

Second Session - Thirty-Ninth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

*Published under the
authority of
The Honourable George Hickes
Speaker*

Vol. LX No. 66 – 1:30 p.m., Wednesday, September 10, 2008

ISSN 0542-5492

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
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ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
<i>Vacant</i>	Elmwood	

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, September 10, 2008

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 47—The CentrePort Canada Act

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): Seconded by the Minister of Competitiveness, Training and Trade (Mr. Swan), I move that Bill 47, The CentrePort Canada Act, be now read for a first time.

Motion presented.

Mr. Lemieux: I'm pleased to introduce the bill which will establish CentrePort Canada Inc. This bill creates the governance structure and mandate for Manitoba's inland port and is a result of co-operation between government, municipal and business leaders. Thank you very much, Mr. Speaker.

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

Bill 237—The Pet Cemeteries and Crematoriums Act

Mr. David Faurschou (Portage la Prairie): I move, seconded by the honourable Member for Tuxedo (Mrs. Stefanson), that Bill 237, The Pet Cemeteries and Crematoriums Act, be now read a first time.

Motion presented.

Mr. Faurschou: Mr. Speaker, this is a comprehensive piece of legislation which establishes the obligations and operating procedures in relationship to pet cemeteries and pet crematoriums operating here in Manitoba.

It also establishes the use of standard forms to provide customer information on which pet owners may select which services to purchase. As well as operating and siting requirements for pet cemeteries and crematoriums, it also establishes the required recordkeeping for pet cemeteries and pet crematoriums including detailed records of each pet, where each pet was disposed and where its' remains are located, as well requirement for owners of pet cemeteries and crematoriums to provide evidence of their financial responsibility. Thank you very much.

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

PETITIONS

Long-Term Care Facility—Morden

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

The background for this petition is as follows:

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

This is signed by G. Harper, Kim Klatt and Graham Corlett.

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

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 B. Lucero, B.L. Lucero, L. Lucero and many, many other fine Manitobans.

Physician Recruitment—Southwestern Manitoba

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

These are the reasons for this petition:

The Town of Virden has the last hospital in Manitoba on the busy Trans-Canada Highway travelling west.

For the safety of recreational travellers, long-haul truck drivers, oil and agricultural industry workers and its citizens, Virden, a town of nearly 4,000, requires emergency services at its hospital.

On June 30, 2008, the emergency room at the Virden Hospital was closed due to this government's failure to recruit and retain doctors for southwest Manitoba and its failure to plan for the departure of doctors whose contracts were expiring.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald), to consider creating a health-care environment in which doctors want to work and build their careers in Manitoba.

To request the Minister of Health to consider making it a priority to recruit doctors to southwestern Manitoba so emergency rooms do not have to be closed when they are needed most.

This petition is signed by Andrea Andrew, J. Corbey, G. Gill, Jim Torry and many, many other Manitobans.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Jorge Acevedo Alarid, representative of Governor Juan Manuel Oliva of the State of Guanajuato and Carole Barraud, international co-ordinator for the GTO inland port of Guanajuato, Mexico, who are the guests of the honourable Minister of Infrastructure and Transportation (Mr. Lemieux).

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

*(13:40)

ORAL QUESTIONS

Lake Winnipeg Fishing Quota System

Mr. Hugh McFadyen (Leader of the Official Opposition): All Manitobans know that Lake Winnipeg is the jewel of inland fisheries in Manitoba. It is one of the greatest assets that we have as a province, and past stewardship of that lake and its fisheries have sustained hundreds and thousands of jobs around Manitoba for many years. Mr. Speaker, the integrity of the quota system is what has allowed the lake to continue as such an important asset for the province and all of its people.

Mr. Speaker, last year, we learned that a number of commercial fishers on the lake greatly exceeded their quota as part of a protest last fall. They exceeded their quota, according to some reports, by in excess of 250,000 pounds of fish, a significant percentage of the total quota that applies to the lake.

Mr. Speaker, the practice of the government for decades has been that when fishers have exceeded their quota, their quota for the successive year is reduced by a corresponding amount as part of the effort to maintain the fish stocks and ensure that a signal was sent that the quota system must be respected. Rather than carrying on with that practice, a practice and a rule that was applied to some 700 other fishers who exceeded their quotas by small amounts, this group of protesters has been told that their quota reduction has been deferred pending a quota review.

Mr. Speaker, we have one set of laws applied to some fishers and a completely different set of laws applied to others who have exceeded their quotas by only small amounts. I want to ask the Premier: Why is he putting the Lake Winnipeg fishery, one of our greatest assets and the hundreds of jobs associated with it at risk by undermining the integrity of the quota system?

Hon. Gary Doer (Premier): Mr. Speaker, the whole issue of quotas between the north and south basin is being discussed between fishing interests in the lake. There are larger quotas in some parts of the lake than in other parts of the lake. Obviously, Conservation is working with Water Stewardship on the issues of quotas, the existing quotas, the fairness of quotas, the timing of those quotas with season, the sustainability of the fishery, the conservation aspects.

There have been some deferrals of quotas in terms of what happened last year, but certainly we have agreed to meet with the allocation of fish on Lake Winnipeg, which the member opposite will know has different aspects to it based on different basins, and there are different timings of different seasons.

Mr. McFadyen: Mr. Speaker, nowhere in that response did the Premier address the issue of the integrity of the quota system which has been seriously undermined by the actions of his government. We know that there are issues with respect to quotas, that there's dissatisfaction in the north basin. We know that there are many on the north basin who struggle economically, and we don't have any objection and, in fact, we would support efforts to ensure that people are being treated fairly and that they can make a good living.

However, it is not the right way to go by applying different rules to different fishers on the lake. It undermines the integrity of the system. It sends a signal to all fishers that the quotas are meaningless, that there are no sanctions, and it serves to send a message that this government develops policy in response to illegal protests rather than in response to actual needs.

Mr. Speaker, it is absolutely the wrong way to go. It is destroying confidence in the quota system, something that has to be applied even-handedly and fairly to all Manitobans. We support a review of quotas, but we do not support different application of the law to different Manitobans.

I want to ask the Premier if he can confirm that it's a policy of his government to make policy decisions and enforcement decisions based on illegal protests rather than in meeting legitimate arguments.

Mr. Speaker: The honourable First Minister.

Some Honourable Members: Oh, oh.

Mr. McFadyen: The Premier (Mr. Doer) said no in response to the question. The fact is the actions directly contradict his response in the House today.

What they have said to those who engaged in the illegal, significant exceeding of their quotas is that there will be no sanctions. The quota reductions will be deferred. Every other fisher on the lake who has exceeded it by small amounts is having their quota reduced. There are some 700 cases where minor instances of exceeding the quota were met with reductions in the next year's quota for reasons that the government has not satisfactorily explained. A group of protestors have been exempted from that, Mr. Speaker. It is the wrong way to go.

Will he enforce the law even-handedly and maintain the integrity of the quota system, so that all Manitobans and all fishers know that they're operating under the same laws?

Mr. Doer: Mr. Speaker, I'm informed that quotas were exceeded both in the north and south basin, and there were deferrals made equally on both sides. I'll double-check that.

The quota system is being reviewed to deal with—obviously, the No. 1 concern is conserving, ensuring the fish stock is conserved properly. The No. 2 concern is, as the member said, is there a discrepancy between quota allocation between the north basin and the south basin. No. 3, as well as dealing with the whole issue of processing of fish, the last time I met with fishing interests in Gimli they were very concerned about the proposal to remove some of the marketing provisions of the Freshwater Fish Marketing board which is also a very, very important issue in dealing with the fishery.

