantee that. Earlier, we were debating listening to the actuaries and how important it was to listen to the actuaries. Earlier, we were listening to the debate about the need to listen to the actuaries—*[interjection]*—with all due respect, my friend from Springfield, I did listen intently to what you have to say. I would appreciate the same courtesy.

So the previous amendment was talking about listening to the actuaries. The actuaries have told us up to two-thirds COLA is a \$130-million commitment by government over 10 years. For them to suggest that they could fix it with \$20 million and guarantee it is irresponsible. So he can't suggest that we need to listen to the actuaries and make that part of the legislation on one hand and then completely fabricate numbers, trying to score political points to guarantee two-thirds COLA. It doesn't work that way.

We know a lot of things that haven't worked in this pension. We know it's because people have not followed actuarial advice. The Member for River East said, take some responsibility. She might not have been listening when I said I accept full responsibility on behalf of our government, on behalf of previous governments for the state of

The Teachers' Pensions Act and the teachers' pension. I accept full responsibility.

It's because of that we've brought forward Bill 45 which is a reasonable, balanced and sustainable fix to a problem that has been 30 years in the making. So, Mr. Speaker, for members to suggest that this amendment is necessary, it's not necessary. It's not necessary because government and the Teachers' Society are the only active contributors to the fund. That has always been the case and that will remain the case in Bill 45.

Mr. Speaker, once again I stand and oppose this proposal by the member opposite, but I must say the five times that we have opened up the legislation to improve the pensionable benefits for teachers, the five times that we've done so, I've never seen the members opposite have such interest in improving the pension benefits for teachers. I've never seen that before. So it's encouraging that they finally have an interest in improving teacher benefits and pension benefits and perhaps some day they'll see the light, that it's not just about addressing the pension issues for teachers, but maybe about funding education appropriately.

I know in the last election they said, we don't need to increase funding for education because enrolments are going down. But we put in \$53.5 million. What would have happened to the education system if they were in office and they said zero increase because enrolments are going down? They don't get education. They obviously didn't care about teachers in the past and suddenly they've seen the light; they care about teachers now. That's encouraging, but this amendment is not necessary and I'm going to speak against this amendment.

The other issue, Mr. Speaker, is that the member said at one point, perhaps we should withdraw the bill altogether. I heard that at the committee hearings. I heard a few people say that. I heard one person say, if it takes a year, if it takes five years, if it takes 10 years, let's get it done and get it done right.

If we were to do that and not make any changes to the pension, the status quo will persist and the status quo means, with more teachers retiring and fewer contributing to the fund, that the COLA will continue to shrink. We have to act and it's prudent to act now.

Now, Mr. Speaker, the suggestion to withdraw it is an irresponsible thing. I know that this has been a

contentious issue, but it is our government's leadership that is saying we need to do something now, and that's what we're prepared to do to address the COLA issue.

I understand that the independents have also introduced a proposed amendment. I'll conclude my comments on this particular amendment by saying that it's not a necessary amendment, but, again, congratulations to the members opposite for finally seeing the value of teachers in Manitoba and finally having some interest in pension reform here in the province of Manitoba.

Mr. Larry Maguire (Arthur-Virden): I just wanted to commend my colleague from Springfield who moved this amendment, as well as the Member for Minnedosa (Mrs. Rowat) for seconding this amendment.

This can't be much more straightforward than an amendment to involve the very people that the minister has claimed to be responsible in this whole process, and that is members of the Retired Teachers' Association of Manitoba. I can only say that I was sitting here in the House listening to the debate from my colleague who put forth the arguments as to why there should be a retired teacher on the Teachers' Pension Task Force, and that's purely what this amendment is designed to do.

I hear the minister saying today that he's going to speak against it, and I was sitting here thinking, how in the blazes could anyone be against involving the people who are impacted by the minister's decisions from not being participants in the decision-making process, at least to have input into the pension task force itself, the Teachers' Pension Task Force?

It's a consternation to me, and that's why I rise to speak today on this issue, just for a few moments, because I want to say that when it comes to credibility, as my colleague pointed out when the minister was speaking, perhaps, the government has no credibility in relation to fixing these problems, at least particularly when you parallel it to the six-month, \$15-million fix for health care that came about in 1999 that we know they spent double the budget in Health from \$2.1 billion to \$4.1 billion. People tell me all over Manitoba that the situation is worse today.

I'm not here to try and make the situation worse for retired teachers, Mr. Speaker. I'm speaking in favour of having a representative at least from the

Retired Teachers' Association of Manitoba sit on the Teachers' Pension Task Force.

Now, I think that the comments of the minister that he's just made, he said that this was an irresponsible amendment. Basically, he's saying that it's irresponsible to allow a person from the Retired Teachers' Association of Manitoba to be sitting on the Teachers' Pension Task Force. What in the world is he thinking of?

I just want to say that if you want to bring a reasonable and balanced approach to this, saying that this is not necessary, is not a reasonable and balanced approach to it, it's a continuation of the dictation to the retired teachers of Manitoba that this minister has taken on since he became the minister. I can't be held responsible for the things that happened pre-'99 in this House. He can't be held responsible for the things that happened before he came in. But he is the minister in charge of this act now, and he is the minister in charge of the bill that he has brought forward. He can't deny that.