So we have conservation as the No. 1 principle. Number 2 is fair allocation of quotas and the perception and the reality of fair allocations of quotas. Number 3, the deferrals took place in both parts of the lake, not in one part of the lake, and, No. 4, is there a proper marketing system that might be supported by fishing interests. That was an issue that was raised to me last year.

I don't know whether the member opposite has taken a position on the Freshwater Fish Marketing board. I don't think he has taken a position on it. It's quite similar to the sounds of silence that he has on the Canadian Wheat Board here in Manitoba, Mr. Speaker.

Lake Winnipeg Fishing Quota System

Mrs. Heather Stefanson (Tuxedo): Well, if the Premier (Mr. Doer) was seriously concerned about the fishing populations in Lake Winnipeg and other lakes around Manitoba, then he would uphold the law until he actually continued to do, Mr. Speaker.

Mr. Speaker, fishing quotas were put in place in our province a number of years ago to protect the health of our lakes and to safeguard our fish populations. Last spring, the Minister of Conservation (Mr. Struthers), as well as Water Stewardship, stood by and allowed fish harvesting to take place during spawning season in Lake Dauphin. Now we see the ministers of Water Stewardship and Conservation refusing, again, to enforce the law—and the Premier.

Why has the minister chosen to reward illegal protests rather than enforce the law?

Hon. Christine Melnick (Minister of Water Stewardship): Mr. Speaker, there is no rewarding going on. Charges are proceeding as they have been laid. There is a deferral of overages while we bring all the fishers together from the north basin, from the south basin and from the channel to review the current quota system.

Mr. Speaker, the health of Lake Winnipeg's fishery is very good. We want to make sure it stays good. We want to make sure we're working with fishers from all around the lake. We are bringing in a co-management board with representation from all around the lake.

It's a very different story from when they were in power. Let Lake Winnipeg go downhill. Let the fishery go downhill. We're working on the quality of water in this province, and we're working with the fishers as well.

Mrs. Stefanson: Mr. Speaker, the minister and members opposite should understand that by allowing people who have exceeded their quotas to continue to fish is, in fact, rewarding them, and that is wrong. They should be upholding the law. It's up to the government of this province to uphold the law

in this province, not to allow people to continue to break it.

What kind of a message, Mr. Speaker, does that send to law-abiding fishermen and non-law-abiding fishers? That it's okay to break the law in our province? What kind of a message is this government sending?

Will the minister stop rewarding illegal protests and start protecting the health of our fishery here in Manitoba?

* (13:50)

Ms. Melnick: Mr. Speaker, the best way to protect the fishery is to make sure that all the voices that should be around the table are around the table, and that is what we are doing.

Again, there were deferrals of overages while we worked through the quota review. There is representation from around the lake. We are working towards a co-management model, Mr. Speaker, one of the first in North America where the fishers' voices will be heard all year-round. We want to change the system where it's the department telling the fishers what they have to do and not respecting what the fishers have to say.

We respect the fishers, Mr. Speaker. We respect the fishery in Manitoba. We are taking care of the water in Manitoba. It's about time members opposite got on board and started to understand what community input is really all about.

Mrs. Stefanson: Mr. Speaker, I think all Manitobans know that the best way to protect our fisheries is to uphold the laws of this province.

Mr. Speaker, Ken Campbell, a retired regional fisheries manager described the minister's action as baffling and unjustified and an abuse of the quota system that puts the sustainability of the fishery on Lake Winnipeg in jeopardy.

Mr. Speaker, will the minister agree to put a stop to this illegal activity right now before she further undermines the quota system and further jeopardizes the sustainability of fisheries in Lake Winnipeg?

Ms. Melnick: Mr. Speaker, charges are proceeding as they have been laid. There is a one-year deferral for fishers from the north, from the south, from the channel, fishers all over the lake, while we all take part in a quota review. What part of community involvement do the members opposite not understand?

**Maternal and Child Care Task Force
Web Site Access to Report**

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, yesterday the Minister of Health put out a news release that absolutely failed to address the immediate and urgent problems facing maternity care in Manitoba. Even though doctors, nurses and midwives are saying that maternity care in Manitoba is in crisis, the announcements yesterday were vague or years away from happening. It was an NDP photo op.

At the end of the news release, it gave a Web site where the second task force report could be viewed. We have tried to get on that site numerous times since yesterday and that report is not available on the site. I'd like to ask the Minister of Health to please explain that glitch.

Hon. Theresa Oswald (Minister of Health): I thank the member for bringing that issue to my attention and certainly we will address that immediately. That is problematic if members of the public, if members of the opposition aren't able to access that information.

I can certainly inform the member, as we did to all Manitobans yesterday, that in addition to announcing the site to go forward with the construction of a new women's hospital here in Manitoba, we also are going to be immediately proceeding with 13 of the recommendations that the maternal care task force made, issues ranging from providing access for professionals outside of the city of Winnipeg in more remote areas and, arguably more importantly, providing supports for women that are coming into the city that have to be here for extended periods of time.

Mrs. Driedger: Mr. Speaker, the minister should have been doing those things three years ago when these were first brought to her attention, not just today.

Mr. Speaker, in May 2005, after we received the first task force report, there was the same glitch on the government Web site where people were told to go to the Web site to find that full report. Nobody could access that report at that time either. So twice in a row cannot be an accident.

So I'd like to ask the minister why she is working overtime to keep these reports from being made public.

Ms. Oswald: And if there is difficulty accessing that report on-line, I take full responsibility for that and will ensure that that is taken care of immediately. Absolutely we should have information provided to the public.

I can also tell the member that one of the single most important things that have come out of a number of maternal and child care reviews over the last decade is the single greatest difficulty that women and babies have faced in this province is a shortage of health human resources.

Certainly, we have been working to increase every year the number of doctors and the number of nurses that are available to women and to their families. This is something that I regret the members opposite were the chief engineers of causing.

Mrs. Driedger: This Minister of Health says one thing and does another. When we tried to get that first task force report which identified alarming statistics about baby deaths and teen pregnancies, we were made to jump through hoops; we were stalled and we were given a major runaround. Then the minister refused to give us that report. We then lodged a complaint with the Ombudsman. The public has a right to see these reports. It's called accountability and transparency.

So I'd like to ask the Minister of Health to put her money where her mouth is then today and table that second task force report.

Ms. Oswald: Again, I say to the member opposite that we're working every day to be more open, to be more transparent and accountable. We know that we put our wait times on the Web site. That never ever happened under the previous administration. We know that we put information about hospitals, about patient safety, about infection control.

The member opposite has cited today that there's an issue with accessing this particular report. I accept that. I accept responsibility and will take immediate action. I think the most important thing that we're doing today is moving forward for a new era of maternal and child health care here in Manitoba, with doctors, with nurses, with technology, with facilities and with compassion, something that we didn't see during the '90s.

Bill 31

Lack of Aboriginal Women's Input

Mrs. Leanne Rowat (Minnedosa): I think there's a theme occurring here. There's a lack of transparency,

accountability and, obviously, incompetency within this government.

Yesterday the Member for River East (Mrs. Mitchelson) and I met with some Aboriginal women who were very concerned about this government's approach to freedom of information and protection of privacy. A representative from Mother of Red Nations Council of Manitoba told us that they were not consulted prior to the drafting of Bill 31 despite the fact that they are representatives of the Aboriginal women's issues within the province of Manitoba. There's specifically a clause within that bill that they would have an interest in.