Why he is not allowing them a vote at the table—at least they would feel like they were part of the decision. They may still not get what they want, but at least they would have an input into making sure that they were a part of that process and could report back to their colleagues and say here's how it went. But they don't even get inside the door to find out, Mr. Speaker, and I find that atrocious.

I've spoken many times to the retired teachers in the Virden region, and I've heard many of them bend my ear in Westman and tell me across the province about their concerns of their packages and the adjustment funds and others. I find it deplorable that when an amendment comes forward that would help enhance the bill from the minister, he won't accept any kind of assistance in making this happen.

I'll finish by saying that by putting this type of an amendment into place, Mr. Speaker, all I'm purely pleading with the minister to do is start to rebuild what he has broken down, and that is the relationship between his own government, the retired teachers of Manitoba, and the teachers' society of Manitoba. Bring those three bodies back together and start to really rebuild relationships by working together, and allowing them to work together and listen to them as a minister so that he can make some sound decisions in the future as long as he's going to continue to bring the bill forward in the manner that it is. So, purely, that's what I'll finish with.

* (15:40)

I beseech the minister to provide at least some substance of respect for the retired teachers of Manitoba by providing them with an opportunity to have a representative on the Teachers' Pension Task Force of Manitoba.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I decided to stand up, first of all, to comment after the minister made some remarks about our amendment. He said that the opposition party was not advocating for teachers, and certainly for the part of the Liberal Party, we have long been known to be very strong advocates for teachers. We've had a leader, Sharon Carstairs, who was a teacher and travelled the province advocating strongly for teachers. We have many, many teachers who are active members of the Liberal Party who continue to pay a great deal of attention to active teachers as well as to retired teachers. So, I think that there's a little bit of caution to the minister.

I would also say that this amendment is interesting because it talks about the third party at the table, which is the retired teachers. We are the third party in the Legislature, so sometimes we have a little bit of affinity, right, in terms of how things are handled. The reality is that there are times—and we have experienced them directly, and I will give you an example where the Minister of Education (Mr. Bjornson) in handling this file has been very much less than inclusive and very much less than consultative.

A good example is when the hearings were held over the summer, in July. We were never consulted in terms of when those were going to be. Both of us, we asked that there be two days in July and two days in August, so that there was an optimum chance that people were going to be able to attend. The hearings were scheduled without advance consultation so that they appeared on the Order Paper, and they were conducted during one week in the summer when I had some family time and I couldn't be there.

Fortunately, we were very well represented by my colleague, the MLA for Inkster. We make sure that one or the other of us is always around. We have to be on constant alert because we never know what to expect from the NDP, and we're rarely consulted in advance. So, I think that the minister still has some things to learn in terms of consultations and inclusiveness, and I would suggest to the minister that he would be well advised to support this amendment as we will.

Mr. Rick Borotsik (Brandon West): Mr. Speaker, I congratulate the Member for Springfield (Mr. Schuler) for bringing forward what I consider to be a very well-thought-out and certainly an amendment that should in fact be supported by all members of this House, including the members of government.

As has been said earlier, really the reason for a pension fund in the first place—whether it be private sector or whether it be public sector, whether it be teachers or whether it be members of the Legislature—is to make sure that there is a well-thought-out plan in place to look after those people when they reach a time in their lives when they can go and enjoy the fruits of their labour, and they can enjoy the rest of their retirement.

So those are the people, the people who are retired that in fact have the most to gain and most to lose with respect to the administration and management of that pension fund. When I say that, it's a very simple segue into this particular amendment. When you're looking after those people who have the most to gain and most to lose, the retired people, then it only is common sense to think that those are the people that should have some say and some input into how that pension fund is being administered and managed.

We talked about TRAF, that a previous amendment that was defeated. This is a task force, Mr. Speaker. This is the Teachers' Pension Task Force which should, without question, have a sitting member of the Retired Teachers' Association of Manitoba sitting on that particular task force. In my mind, it doesn't make any sense at all simply to shut them out.

However, when I think about it, the retired teachers have been shut out of everything. They've been shut out of any honest and open negotiation with respect to Bill 45. They've been shut out of any open and honest discussions with the minister, although he did say that he had dozens of meetings that he held with members of RTAM, dozens of meetings, Mr. Speaker, which would lead you to believe that these were meetings of give and take, meetings of compromise, meetings of discussion as to how best to fix a bad situation.

We're not disputing the fact that there should be some solutions to the particular situation that we face ourselves now with the PAA account and with the teachers' pension, but you would think that those would be the kinds of meetings that the minister held with the Retired Teachers Association of Manitoba

which represents retired teachers. That shouldn't be too hard to understand and fathom either, but those discussions and those meetings, as far as I've been told, were anything but open, honest discussions with respect to compromise.

As a matter of fact, we heard at the committee—and I'm not telling tales out of school—that there was a bullying tactic that was being implemented when those same teachers who we should be looking after, the retired pensioners, went in to talk; they were bullied. They will take either or nothing; that was the compromise. That was in the negotiations which, in my opinion, is not a good way to set a relationship between current teachers, retired teachers or the government. That just shouldn't happen. It wasn't there and it shouldn't have happened.

Then we go a step further when the minister through his office and his government decided to put in place a plebiscite, a plebiscite that certainly wasn't talked about or negotiated with the retired teachers. If he had sat down and said, listen, we want everybody to have an opportunity to have their say as to how this should happen, you would think that it should be an open, honest plebiscite, that the question should be the right question and that information should be sent out to all of those who have an investment in this—all of the information, not just information that was sent by MTS who certainly had a substantial amount of money and opportunity to put their position forward at the detriment of the retired teachers.

It must have been a cold feeling. Beads of perspiration must have broken out on the minister's forehead when this manipulated plebiscite came back and it was 52 percent for and 48 percent against. After all the money that the government spent, after all of the misinformation that they sent out, after all of their ability to stop the people who should be voting from voting, they still only got a 52 percent to 48 percent acceptance of what they wanted to do with Bill 45.

As I said, the minister should have had a shiver go up his spine when that happened, but it didn't. He continued on the process, and we talked about bullying. Obviously, he bullied it further on and put forward the piece of legislation, Bill 45, and it seems there's no stopping the minister.

Now the minister did say one thing, one thing that I did hear and did accept. The Minister of Education (Mr. Bjornson) said—and it's in *Hansard*—that he and he alone will take full responsibility, full

responsibility for Bill 45. He said that and believe me, Mr. Speaker, truer words have never been spoken. This minister will in fact take full responsibility for what he's put forward and the way that he's been treating the retired teachers under his care, under his purview.

All the retired teachers wanted—I've probably had more meetings with them than the minister did. I can assure you they were meetings of give and take and they were meetings of compromise or meetings of discussions. The fact of the matter is all they wanted, Mr. Speaker, was to be treated with respect. They wanted to be treated with respect; they wanted to be seen as an integral part of the pension fund, the pension program. All they want to be is listened to, heard when they put forward their positions, because these are the people who are affected every month of every year when they get their cheques. These are the people who can't afford the cost of utilities now, who can't afford the cost of living that's been going up quite substantially because this minister has decided that, no, they aren't worthy of an agreement that was originally agreed to—a full COLA.

* (15:50)

All they wanted was respect. All they wanted was respect, and they got none of that, Mr. Speaker, and that, probably more than anything, should sit at the feet of this minister. I'm sure that he will be certainly judged on what happened here but this amendment is such a simple amendment. He can turn the tides right now. He can actually make amends by simply standing and saying to his backbenchers, support this amendment. Allow the RTAM members, at the very least, to sit on the task force so that they can have a say in how they're going to be treated with their pensions in the future. That's a simple request and a simple request should be accepted by this minister.

So I would hope that he'll stand and allow his backbenchers to allow this simple—this doesn't cost money. This isn't going to put any cost or any problems with the Finance Minister, although he has no money anyway, it won't put any costs on their shoulders. It will simply allow the teachers to be seen as being dealt with respectfully.

If it's defeated then it just speaks to the way this minister has treated the process right from the beginning. The process was flawed from the beginning and the process will come back to haunt him and I'm sure it will haunt his government, Mr. Speaker, so thank you very much for the opportunity.

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: Is it the pleasure of the House to adopt the amendment moved by the honourable Member for Springfield (Mr. Schuler)? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: All those in favour of the amendment, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the amendment, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Nays have it.

Formal Vote

Mr. Hawranik: Yes, Mr. Speaker, recorded vote.

Mr. Speaker: Recorded vote having been requested, call in the members.

The question before the House is the motion of the honourable Member for Springfield (Mr. Schuler).

* (16:00)

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Borotsik, Briese, Cullen, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler.

Nays

Allan, Altemeyer, Ashton, Bjornson, Blady, Braun, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Saran, Selinger, Struthers, Swan, Wowchuk.

Madam Clerk (Patricia Chaychuk): Yeas 18, Nays 31.

Mr. Speaker: I declare the amendment lost.

* * *

Mr. Speaker: Okay, we'll move on to the next amendment to Bill 45.

Mr. Gerrard: Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux),

THAT Bill 45 be amended in Clause 4(1)(b), in the proposed subclause (b)(i) of the description of I in the formula, by striking out "2/3" and substituting "100 %".

Mr. Speaker: It's been moved by the honourable Member for River Heights (Mr. Gerrard), seconded by the honourable Member for Inkster (Mr. Lamoureux),

THAT Bill 45 be amended—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. Gerrard: I'm bringing in this amendment. I want to indicate first of all that I have talked over the process of the discussions of pensions for teachers over the last number of years with both many active teachers and many retired teachers. Clearly, our objective should be to achieve the best possible pension for retired teachers.

At a minimum, this should be a fair and decent cost-of-living adjustment and where financially possible, given the historic record, this should be 100 percent COLA. This is not talking about a guaranteed 100 percent; it is where financially possible 100 percent COLA.

Clearly, one of the objectives in moving this forward is to address, as I have heard from some retired teachers, to make sure that we don't have a situation where in the future there are retired teachers living in poverty because there's not an adequate cost-of-living adjustment.

Teachers active now, retired now, those who are active now and retired later should be treated fairly and justly and responsibly, given the tradition of the history of discussion and debate on this particular issue, the pensions of teachers in Manitoba.