I ask the minister why MORN was not consulted prior to the processing of Bill 31.

Hon. Eric Robinson (Minister of Culture, Heritage, Tourism and Sport): I, too, had the opportunity of meeting with the Provincial Council of Women and a representative from the Canadian Taxpayers Federation, along with the members of the Mother of Red Nations including some very prominent Aboriginal women spokesmen from the province of Manitoba. I did, in fact, indicate to them that public notices were sent out for the entire community to become involved in the Right to Know Week to offer their suggestions to this government on any changes that they may view as important to them. Further, I've committed to have our government sit down with the Mother of Red Nations and identify issues that we can address with the federal government, because a lot of these issues indeed fall with the federal government and through the Department of Indian Affairs.

Mrs. Rowat: The fact remains that MORN was not consulted until they brought their concerns to the minister of their own accord, and they're concerned that these steps are regressive in Bill 31 and could cause further pressure for Aboriginal women who are already marginalized within our society.

We've been told that MORN representative has offered the chance for the minister to meet with the membership in November at their annual general assembly. I encourage the minister to consider that.

Will the minister pay Aboriginal women the respect they deserve, meet with MORN membership in November and take the constructive criticism they offered to amend the legislation?

Mr. Robinson: I didn't receive the invite for November but I did indeed receive the invite for October, and I look forward to my ongoing

relationship with the Mother of Red Nations. As a matter of fact—[interjection]

Mr. Speaker: Okay, we will continue.

Mr. Robinson: Mr. Speaker, to continue with my response, I think I've demonstrated leadership in working with Aboriginal women over the past several years since my time being in this Legislature.

I've stood shoulder to shoulder with Aboriginal women's groups. I have a good relationship with Bev Jacobs, the president of the Native Women's Association of Canada. I look forward to our work together in addressing some of the issues that were identified yesterday in the meeting with the members of the Mother of Red Nations. I look forward to that ongoing work.

*(14:00)

Mrs. Rowat: This is provincial legislation we're speaking about, and I think MORN is a provincial organization that this minister should be working closely with. I believe that this legislation does have some very serious ramifications if the minister is not going to be clear in what certain clauses represent.

Many of these women are in constant fear of being forced from their homes, losing their families and the little support structure they've built for themselves. By reducing transparency on reserve this government is in danger of creating a system that they can simply not live within. Aboriginal women have come to us with their feelings that this policy development process has not been inclusive of their inputs or concerns.

Will the minister withdraw Bill 31 today, meet with the Manitoba Aboriginal women, clarify the intent of his bill and secure their support before any legislation is passed?

Mr. Robinson: A meeting has been scheduled with one of our senior staff members from the department that I have responsibility over, Mr. Speaker, to meet with the Mother of Red Nations, and, as I said, we made a commitment to hear the concerns first-hand from this representative organization and advocacy group on behalf of Aboriginal women in the province of Manitoba. I look forward to their suggestions. Certainly there is opportunity for them to make recommendations.

FIPPA, as you know, has not been overhauled and we are doing that now. We've identified some key areas that we want to improve the legislation on, and we're committed to doing that. We've said that

openly. We may have disagreements now and again, but I believe that we have one of the best legislations across the country.

Bill 17
Credit Union Central Position

Mr. Ralph Eichler (Lakeside): The Credit Union Central of Manitoba represents 52 credit unions and nearly 13 billion in total assets. Credit Union Central has reviewed Bill 17. While they support efforts to protect Lake Winnipeg, they have serious questions about the government's methods.

In an August 19 letter which I am tabling, the Credit Union Central suggests that the government should enforce the environmental regulations recommended in the Clean Environment Commission's report, as well as those previously enacted.

Mr. Speaker, will the Minister of Conservation today heed the advice of Credit Union Central and scrap this ill-conceived bill?

Hon. Stan Struthers (Minister of Conservation): I know it's been several weeks since I've had a chance to talk to my honourable friend from across the way, but I want to take this opportunity to invite him to remember that Bill 17 is about protecting Manitoba's water. While they may not think that's a laudable goal, we certainly believe that's a commitment that we've made and that we need to follow through on, Mr. Speaker.

Of course, the advice that is contained in the Credit Union Central letter, we will take a look at. We consider these kinds of advice and we appreciate the advice that we get from Manitobans. So we will, Mr. Speaker, be moving forward with a comprehensive water protection strategy like we've been doing all along.

Mr. Eichler: Mr. Speaker, as Credit Union Central notes, and their member credit unions, Manitoba Credit Union members have upwards of \$1 billion invested in the hog industry. They have suggested a strategy that would help protect the environment rather than using a ban.

Credit Union Central stated, and I quote: ". . . this balanced approach respects the need and desire to clean up Lake Winnipeg, with the need and desire of the Hog Industry to be able to operate in a compatible manner with the environment"

Mr. Speaker, why is the Minister of Conservation proceeding with a ban when so many

organizations and individuals have come forward with alternative strategies?

Mr. Struthers: Well, I certainly hope that the leader of the member across the way is looking and reading this letter from Credit Union Central as well because it says we should move forward with the regulations that the Clean Environment Commission has said, and those implemented earlier which he opposed, Mr. Speaker.

So Credit Union Central gives good advice. I think we should all listen to it.

Mr. Eichler: This past summer we filed freedom of information requests asking the departments of Finance and Agriculture if they've done an economic impact analysis of the financial effects enacting the moratorium on hog production. The answer received from both departments, which I will table, is that neither of them had done this analysis. Shame on them.

Mr. Speaker, will either the Minister of Finance (Mr. Selinger) or Minister of Agriculture (Ms. Wowchuk) explain why they cannot be bothered to conduct an economic impact analysis on a bill that's going to have such a serious impact on one of the province's key industries?

Mr. Struthers: Certainly, Mr. Speaker, Lake Winnipeg is an economic engine for our total province, our provincial economy, and if the member opposite thinks that we should continue, as they suggest, to not protect that water, to protect the quality and the quantity of that water, then I don't think they're taking the economic interest or the environmental interest very seriously in terms of this very important issue. We are. I suggest you should too.

Independent Prosecutor Policy
Taman Inquiry

Mr. Kelvin Goertzen (Steinbach): The Department of Justice has a policy directive that states that a house-arrest sentence should generally not be recommended in cases involving death or serious bodily harm. The department also has a policy that cases should proceed to trial where to do otherwise, to not go to trial, would shake the public's faith in the justice system. In the case of the death of Crystal Taman, the independent prosecutor recommended that the man responsible for her death be given a house-arrest sentence and a plea bargain so it didn't go to trial.

Did it concern the Minister of Justice that at the very least the intent of both of these policies in his department was not upheld in this case?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, as I've indicated to the member opposite the last several days, as he's poking around and asking whether or not ministers of Justice should interfere in the prosecution's process, I would've thought that whatever legal training he had he would know that, in fact, it's one of the forbidden rules of the separation of the Legislature and the judiciary for the Legislature to direct prosecutions. I would think the member would know that.

Mr. Goertzen: The minister may want to brush up on both his legal training and his own policies in his department. Over the last two days, the Minister of Justice has gone out of his way to say what a good policy Manitoba has for independent prosecutors. Included in the policy is the recognition that ultimately it is the Minister of Justice who has the final authority over the recommendations of the independent prosecutor. The policy specifically says that the Minister of Justice can refuse the recommendation of the independent prosecutor and that the decision needs to be made public if he decides to use that veto. The Minister of Justice has said he believes in this policy. He says it's one of the best in the country.