Ms. Marilyn Brick, Acting Speaker, in the Chair

Let me point out that, in making this amendment, what we are doing is referring to the clause which talks about the percentage of COLA and part (a) and we're talking about either the lesser of part (a) or part (b). In part (a), it requires that the

maximum percentage to determine the monthly pension adjustments under this section for the year which would, in the actuary's opinion, result in no unfunded liability in the pension adjustment account, as of December 31 of the immediately preceding year.

What we're talking about is an adjustment which would be within that which is financially doable and we're saying that the upper limit shouldn't be two thirds. It should be 100 percent where it's financially feasible to do so, based on the actuarial assessment of the account.

Certainly, if you look at the history of this, 100 percent where it's financially possible seems to be as close as we could get as to what has been promised to the teachers. The retired teachers have indicated to me that they're not asking for a guarantee of 100 percent, but they're certainly not asking for a situation where it's financially possible they can't get 100 percent, which is the amendment that the current government is bringing in.

I'd like to refer to some comments which were sent to me by Tom Ulrich who was the president and CEO of TRAF from 1999 to 2004. He was a member of the Manitoba Teachers' Society from 1974 to 1999, that is for 25 years.

He writes in some comments on the Sale Report: I had to ask myself the question: How did this process which was supposed to be an attempt to achieve consensus and resolve differences succeed in exacerbating the differences and creating so much conflict?

He continues on: There has probably never been an issue dealt with by a government appointee—that's Mr. Tim Sale—charged with finding consensus leading to a resolution of a long-standing issue in which there has been such a large amount of misinformation and such a paucity of legitimate information that might actually lead to a resolution of the issue. The report—he's referring to the Sale Report—is filled with erroneous information. It's too bad that the government decided to act on the basis of this erroneous information.

* (16:10)

Mr. Ulrich goes on: The government seems determined to proceed with the legislation to diminish the promised benefits within the pension plan, while doing very little to resolve the basic issue for which the process was commenced, that being to provide reasonable protection to teachers in receipt of pension against increases in the cost of living. He

goes on to talk about the 100 percent COLA, that it was not a guarantee, but that the original intent be honoured, that is, to pay a COLA that equalled the increase in the cost [inaudible] consumer price expected by the actuary, and, when the increase in the consumer price index behaves as expected, full COLA should be possible. That's what this amendment says: that under conditions where it's actuarially reasonable, full COLA should be possible.

Now, the Minister of Education has commented a few minutes ago, and he will hopefully elaborate a little bit in his comments now, that this amendment is irrelevant; it's not needed. Well, the only reason it would not be needed is if it were never actuarially possible to achieve more than a two-thirds COLA. We hope that's not the case, and if that's what the minister is going to tell us, we'll wait to hear from him. But I'm not sure that he's as good an actuary that's he going to be able to predict that that is going to be the case in every year from now over the next, at least, 10 years when this applies. Certainly, in our view, the objective or the possibility of having a 100 percent COLA where it's financially possible and reasonable should be maintained. That's what this amendment is about. That's one of the things that I have heard repeatedly from teachers, that they would like, at least where it's financially doable, give us 100 percent COLA. That's what this amendment will do, Madam Acting Speaker. I hope that the government will decide to support it.

Mr. Bjornson: I rise to speak against this proposed amendment, but I would start, first of all, by apologizing to the Leader of the Liberal Party. I did not mean to paint you with the same brush when I talked about the record of the official opposition in the 1990s and how they treated teachers. I know that the Liberal Party has been advocates for teachers, and I applaud you for that as a teacher. I do recall at one point in time when I was in grade school that Sharon Carstairs did actually sub in my class when I was in, I think, grade two or three. I don't wish to date the former Leader of the Liberal Party in age, you know, but I was about two or three years old when—or grade two or three when she substituted.

With respect to the 100 percent, I'd also like to thank the member for acknowledging that this was not a guarantee. That's one thing that has come up in the public forum that we held over the summer, that there's recognition that this is not a 100 percent guarantee, that it was not a promise. It was not guaranteed. The words of RTAM were an implied

social contract after four years of discussion. There has been a shift to recognize that this is not guaranteed, nor was it promised to be 100 percent.

I should remind the member opposite of the existing pension, or part of the pension act where it talks about the actuarial reduction in pension adjustment, which I read into the record earlier, that said that—I don't know if I should read the whole section again, but, in the opinion of the actuary, payment in any year of the total pension adjustments would result in an unfunded liability in the pension adjustment account established for the payment of the fund's share of such adjustments, the level of the consumer price index for Canada at the end of the year in which the calculations are based will be deemed to be at such a level as will, in the opinion of the actuary, result in no unfunded liability in the pension adjustment account. That's right from the act in 1977.

Mr. Speaker in the Chair

Now, regrettably, as I've mentioned to the member opposite, there were—and mentioned in the Chamber—there have been 10 warnings that the account could not afford to pay full COLA. So, I suppose, by putting in a clause that would pay up to 100 percent, it's a matter of interpretation. You say that it should be the actuary's interpretation that the account could afford to pay 100 percent. Well, we saw that that didn't work. The actuary's interpretation for 10 years was the account could not afford to pay 100 percent, but the committee made a decision not to do one of two things. The TRAF board, or the TRAF, MTS and the government of the day had two options: One, increase the contribution rate; two, make the necessary actuarial reduction in pension adjustment. Those are the options. They did neither. So to suggest that having the actuary say, would it be feasible to pay 100 percent, the actuary said, for 10 years, it wasn't feasible to pay 100 percent and a letter was sent to that actuary telling him that it was none of his concern, that this decision was made by the board.

Now, that's the responsibility of the board. That's the responsibility to determine, based on actuarial advice, what would be the best payout that the account could afford. Now, obviously, the account couldn't afford it, and as I said before, it's been a perfect storm. I can't see 100 percent COLA being attainable under the current structures when you consider that more teachers are retiring, fewer

teachers are contributing to the plan, teachers retiring at 55 and getting full pension. Manitoba had, for the longest time, the lowest contribution rate of any teachers' pension in Canada. For the longest time.

So I don't think this would be appropriate to make this amendment because it would be subject to interpretation. Obviously, the interpretation of the past has led to this particular situation that we have today. Again, I was pleased to see an acknowledgment during the committee hearings that 100 percent was never promised or guaranteed and the language that I hear now from RTAM that it was an implied social contract.

Well, we have a social contract to be responsible to all the ratepayers who are currently contributing to the plan and to those who had contributed to the plan, and the up-to-two-thirds clause is one that speaks to a very responsible and a very balanced approach to maintaining and creating some stability in that account which obviously did not have the stability that it needed to support itself over the last 20 years.

Now, I would also like to point out that there have been some suggestions that there be another third party brought to the table. He mentioned third parties participating at the table and the possibility of a third party to go through this process again. Now, that could be rolling the dice because when you consider, if we were to take this legislation off the table and withdraw it today, and the status quo persists, the hole for the pension adjustment account and the cost-of-living allowance gets deeper. It gets deeper until changes are made to improve the status in the pension adjustment account and to improve the COLAs that are paid out to retired teachers currently.

The suggestion that perhaps we get another party to explore this particular issue: who is to say that a third party might not come to the same conclusions and we go through this entire process over again, with the same recommendations coming from that third party? Or who's to say that the third party comes to a conclusion that there's no need for increased contribution rates of active teachers, nor should government be held responsible for any more fiduciary responsibility to the pension adjustment account because the account is paying what it can afford to pay? That's rolling the dice with teachers' pensions, and I'm, quite frankly, not prepared to roll the dice with teachers' pensions.

There is a lot of discussion about leadership, and if leaders would have taken the advice of the actuary

for 10 years—they should have taken that advice very early on and we would not be in the situation we're here today. Leaders would have taken the steps necessary, either increasing the contribution rates or making that necessary, and evidently unpopular, actuarial reduction in the pension adjustment. That's what leaders would have done. The leaders of the day didn't do that.

I would remind the Member for Brandon West (Mr. Borotsik) and the Member for River East (Mrs. Mitchelson) that I have said I accept responsibility on behalf of our government and on behalf of the previous governments for the current state of the teachers' pension act. I accept that responsibility. And I would also suggest to you that it is leadership by this government to bring forward a bill, knowing that it's not the perfect solution, knowing that it's not going to make everybody happy, but it's a very necessary step to take in order to improve the COLA for our retired teachers.

We talked about compromise. The retired teachers have been engaged in this discussion. They have been part of the Teachers' Pension Task Force. There is a retired teacher on the TRAF board. The teachers' society is prepared to compromise. Government's prepared to compromise. Bill 45 is a result of that compromise, and we need to move forward because this will result in an immediate increase in the COLA for many retired teachers here in Manitoba.

* (16:20)

But to bring forward an amendment that would suggest that, pay 100 percent where possible—for several years many people thought it was possible to pay 100 percent. Unfortunately, we see that it might have been financially possible to do so, given the money in the account and given the surpluses that existed in the account at that time but, actuarially, it was not a responsible thing to do.

Now, again, knowing that this has been very divisive, I know that it's an important step to improving COLAs for retired teachers, and we know that it's the right thing to do. I would speak against this amendment as the 100 percent figure has been part of the problem that has created the situation that we have today.

With those few words, Mr. Speaker, I speak against this proposed amendment. If the member would like, I would certainly provide him with the several actuarial warnings that paying 100 percent

when it could not afford to do so was a very poor decision to make and that, as it said in these actuarial warnings and it said repeatedly, as a result of the amounts available to finance future pension adjustments may not be sufficient to permit this objective to be realized in the future, this possibility becomes a certainty if the rate of inflation is significantly higher in the future than it has been in recent years.

Ten years of warnings, no action by any government, this is the perfect storm. This is a bill that is designed to address the shortcomings that we see today because of decisions that were made by many different governments, by many different representatives of the Teachers' Society over the last 20 years. As such, I cannot support a suggestion that might allow for the same mistakes to be made.

Mr. Schuler: Mr. Speaker, I do wish to put a few comments on the record in regard to this most appropriate amendment put on the record in regard to Bill 45 by the honourable Member for River Heights (Mr. Gerrard).

I listened to the minister's comments. What's interesting is it's sort of this Mad Hatter's world that he seems to be coming from because, basically, all this says is that rather than saying up to 75 percent, it's now up to 100 percent COLA. It doesn't say must, or will, or shall. It just says rather than it just being two-thirds, it can now be a full COLA if—if the fund can pay it. That's all it says. It's a fairly innocuous amendment. It goes from may be up to two-thirds to may be up to a full COLA.