Can he explain to Manitobans why it's important that he is given the veto over the independent prosecutor in that policy that he agrees with?

Mr. Chomiak: First off, Mr. Speaker, the member is inaccurate in terms of his statements of my statements. I, in fact, said that Justice Krindler, who we asked to look after it, said that in looking at the process it was one of the best in the country and most comprehensive.

The member ought to know that when matters go to prosecution, it's the Queen—it's the Province in the right of the Queen that makes the prosecutions on behalf of the state. That's fairly fundamental in both parliamentary and law across the country. He ought to know better.

Mr. Goertzen: In the testimony in the summer, the independent prosecutor said that through his many contacts with the department, nearly 50, that he was emboldened to go ahead with the plea and the house-arrest sentence because since he wasn't being pulled off of the file he inferred that it meant that he was

getting approval from the Department of Justice, and he was right in thinking that the Department of Justice has the final veto because it does through the minister.

The policy says it does, and the minister says he supports the policy. I would like to ask the minister: Since a case that breached his department policy and gave a house-arrest sentence to the killer of Crystal Taman wasn't enough for him to use the veto that the policy gives him, what would be enough?

*(14:10)

Mr. Chomiak: One of the first items that a deputy minister provides the Minister of Justice with respect to briefing notes, and I know the member hasn't had the occasion to do that, is the famous case of the British Minister of Justice interfering in a prosecution and being forced to resign. Mr. Speaker, in fact, if we followed suggestions and interfered in prosecutions as often as the member opposite asked us to do, we'd be flipping around the ministers here on a daily basis.

The member is wrong. The member ought to wait for the independent judicial inquiry that, in fact, members opposite called for and which we supported, which I think they're trying to undermine in a very political, partisan and indirect form which I think is wrong.

Bill 226

Government Support

Hon. Jon Gerrard (River Heights): Mr. Speaker, for nine long years this NDP government has failed to deliver a comprehensive poverty reduction plan for Manitoba with targets. Today, the Make Poverty History coalition called on the Premier to end his delaying tactics and ensure such a comprehensive plan with targets is in place.

As one example for the need for such a plan, I met this morning with John Mohan at the Siloam Mission. He indicated that one-third of those who he sees, who are poor and homeless, have mental illness problems and suffer social exclusion.

Will the Premier support the Liberal Bill 226, The Social Inclusion and Anti-poverty Act, which provides for such a comprehensive plan for Manitoba with a target of reducing poverty by 50 percent in four years?

Hon. Gary Doer (Premier): The member opposite will know that I was at the Social Planning Council last May and indicated to them that targets for us in

Manitoba would have to include Aboriginal people. The Stats Canada material and the material that's generated in other provinces dealing with targets and objectives do exclude the Aboriginal people from that target, and to us to have a meaningful, objective target on poverty reduction, all Manitobans should be included, not just the majority of Manitobans. Aboriginal people must be included in that target.

I would point out, Mr. Speaker, that we have reduced the child poverty rate in Manitoba by—I'll get the exact number, a significant amount. I believe it's gone down from 19 percent to 12. Any child living in poverty is unacceptable. We have reduced the number of children living in single family relationships, living in that kind of family. We've reduced poverty by over 60 percent, which exceeds the target the member has outlined.

Mr. Speaker, I would point out, also, that many programs we've introduced since we were elected, like the Healthy Baby program, we think will make a lot of difference. We have increased social assistance rates.

The member opposite was in a Cabinet that basically froze and reduced social allowance rates for Canadians in 1995. He had a choice when he was in Cabinet to have some results on poverty. He chose to look the other way, Mr. Speaker.

Mr. Gerrard: Mr. Speaker, nine long years, no comprehensive plan, no targets yet. This morning Graham Starmer, a member of the community coalition said that a plan without targets means you don't know where you're going.

Let me illustrate. Outside the Legislature, the suicide awareness rally, a few minutes ago, I met a mother who was very concerned about her son who has a mental illness and who is suicidal. Her son was recently discharged from hospital with no plan.

The NDP, no plan, don't-know-where-you're-going approach is all the way through the system. I ask the Premier: When will he support Bill 226, The Social Inclusion and Anti-poverty Act, an act which provides for a poverty reduction plan for Manitoba and an act which includes Aboriginal people?

Mr. Doer: Mr. Speaker, the Stats Canada material—and the member opposite, again, was in government governing. Stats Canada numbers excludes them, excludes Aboriginal people, excludes them from child poverty rates. So you can talk inclusion in the

House, but when you had a chance to do something in Cabinet about that, nothing.

I would point out that Mr. Starmer is a person whom we've worked with on the inland port legislation that we're going to present shortly. But some people in the business community, and you want to invoke their names, don't agree with increasing the minimum wage. In fact, in the last election campaign, there was one leader that said they wouldn't increase the minimum wage for people. There was another leader that sat on the fence, and there was one party that said we would raise the minimum wage.

The Liberals had a chance to stand up for child poverty when the camera was on them, and they wouldn't take a stand to increase the minimum wage. We did and we're proud we've raised it, Mr. Speaker.

Mr. Gerrard: Mr. Speaker, the Premier is selective and misleading. This morning, Shauna McKinnon, the director of the Manitoba office for the Canadian Centre for Policy Alternatives was highly critical of the Premier, saying that when it comes to targets, the Premier is not setting targets because he doesn't want to be accountable. When it comes to accountability, people in Manitoba are talking about the slippery-eel policy of the Premier.

I ask the Premier: When is he going to abandon his slippery-eel policy? When is he going to support Bill 226, The Social Inclusion and Anti-poverty Reduction Act, which includes Aboriginal people, and make sure we've got a comprehensive plan for everybody in Manitoba?

Mr. Doer: Mr. Speaker, we are accountable for reducing the child poverty rate by 36 percent. He's accountable for getting rid of the social transfers to all the provinces in Canada when he was in Cabinet. He's accountable for cutting investments in children.

We're accountable for reducing the child poverty rate. We're accountable for reducing the number of children living with single mothers on low income. It has gone down from 59 percent to 22 percent in '06, an improvement of 63 percent. We are accountable for that.

The member opposite is accountable for cutting child-care money when he was in Cabinet, cutting housing money when he was in Cabinet. He had a choice. He chose to turn his back on people living in poverty. We're trying to do the best job we can and there's more work ahead of us, Mr. Speaker.

Canadian Energy Efficiency Scale Government Rating

Mr. Drew Caldwell (Brandon East): Mr. Speaker, in 1999, our government initiated the Neighbourhoods Alive! program in Manitoba to help revitalize urban neighbourhoods throughout our province, neighbourhoods that were abandoned by members opposite when they were in office. Under the Brandon Neighbourhood Renewal Corporation, Brandon's energy efficiency program has been making great strides in lowering local energy consumption.

Can the Minister of Science, Technology, Energy and Mines inform the House of how programs like this and others are impacting upon Manitoba's national rating on the Canadian energy efficiency scale?

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): I'm pleased to report to all members of the House that we've got another grade of A-plus, and this is in sharp contrast to what happened in the 1990s. Under the former government, we were second last; now we have an A-plus rating. We should be proud of it.

This is truly poverty reduction. What we're doing is we're using new labour people coming into labour, training them, getting them to retrofit houses, putting in insulation, putting in good furnaces, getting new toilets that are more energy efficient. You know what we're doing? We're reducing poverty because the energy bills are \$400 to \$600 less per year per house.

We've moved forward in the Centennial neighbourhood where we've done 125 houses. We're moving forward in Island Lake, St. Theresa Point, Wasagamack and Garden Hill. We're moving forward in Brandon. This makes true reduction of poverty in people's lives.

Former Cabinet Members Appointments

Mr. Rick Borotsik (Brandon West): Mr. Speaker, as early as last May, I asked the Minister of Competitiveness, Training and Trade if he was looking for a new job for his defeated predecessor. We knew it would happen. We knew the Premier (Mr. Doer) would find a soft landing for a defeated ex-Cabinet minister and now it's official.

Can the Minister of Competitiveness, Training and Trade tell this House if, in fact, the newly

created position was posted? Can he tell this House what the qualifications are for that particular position, and can he tell this House whether anyone else applied for that position?

* (14:20)

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): Well, Mr. Speaker, it's a pleasure to rise in this House and talk about the new position created through the leadership of this Premier and this government moving ahead Manitoba as a leader on the agreement—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Swan: Mr. Speaker, the council for—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Brandon West has just asked a question and he has a right to hear the response. I need to hear the response in case there's a breach of a rule. I ask the co-operation of all honourable members.

The honourable minister, to continue.

Mr. Swan: Yes, thank you, Mr. Speaker.

This summer in Québec City, our Premier represented this province at the Council of the Federation. At that meeting there was a historic step taken to move ahead with reducing labour barriers, with increasing labour mobility across the country. Indeed, because of our Premier's leadership and because of that meeting, certainly we've accelerated a lot of the work that needs to be done.

I'm quite pleased that Scott Smith, due to his experience as a Cabinet minister, due to his excellence in the position, we're moving ahead with professional organizations, with trades within the province and across the country to keep Manitoba in a leadership position.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

World Suicide Prevention Day

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I rise today to bring attention to an important cause. Today, September 10, marks World Suicide Prevention Day. This initiative of the International Association for Suicide Prevention, co-sponsored by the World Health Organization, seeks to promote awareness of suicide as a preventable cause of

premature death and lessen the stigma associated with this tragedy of our time.

Mr. Speaker, the statistics speak for themselves. In our world, one million people die by suicide each year. Two deaths by suicide take place each minute, one every day in Canada, two every second day in Manitoba. These losses are felt deeply by our communities, our families and our children. We are all part of an international community that must commit itself to better serving those at risk for suicide.

This year the theme for World Suicide Prevention Day is "Think Globally, Plan Nationally, Act Locally," and global citizens are asked to take notice of how suicide can be prevented.

Today is set aside to describe the national leadership that is required to successfully implement national suicide prevention strategies. Today we must think critically about the programs needed to turn suicide research and policy into local action. Locally, the warning signs are very clear and growing. Hits to the rural stress line Web site are incredibly high with nearly 300,000 hits in the first six months of 2008. As rural residents struggle to deal with poor economic conditions, it is clear that more preventative tools like the stress line are needed.

I've addressed the House before on the issue of Shamattawa, where one in four youth have threatened or attempted suicide. We've discussed this before in this Chamber, the resources needed to combat this issue of ever-expanding magnitude. Aboriginal children in isolated communities need better access to education and recreation opportunities to combat these serious factors. Our province needs to provide the assistance necessary to get these children the help they need and play a role in preventing the emotional ripples that cascade through our society as a result of suicide and suicide attempts.

Mr. Speaker, I've said before that our Aboriginal communities view children as their hope. They are losing their hope and so are we. Let's take World Suicide Prevention Day as an opportunity to remember just how important it is to support our children, our families and enable them to build a stronger future for all of us.

Scottish Settlers Monument

Mr. Doug Martindale (Burrows): Mr. Speaker, it was my pleasure on behalf of the Premier (Mr. Doer)

and the Minister of Culture, Heritage, Tourism and Sport (Mr. Robinson) to attend the unveiling of the Scottish Settlers Monument located on Waterfront Drive, on September 6, 2008. This monument recognizes the Highland Clearances and the arrival of the second wave of Scottish settlers to Point Douglas in 1813.

The men, women and children who left Scotland brought with them unique skills and stories and have weaved their legacy into the history of both Manitoba and indeed Canada. These settlers fostered a relationship with the Peguis First Nation, which was essential for them to prosper in this formidable land. Chief Peguis and his band taught vital hunting, trapping, clothing, shelter and winter survival skills without which the settlers would not have survived.

The bronze memorial statue was unveiled by Lord and Lady Selkirk, the Honourable Michael Russell, the Scottish Parliament's Minister of the Environment, the Lieutenant-Governor of Manitoba, the Honourable John Harvard, and Mr. Dennis McLeod this past weekend as part of the celebration and dedication ceremonies. The statue depicts a family leaving their home and is a lasting tribute to those affected by the Highland Clearances. An identical statue sits across the ocean in Helmsdale, on the Sutherland coast in Scotland, as a reminder of the clearances.

Mr. Speaker, the government of Manitoba is a proud and committed supporter of our province's heritage. I would like to commend the foresight and vision of the organizing committee and the St. Andrews' Society of Winnipeg for ensuring that the preservation and promotion of the Scottish culture and legacy in Manitoba is enthusiastically shared and celebrated.

I would like to invite all honourable members to celebrate and acknowledge the perseverance, fortitude and contributions of these early founding Scottish settlers who were so instrumental to our present day prosperity and good life.

International Literacy Month

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, September is literacy month in Manitoba and September 8 was International Literacy Day. Literacy is one of the foundations of our social fabric and crucial in our knowledge-based society. The ability to read, write and understand helps us interpret the world around us. Without these essential skills people cannot develop to their full potential.

Literacy affects our entire community and fundamental to its success are its teachers. I would like to recognize and thank all of the teachers who work so hard to provide the quality education for our young people. Dedicated teachers strive to instil not only basic literacy but also a lifetime love of learning. Literacy issues affect all age groups and cultures. A surprising number of adults in Manitoba are illiterate or functionally illiterate. This social problem can often lead to embarrassment and even stop adults from seeking help even though there is nothing to be ashamed of. I applaud those outstanding adults who have taken the steps to further their education and life skills.

Manitoba has excellent organizations which promote and support literacy such as the Literacy Partners of Manitoba, the Manitoba Reading Association, the Adult Secondary Education Council, and many others. As a community, our province is also committed to enhance awareness of literacy and encourage children through creative initiatives such as the I Love to Read Month every February. I've enjoyed the opportunity, along with my colleagues and local celebrities, to read to children in schools.

The solution to improving literacy in our province can be found in our community. I encourage Manitobans to help make a difference. They can help by volunteering at schools or adult literacy programs. Support for public libraries also promotes valuable access to free resources. Libraries and their programming mean a great deal, especially in rural communities.

Mr. Speaker, as members of this Legislature we must remain steadfast in recognizing the significance of literacy and committed to helping Manitobans. Thank you.

South Beach Casino Expansion

Mr. Gregory Dewar (Selkirk): Mr. Speaker, it's my pleasure to inform the House of an Aboriginal economic success story in my constituency.

On August 29, I represented the government at the grand opening celebration of the South Beach Casino and resort redevelopment and expansion. It was a very exciting day for the community of Brokenhead and the six other First Nations that are business partners in this casino and resort development opportunity.

When our government first committed to casino development to generate economic opportunity I believe this is the type of resort that we envisioned

and hoped for. It has created jobs. It has provided capital construction for the community and economic opportunity for First Nations and the broader community. Currently the casino and resort will employ over 250 individuals, 65 percent of them are Aboriginal which, I think, a great success for any business.