So, hiding behind actuaries isn't actually an appropriate thing for this minister to be doing, and I'm surprised he does that. We went through the last couple of amendments where he played the blame game which is fairly tiresome from a group of individuals that have been in government for nine years, unfortunate that they have to still play the blame game. Blame former teachers, blame former politicians, blame Ed Schreyer, blame Howard Pawley, blame, blame, blame.

In this case, in this amendment, it's a fairly innocuous amendment. It just says you may go to a full COLA if all the conditions are appropriate. Very easy. Once in awhile, it's good to focus the minister's mind on what we're actually talking about here. We're not going to hide behind actuaries. We're not going to hide behind a whole bunch of things. Fairly innocuous.

But, more important, I would like to make a plea on behalf of three individuals who can't stand here and make a plea to the minister. In case he missed them, I would like to read these on the record and I'll be very short with this. I do, however, think it's important because these three individuals will not have the opportunity to stand in this House and say to the minister what they did in writing.

I quote: My name is Jag Malik. M-a-l-i-k. I am a retired teacher and a member of Retired Teachers' Association of Manitoba. I make this submission as a private citizen. Bill 45 reduces my benefits. My pension is a deferred part of my salary, which was to be paid to me after my retirement. I negotiated my salary in good faith. Pension was part of compensation package. I paid premium for that package all my career. Now I am retired and not getting what I negotiated as contract. I will get a formula-calculated pension at retirement and cost-of-living allowance which will be paid from a special fund.

It is understood that COLA will be up to cost of living with a certain maximum. If cost of living was 3 percent, then COLA will also be 3 percent if sufficient funds were there. Now Bill 45 is putting restrictions that COLA be paid up to two-thirds cost of living. This is a reduction in my negotiated benefits. This is unfair and unjust. I paid for my benefits, and I must receive benefits as negotiated. Anything paid less than negotiated benefit is stealing. I believe the committee receiving submissions will be fair and just. Thank you for your time.

I say to the minister: Can you get a more compelling argument than that? I don't think anything we could say on this side of the House could be more compelling to the minister, a teacher himself. In jest, I've said over the months that I seem to be bearing more of a burden for the minister and his pension and for the other MLAs, the Member for Rossmere (Ms. Braun), and many others, their pensions. I seem to be carrying far more of a burden for them than he is, but this is not done in jest.

Jag Malik is very serious about it, and I suspect is going to hurt considerably. So I read that for the minister's benefit. I read one other individual's comments and again, not my words, because I don't think I could be as eloquent as these individuals because I am not in their position.

Her name is Lea Mansell. I started teaching in 1968 at Elmwood High School. Forty years later I

am now still teaching at the Winnipeg Adult Education Centre. I am eligible to retire but feel that I am unable to because I am unsure what the indexing of my pension will be in the future. I feel that the time frame of 10 years is way too long to be in an unstable indexing situation. I do not want to teach for another 10 years. I believe that I have paid into my pension for 40 years and always trusted that I would have a pension that is indexed fairly.

With the indexing that some of my retired friends are getting I do not believe that I can retire, and this is very frustrating. When I see that my sister who works for the Alberta provincial government is eligible to retire and is able to plan for her future as her level of indexing is stable, I am even more frustrated with my government.

Need more be said? Here's another individual, a woman who's worked, I think, put in her time. I think she's done her best. I think she deserves now to say, time for the next generation to step forward, but feels she can't, for two reasons. Because she's not confident in the stability of the pension and, more importantly, in the stability of the cost of living because she knows from friends of hers and I remember this presentation, she knows from individuals that have retired who come now and say, first the car goes. Then these little benefits go and these little perks in life go and then you scale back here and you don't travel and you cut back and cut back on your standard of living, the niceties that we take for granted, but they cut back and cut back and soon find out they just can't make ends meet. I would say on behalf of Lea Mansell, who can't stand in this Chamber and make a case, I think she makes a compelling argument for the amendment.

I'd like to put one more comment on the record from one other and that's on behalf of Mary Barzey, and I quote: Why should a group of seniors be here fighting to keep out of the poorhouse when they had a solid agreement with their government and, to top it all, they were being asked to take a 10-year moratorium. How many of them will be here in 10 years? In the meantime, they are being asked to live whatever time they have left stressfully in poverty. Is that the way to treat parents and grandparents? Stress is a killer. Are they being helped along the way? Because this is a passive group. They are not being taken seriously.

This group has tried to get this government to listen. They have even rallied twice but to no avail. At the second rally the honourable Minister of

Education (Mr. Bjornson) insisted on speaking first and then retired to his office without waiting to hear what two designated teachers had to say. Bullying, coercing, disrespect. Has this group not given enough? Do you want blood out of stone?

* (16:30)

The government has to determine the amount of money government owes and must arrange a payment schedule within a very narrow window of time. I'd like to make it clear to the House, I am only quoting. These are not my words, Mr. Speaker. I am only quoting from a presentation. This is on the record. I have a copy if the minister would like.

In conclusion, I would like to say, on behalf of Lea Mansell, Jag Malik, Mary Barzey, I ask the minister to consider supporting this amendment and doing the right thing on behalf of all retired teachers.