Mr. Speaker, I invite all members, if they have the opportunity, to visit the Brokenhead community, to have a chance to maybe invest some of our hard-earned money in the casino that's there, but I think, as well, to see how the community has changed in a very positive way over the last number of years. It's co-operation between First Nations and the government.

Currently, as I said, there's a resort and conference centre, a new six-storey hotel, pool area, as well, it has the capacity to host nearly 500 people. As well, there is an agreement between the South Beach members and remote First Nations communities where over \$10 million will flow from the casino to remote First Nations communities that don't have the same opportunity as, say, the South Beach Casino. I know all of us would congratulate all the members, and we look forward to seeing this successful venture succeed. Thank you.

* (14:30)

Make Poverty History Manitoba Coalition

Hon. Jon Gerrard (River Heights): Mr. Speaker, for nine long years the NDP government has failed to bring in a comprehensive poverty-reduction plan and social-inclusion plan for Manitoba. Today, the Make Poverty History Manitoba coalition held a press conference and said as follows: The need for a comprehensive plan to prevent and reduce poverty is urgently needed in Manitoba. Several other provinces—this is a reference to Québec, Newfoundland, Ontario and Nova Scotia—have already developed or are developing action plans, and the same initiative is clearly required here. Manitoba is falling behind.

Liberals have introduced Bill 226, The Social Inclusion and Anti-poverty Act, a bill which is badly needed, requiring a plan for Manitoba. This plan would include all Manitobans, include Aboriginal people as well as all others, and needs to develop the appropriate benchmarks. We have set one target and that is to reduce the level of poverty by one-half in four years. We believe that that is a realistic target which is needed.

As the coalition pointed out, Manitoba has the third-highest child poverty rate in Canada and, though there has been some improvement since the Doer government was elected in 1999, 31,000 Manitoba children are still living in poverty, not including those living in First Nations communities, and we must include them.

To date, the Province has favoured a piecemeal approach of measures that, although appreciated, falls far short of dealing with the scope of this issue. The findings of the community consultation process the coalition has undertaken since 2006 clearly show that minor changes to existing policy are not enough and the Province must undertake comprehensive and systemic action to reduce poverty in Manitoba.

Liberals agree with the coalition and strongly support the coalition and indeed, as I have indicated, have already tabled a bill which would provide for such a comprehensive anti-poverty and social-inclusion plan for Manitoba.

*(14:30)

MATTER OF URGENT PUBLIC IMPORTANCE

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I believe that if you were to canvass the House, there would be support to have an emergency debate in regard to the Air Canada flight attendant base closure that's being proposed, so I'll just go right to moving the motion.

I would move, seconded by the Member for River Heights (Mr. Gerrard),

THAT under rule 36(1), the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely Air Canada's announcement to close its flight attendant base here in Winnipeg.

Mr. Speaker: Before proceeding with the motion, I'd just like to remind our guests in the gallery there is to be no participation from our guests, and that also includes applauding.

Motion presented.

The honourable member had indicated that there was an agreement, but I have to hear it from both House leaders that, if there is agreement, to proceed immediately without the 10 minutes to convince the Speaker that this is an emergency that should be debated in the House.

I'm asking the House leaders to verify if they do agree to the comments that the honourable Member for Inkster just made, that there are agreements to move immediately, because we are veering from our normal practices of the House and I don't want this to be a precedent setting in the future.

So I'm now recognizing the Government House Leader.

Hon. Dave Chomiak (Government House Leader): I can confirm, both for the Opposition House Leader, for the member from the Liberal Party, and the government, that we are in unison with the moving forward immediately to discuss this issue as outlined by the Member for Inkster.

Mr. Gerald Hawranik (Official Opposition House Leader): Yes, Mr. Speaker, I can confirm as well that we will be discussing the MUPI and discussing this issue and debating it. Thank you.

Mr. Speaker: So there is agreement. Did I hear that there's immediate will to move into it, but is there a set number of speakers or anything like that?

Mr. Chomiak: Yes, Mr. Speaker, by agreement, we've decided that it would be two members of the government, two members of the opposition and a member of the Liberal Party.

Mr. Speaker: Is there total agreement of that?

Mr. Hawranik: Yes, it's agreed, Mr. Speaker.

Mr. Speaker: Okay. So we will move on into the emergency debate on the motion moved by the honourable member. I will first recognize as the mover the Member for Inkster. Then I will proceed to move to one member from the government, one member from the opposition and another member from the government and another member from the opposition. That's been agreed to? *[Agreed]* Okay, there's agreement.

Okay, I now recognize the honourable Member for Inkster.

Mr. Lamoureux: Mr. Speaker, first off, I would like to thank all members of this Chamber, in particular the Government House Leader and the Official Opposition House Leader, in doing what I believe is the right thing in trying to deal with the very important issue that is facing Manitoba today.

Ms. Marilyn Brick, Acting Speaker, in the Chair

I think it's very important that this Legislative Chamber send a very strong message to Air Canada

and the boardrooms that need to hear that what they're proposing to do is just not acceptable. That, in fact, by agreeing to have the emergency debate—and we look forward to hearing the comments and not to presuppose what's going to be said—but to say that having that united approach where we have three political parties in the province of Manitoba making a very strong statement that it is absolutely not acceptable what it is that Air Canada is proposing to do. I want to make reference to a couple of the speaking notes that were provided to me and why it is that I think that Air Canada does need to reverse its decision.

First and foremost, we need to recognize that Air Canada Public Participation Act, a law that was enacted by parliament in 1988 to ensure Air Canada continued to meet certain public interest obligations following the privatization of the airline. Air Canada Public Participation Act set out two conditions for the privatization of Air Canada. First, the airline was to be subject to the Official Languages Act and second, and this is the one that I would really like to emphasize, is that it would maintain its physical presence across Canada—specifically its head office in Montreal and the operational and overhaul centres in Winnipeg, Montreal and Mississauga.

I believe that there is a moral obligation on Air Canada to maintain its base here in the city of Winnipeg. I'm not as much concerned in terms of the actual number of jobs as I am concerned about the commitment that is made and the message that is given if we do not stand united and send that message to Air Canada. I don't think we need to mince any words. I believe that the Premier (Mr. Doer), using this particular debate, can make that call to Air Canada and clearly indicate that the Province of Manitoba and the people that he represents are not happy with what this corporation is proposing to do. I think that we need to be very clear on that point. I would even suggest to you that, if there is an avenue of any sort of legal recourse, that the Province should be putting itself and digging itself into the trenches and be prepared to play hardball with Air Canada. Madam Acting Speaker, this could be a start.

*(14:40)

I had an e-mail that was sent to me after I had talked to a gentleman, there was a lunch that I participated in this afternoon. This came from a pilot with Air Canada and I'll just quote right from it. It's just a clip that I've cut out: In a nutshell, here are some of our key points. Although Air Canada has not

yet announced any intentions with respect to the pilot base, our 83 members and their extended families feel that the writing is on the wall with the closure of the flight attendant base. The argument is being made by our management that it is no longer cost-effective to have pilots based in Winnipeg.

Madam Acting Speaker, it's such a slippery slope. We have a lot to lose. Air Canada has had a very long tradition here in the province of Manitoba. It has provided many opportunities for many Manitobans. We want it to continue to do so but, when Air Canada makes the types of decisions that it is making today, it is to the detriment in the long-term interest of our province, not to mention the individuals that are currently employed in those sectors. That's why it is, I truly believe, very important that we debated this issue this afternoon because time is of the essence.

I know that employees and families and other interested parties are now out there, looking at getting signatures. In fact, I was provided a petition and I trust that there will be a number of people that will want to sign this petition. I would suggest to you that, if the 57 MLAs in this Chamber were to take it to their constituents and put it on the table, the facts of the matter, we would literally have hundreds of thousands of signatures on this petition because Manitobans as a whole understand what's right.

I'm telling you and I'm suggesting to this Chamber that there is a moral obligation on Air Canada. I would suggest even more than a moral obligation and that's the reason why I suggest that we might even want to look at what legal options we have to protect that industry, to protect the jobs, to ensure that Air Canada does the right thing.

It was in June that Air Canada made the announcement to terminate more than 629 flight attendants and permanently close its flight attendant bases in Halifax and Winnipeg. Fortunately, we're here today in terms of sitting because we had bills that were before us that caused us to sit in September. I would suggest that we should take advantage of that; look at the timing and deal with it head-on.

I believe there are a lot of individuals that could meet with the Premier or representatives of the Premier's office. If it takes an all-party group to fly down to Montreal to meet with Air Canada, I know, whether it's the Leader of the Liberal Party or myself, that we will make whatever arrangements, cancel whatever meetings necessary if it means that

we need to take an all-party approach in terms of going down and getting this issue resolved.

I believe that there are individuals who are there who have the background knowledge, who would be able to very quickly form an all-party group or the Premier being able to take Air Canada on in terms of holding them accountable to the Province of Manitoba.

It was interesting in reading through the fact sheet—I thought it was a very interesting point. It was talking about—and I'll just quote right from the fact sheet: There are a few, if any, administrative costs directly associated with the attendant bases. There are no management or clerical staff assigned to the base. The flight attendants are largely self-sufficient as they access most of their corporate needs on-line from home and at no cost to Air Canada.

In other words, closing the bases will have virtually no cost benefit for the airline, but the impact is very real and is costing and disturbing the lives of many flight attendants today, not to mention other individuals that are looking at what's happening here and saying that this could be happening to us too.

I believe, if we sit down with the stakeholders, that there is an opportunity to try to get Air Canada to reverse its decision. It's a timely issue. It's very critical that we deal with this as quickly as possible. That's why, in discussing it with my leader, it was decided, let's bring this thing through, push ahead. It was so encouraging to walk in and have the Opposition House Leader (Mr. Hawranik) say to me: No problem, we'll do what we can. Then suggested that I talk to the Government House Leader (Mr. Chomiak) who was the next person I had approached, and it was only because of distance, and at the end, the Government House Leader. So the political will, Madam Acting Speaker, is there. I know it. I can sense it. I know that the co-operation is there.

So I guess the plea is that it becomes an issue of timing, and we don't have that much time. If we work together and get a good, solid understanding and attempt to hold Air Canada, and I shouldn't say attempt but hold Air Canada accountable, I believe we can reverse this decision, and look forward to the comments from both the New Democrats and the Conservatives on the issue. Thank you, Madam Acting Speaker, and again I thank the co-operation in making this debate possible today.

Hon. Nancy Allan (Minister of Labour and Immigration): It's my pleasure to put some comments in the record in regard to this very serious situation that is affecting the Air Canada employees and the regional office here in Winnipeg. I wanted to thank the member for bringing forward the MUPI so that we could have this opportunity to speak today and so we could raise some very important matters that have occurred here in Manitoba in support of the Air Canada employees.

The announcement by Air Canada to lay off 630 flight attendants in Winnipeg, Halifax and Vancouver has put the livelihood and the security of many Manitoba families at risk. This has caused a lot of upset amongst the staff at Air Canada, as well as their families and their communities.

Our government does not want to see people losing their jobs, neither do we want to lose the valuable skilled workers that we have here in our province, and we do not want to lose them certainly to other provinces, particularly like Ontario.

Our government is pleased to show solidarity with the Air Canada employees, and I thank them for coming to the Legislature today to participate in this very important debate. Unfortunately, they are the human face of the individuals here in Winnipeg that will be losing their jobs, and it certainly is a very, very unfortunate situation.

I'm pleased to tell the Legislature that our Premier (Mr. Doer) attended and spoke at the rally that occurred here in Winnipeg on the 28th of July at the Air Canada building on Portage Avenue. I had the pleasure and the opportunity of attending the luncheon today with the Air Canada employees and was able to speak personally with many of them that are being affected by this wrong decision. On the 22nd of July, I wrote the federal Minister of Labour. At the time it was Jean-Pierre Blackburn, and I expressed the concerns that we had heard from Air Canada employees and Air Canada's request for an exemption to the Canada Labour Code, their adjustment process.

With the employees facing the possibility of relocation to another jurisdiction on job loss, it is imperative that they receive the full labour adjustment process and appropriate supports as contemplated under the Canada Labour Code to assist them in finding other employment. The federal government listened to Manitoba and Air Canada employees, and they did not grant Air Canada this exemption under the Canada Labour Code.

When this Premier (Mr. Doer) spoke at the rally on the 28th of July, here in Winnipeg, he said very, very clearly that we do not think that the economics in regard to this base closing down made any sense at all for Air Canada, for the employees here in Manitoba, for our economy or for the future of our city.

*(14:50)

Let's look at the economics of these layoffs. CUPE has demonstrated that there are no savings to be made by these closures. In fact, according to CUPE, in order to maintain the current flight schedules, it will cost about \$2 million a year in accommodations and transporting of attendants, and all of this is above and beyond any corporate losses incurred as a result of botched and delayed schedules resulting from these job cuts.

The airline itself has conducted what it calls a base visibility study on the closures. Neither CUPE, nor the attendants themselves were asked to provide input into this study, and Air Canada has refused to release it. If there is a business case for this closure, there should be transparency and accountability, and Air Canada should be willing to release that study, so that it is a public document and we can all have a look at it.

I call upon the federal government to take a leadership role here in order to protect the public from the unscrupulous owners who don't seem to have the best interests of the public in mind. It is time for the feds to update in a meaningful way The Air Canada Public Participation Act which was enacted when the Liberal government privatized Air Canada. Part of the promise back then was that Air Canada would maintain its operations across Canada, specifically in Winnipeg. This act needs to be improved. It needs to have content with teeth and enforcement provisions.

The MLA for Inkster (Mr. Lamoureux) referred in his speech to a moral obligation to keep the regional office open here in Winnipeg. Moral obligations are one thing, and legislation is another. I think that what we really need to do is work in co-operation and collaboration with our federal counterparts, because this is an international issue and a piece of federal legislation that would really put teeth in the legislation so these kinds of layoffs would not happen in the future.

These closures are not going to serve the public and they will harm the workers who are going to lose

their jobs. It will hurt our local economy and it will further undermine the public confidence in the Air Canada brand. If Air Canada will not step up to the plate and do the right thing on behalf of its employees and the travelling public, then I call upon the federal government to force Air Canada into doing the right thing. Thank you.

Mr. Hugh McFadyen (Leader of the Official Opposition): I want to thank the Member for Inkster for bringing the matter forward today and the minister for her comments as well.

As well, we want to express our very profound concern about the decision by Air Canada's head office to move these 145 people from Winnipeg to Toronto. This is a significant decision that has a profoundly unsettling impact on the individuals and the families involved, and it represents a major loss to our city and to our province.

The choice that's being faced by these individuals, the vast majority of whom are women, many of whom have young children, many of whom have deep roots here in Winnipeg and Manitoba and family connections, is something that's very hard to quantify just in terms of numbers.