Mr. Kevin Lamoureux (Inkster): Yes, I think it is a very positive amendment that's being proposed and the government has very little, if anything, to lose, in terms of accepting the amendment and allowing it to pass. I think that, ultimately, it might even be a forward step in terms of improving relations with the different stakeholders.

I think that we have to be very careful that when we try to look at the situation—and we're all somewhat anxious maybe to start pointing the fingers to blame. And when we do that we have to look in terms of who the real victims are as we bicker back and forth, or whether it's here or it's in committee room, and acknowledge that the retired teachers, in particular, are the ones that are on the losing end or are, in fact, the victims of this. That's one of the reasons why we saw the abnormal high number of individuals that chose to participate in the committee process. There were close to 300. I think it was just over 100 or well over 100 people that actually presented, well over 100 that expressed an interest to present but for whatever reasons, ended up handing in a written submission—and I'm going to talk about the process. *[interjection]* Oh, there's no doubt, a lot of it had to do with the process and that's the reason why they didn't make presentation.

But, having said that, Mr. Speaker, I think that we have to put it into the perspective of why we find ourselves at the current situation that we are in today. I believe it has a lot to do with personalities, whether it's from the minister's office, MTS or RTAM and other potential stakeholders that were out there.

It was interesting. When I did get the opportunity to ask some questions on just how individuals were open to having discussion and wanted to talk about it, not only formally before the committee but also in the hallways when we would have breaks and you'd talk to some of the individual stakeholders, that they were open. They wanted to feel that there was a sense of consultation, that they were being treated fairly.

The minister made reference to Mr. Ulrich and, in fact, has quoted Mr. Ulrich. But the minister will be aware, and I had posed the question: had the minister even met with Mr. Ulrich in coming up with the bill? There was no meeting. There was an interesting presentation. Now, I don't know if this is the one he had verbally given that night or if this is the one that I had received in the email, but in reading through it I thought it was interesting. And I'll quote directly from Mr. Tom Ulrich's report, July 21, 2008, in which he said: solutions—and he's talking about funding a reasonable COLA—solutions are possible to the funding issues of the PAA if fair and reasonable people sit down to find them.

Then he goes and he lists on a number of points and I was just going to make reference to 2 and 4. On No. 2 he states: I think it is fair that active teachers through their contributions rates, support the provision of a COLA as long as the level of contribution is reasonable. I'd suggest that the level of contribution of the PAA should be sufficient to support COLA equal to two-thirds of the expected CPI increase, a requirement which the MTS appears to concur with.

Then I go on to point 4, and I thought this was a very interesting point; I think it's a progressive way of looking at the pension issue, and I quote: it might also be of interest to explore varying allocations of COLA in those years when less than full COLA, CPI COLA, can be paid. For example, maybe pay—first \$1,000 of pension income should receive 100 percent COLA, then the second \$1,000 75 percent COLA and the excess something less than the PAA can afford.

I thought it was kind of just a bold statement. The reason why I say this, Mr. Speaker, is I believe that within the different stakeholders, if they were brought to the table and made to feel that they're a genuine part of the process, we could have come up with a compromise, a compromise which all stakeholders would have been comfortable with. In fact, I would even go as far as to suggest to you that,

if we had taken the time to do that, we could have had this bill even brought in in September and quickly gone through. There might have been two or three presenters that actually presented on bill, if in fact we would have had all stakeholders feeling as if they were a part of a genuine process.

What I refuse to do is to—it takes a great deal of leadership in order to make that work, but the last thing I want to do is to blame the victims whom I believe are the primary victims in this, Mr. Speaker, and that is the pensioners. We've got to remember that it was, I believe—and I thought I had written it out here—it was the Pawley administration in the '80s that actually reduced the retirement age from 65 to 55, so it made a lot of people eligible to be able to retire.

When that occurred, the bureaucracy or the individuals involved in making that should have foreseen some of the ramifications of that, decisions of that nature. I don't believe that occurred. I think that we all have to take some responsibility as to why it is that the pension fund is where it is today, but let's remember in terms of what teachers were being told.

One presenter came forward and they provided an MTS handbook. I went out and got a photocopy of a couple of the pages. This was a '75-76 handbook published by the Manitoba Teachers' Society. I quote from it, where it says: Provision has been made to continue the adjustment in July 1973 in all pension calculations under the average salary formula for the full effect of the change in the consumer price index, the year ending December 31, 1972, and for similar adjustments in '74, '75, to offset changes in CPI to the December 31, 1973 and '74, respectively.

Now I only point that out because I am convinced in listening to the presentations, as a number of us were there for many, many hours of those presentations, that the retiring teachers genuinely believed they had nothing to worry about, that there was no need to be fearful in terms of what sort of increases they were going to be receiving on their pensions.

Could you imagine if you were a teacher retiring in the mid '90s, late '90s, and you look at the back record and you see virtually 100 percent COLA and you're being told that you're going to continue to see those 100 percent COLAs? If I was a teacher back in '95, looking at retirement, I would have felt—given that I'm being told and so forth—that that was a safe thing for me to do.

So I don't want to blame teachers of the past and even current teachers or new teachers. I would have liked to have seen strong leadership in terms of bringing the stakeholders together and coming up with a compromise that is acceptable. I believe it was achievable. I really do and that's why, when I look at the amendment that the Leader of the Liberal Party has brought forward, I see it as a positive amendment that could go a long way in terms of maybe fixing up some of the relationships that have been badly hurt through this process. Thank you, Mr. Speaker.

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: Is it the pleasure of the House to adopt the amendment moved by the honourable Member for River Heights (Mr. Gerrard)?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: All those in favour of the amendment, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the amendment, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Nays have it.

* (16:40)

Formal Vote

Mr. Lamoureux: I'd wonder if you'd canvass the House to see if there would be support to have a recorded vote, please.

Mr. Speaker: Is there support for a recorded vote? Okay, the honourable member has support, so recorded vote having been requested, call in the members.

Order. The question before the House is the amendment moved by the honourable Member for River Heights (Mr. Gerrard).

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Borotsik, Briese, Cullen, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler.

Nays

Allan, Altemeyer, Ashton, Bjornson, Blady, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Saran, Selinger, Struthers, Swan, Wowchuk.

Madam Clerk (Patricia Chaychuk): Yeas 18, Nays 30.

Mr. Speaker: I declare the amendment lost, and this concludes the report stage amendments for Bill 45.

Bill 32—The Personal Health Information Amendment Act

Mr. Speaker: We will now move on to amendment for Bill 32, The Personal Health Information Amendment Act.

* (16:50)

Hon. Theresa Oswald (Minister of Health): I move, seconded by the Minister of Justice (Mr. Chomiak),

THAT Bill 32 be amended in Clause 10 by striking out the proposed subsection 19.1(5).

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

THAT Bill 32 be amended in Clause 10 by striking out the proposed subsection 19.1(5).

Ms. Oswald: Thank you very much, Mr. Speaker. This is an amendment to fix a minor oversight during the drafting stages, for which I take responsibility. As the drafting proceeded, based on some legal advice, it was decided to allow disclosures in the context of The Personal Health Information Amendment Act, for disclosure to be made without consent rather than with implied consent, but with the conditions that the disclosure could only happen if the conditions set out in the bill are complied with. The conditions include the opt-out provision. Therefore, the new subsection 19.1(5) relating to implied consent was not needed and, in fact, if it

remained within the context of the bill, would create confusion, perhaps even more than what I just said.

The consultation with the legal counsel and the drafter agreed that this would help clarify the bill and certainly I hope that there is support for that amendment. We know, of course, the amendments to The Personal Health Information Act are very important to the people of Manitoba. They have come to exist as a result of extensive consultations and advice from the public, advice from health professionals and, indeed, I am very clear on saying they've come from advice from all members of this House. Advice, in particular, I will acknowledge the Leader of the Liberal Party who has taken an impassioned view of this act, caring very deeply as we all do, I know, about patient safety. I know that there has been good advice from members of the official opposition, as well.

I believe that, at a 10-year mark for the existence of PHIA, which has in many respects served us well, it was appropriate for us to be making some amendments that can serve to not only continue to respect the most sacred of issues when it comes to our privacy and those are, of course, personal issues where our health information is concerned while at the same time creating a culture that is open, that is patient-centered, and that has its utmost focus on safety.

I can remind the House, of course, that the changes in this bill will predominantly set out criteria concerning consent, as I just mentioned. That's why I'm putting forth this recommendation to ensure that we have the best clarity possible on that issue. It's also going to ensure that when individuals or family members are asking for information at hospitals or personal care homes, that information is provided as soon as is reasonably possible, but no later than 24 hours in hospital situations and no later than 72 in the cases of personal care homes.

Amendments will also allow demographic information to be disclosed in cases where members of the police are investigating concerns regarding missing persons. This will be a very important part of the amendment. Personal care homes and hospitals will be able to disclose limited information to clergy which will enable them to continue to provide spiritual care to patients in those facilities,

Mr. Speaker. Hospitals, personal care homes, other health-care organizations can disclose limited information to charitable foundations, which has been an important ask on the part of foundations in this province.

We know that it will also allow trustees of information to disclose it, on a limited basis, of course, for health research. We know that these amendments will allow the disclosure of information to another trustee who requires it to monitor and evaluate the quality of care.

It's going to expand the lists of persons who can exercise the rights of another person under the act. I think the people of Manitoba would be surprised to learn how narrowly defined that currently is in the legislation, and we know that the more people that are involved in care, the better. It's going to allow information to be shared in ways that is, perhaps, more open, Mr. Speaker, while, of course, maintaining privacy.

We think that there is a very good balance that has been achieved as a result of these consultations, as a result of the input of many members of this House, to whom I sincerely extend my gratitude. This is a very significant piece of legislation, with very important consequences for families, for patients in Manitoba. I believe by going forward with these amendments, which I hope will receive the unanimous support of this House, that we are going to continue on a journey to even better care in Manitoba where patient safety is at the centre of our discourse.

Thank you, Mr. Speaker.

Mr. Gerald Hawranik (Lac du Bonnet): I move, seconded by the Member for Charleswood (Mrs. Driedger), that debate on this amendment be adjourned.

Motion agreed to.

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, can you canvass the House to see if we can call it for 5 o'clock?

Mr. Speaker: Is it the will of the House to call it 5 o'clock? *[Agreed]*

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 9, 2008

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