Speaking from some personal experience, my wife, Jen, and I made the move to Toronto at one point in our life. We spent a couple of years there, made the decision some five years ago to come back here to Winnipeg and Manitoba. I can tell you from that experience, without wanting to denigrate other cities in our country, that Toronto is a difficult place to live in. It's expensive, the commutes are long and the separation from family here in Winnipeg and Manitoba is a very, very serious issue. We were grateful for the opportunity to come back here to Winnipeg and Manitoba. We remember very clearly the amount of pain and disruption involved, inconvenience and cost and all those things that come along with moves, particularly where there are children involved.

So I want to express, certainly, my personal sympathy to the individuals who are being impacted, some of whom who are in the gallery here today, and let them know that we stand with them in fighting against this decision. We are prepared to do whatever we can to try to convince Air Canada, with the time left, that this is the wrong decision for the company and the wrong decision for the families and the individuals that are involved.

I know, Madam Acting Speaker, that even with any adjustment in income comes very high costs of living and a variety of other challenges faced by the individuals in being required to move to Toronto. In some cases, the choice is between taking the offer in Toronto or walking away from a job that's been a very important job and a source of income for them and their families to date.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

Certainly, we know that the hours involved in being a flight attendant are unusual and difficult and already create their own challenges, and to add to that the prospect of long commutes, sometimes as long as an hour, two hours, two and a half hours and the cost of living in that part of the country would be a very significant burden for them.

So we will support efforts to convince Air Canada to change this decision. I'm pleased that, on my behalf, our deputy leader, the Member for Charleswood (Mrs. Driedger), attended a meeting at the airport with the union representing flight attendants back in July. She heard the frustration and the concern and the disappointment of the individuals who were there. The Member for Charleswood, who's also our critic for the status of women, has brought forward this issue as a very significant worry for all the individuals involved. She had the opportunity at that meeting to speak to Steven Fletcher, the Member of Parliament for Charleswood-St. James-Assiniboia and ask that this matter be raised at the federal level as well.

The normal practice, Madam Deputy Speaker, when a company is about to move jobs out of the province is for the Premier of the province to be given advance warning of that decision before, often, the decision is communicated to the employees themselves and certainly before it is communicated publicly. I'm not sure whether that advance warning was provided in this case, but I know that in every case otherwise where a major corporate decision is being made that has been the practice.

We very much want to say that there would have been an opportunity at that time for the Premier (Mr. Doer) to argue in advance of the argument being made against the decision. We don't know if that argument was made and what steps were taken to head the decision off before it was made. We know how difficult it is for companies, after a decision has been communicated and announced, to backtrack on that decision, and so, to attend rallies and photo ops

after the decision has been made is well and good. That's something that we support, but we would also want to know that more action than that was taken, that efforts were taken after the decision was communicated to the Premier to change the minds of those who were behind this decision who clearly don't have any sensitivity or appreciation for what this means to the individuals involved or what it means to our community here in Winnipeg and Manitoba.

We would like to say that while that water may very well be under the bridge, the obligation continues to exist on the part of the Premier to show leadership not just by showing up at rallies when the media is present but by meeting directly with those decision-makers in Air Canada head office to press the urgency of their requirement and our desire to have them change this very negative decision.

We're concerned, of course, about the individuals and the families. We're concerned that they, in leaving our community, will take with them all of the energy and effort that they provide as parents and members of the community and taxpayers here in Manitoba, and we are also concerned that this decision is beginning to represent what appears to be a pattern of head offices moving jobs outside of Manitoba.

We saw, just two days ago, information that we brought into this Chamber that HudBay is moving its head office jobs out of Winnipeg and into Toronto. We saw Agricore move jobs from Winnipeg to Regina in the hundreds. Standard Aero, which has also moved jobs out of Winnipeg. We are concerned that not enough has been done to ensure that Winnipeg and Manitoba are viewed as an attractive place for companies to locate their people and a good place to base operations such as flight attendant operations, pilot bases, maintenance workers, and the many others who are such important members of our community.

* (15:00)

We know that when head office decision-makers look at these calculations, all too often they discount the human impact of their decisions and will look purely at numbers and economic calculations. When you look at those numbers as they apply to Manitoba, the story is not good. We're one of the only provinces in the country that still has a payroll tax which is a tax on jobs introduced by the NDP under former Premier Howard Pawley and carried on by the current NDP government.

It is a policy that sends the message—and I know members opposite are sensitive about this point and they don't want to hear the facts about the various ways that they punish companies that create jobs here in Manitoba but, if they speak to the people who made the decision to locate the canola-crushing plant in Yorkton rather than Manitoba, they will know that factors such as the payroll tax, factors such as the highest income taxes west of Québec and a business environment that is unfriendly to companies is sending a negative message.

So these are all the factors that play into these broader decisions which need to be addressed, but the immediate issue is let's have the Premier (Mr. Doer) show leadership, meet with the decision-makers at Air Canada, explain to them why it is that this is a mistake for our community. It's a mistake for Air Canada that could reduce the quality of service to Winnipeggers and Manitobans and will most definitely hurt and cause considerable distress for the individuals and their families who have been impacted by it. Thank you, Madam Deputy Speaker.

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): Madam Deputy Speaker, it's a pleasure to speak to this matter of urgent public importance this afternoon.

Let there be no question, this government and I believe every member in this House believes that the decision made by Air Canada to close the flight attendant base in Winnipeg is wrong. It is a mistake, and we are hopeful that Air Canada will reverse its decision and it will keep the base open.

We know, Madam Deputy Speaker, that Air Canada, like many other airlines across the country, is experiencing difficult times. The increasing cost of aviation fuel and other inputs have certainly pressed Air Canada and many other airlines, but closing the flight attendant base in Winnipeg and Halifax and reductions in Vancouver does not make any sense, I believe, from the point of view of any individual in this Chamber. Indeed I said so to senior officials with Air Canada when they travelled here to Winnipeg to meet with me last month, and I will talk about that more in just a couple of minutes.

Certainly, we have great concern for the 145 Air Canada employees and their families who are in our community, who are friends, who are family members. I know many of them are here today to express their concerns about this decision.

I was pleased with the tone of the Member for Inkster (Mr. Lamoureux). I know we've had our differences over the years, but I'm very pleased that at least the Member for Inkster had the common sense and the grace to leave this as an issue of Air Canada. I'm very disappointed in my friend opposite, the Leader of the Official Opposition (Mr. McFadyen), who has chosen to politicize an issue which ought not to be politicized. I'm going to get to that in a minute as well.

Just a history lesson, of course, is that Air Canada, formerly TransCanada Airlines, was a Crown corporation. It was owned by the national government for the benefit of all Canadians and for all regions, and it certainly had a mandate to serve the entire country. Indeed there was a time when Winnipeg was the hub, not just for operations, but certainly for maintenance. Of course, the government of Pierre Trudeau in his day decided to move the main maintenance base from Winnipeg to Montreal for political reasons, probably a political decision unmatched until Brian Mulroney came along and took away the CF-18 contract that had fairly been won by Bristol Aerospace in Winnipeg and gave it to the province of Québec.

Now, indeed, of course, most of the flight attendants who are here today, who were at the rally at the Air Canada Centre and who care about their jobs, joined when Air Canada was a Crown corporation. Certainly, we know that, after the policy of deregulation and of privatization, there was tremendous turmoil in the airline industry. We know that Canadian went bankrupt and merged with Air Canada. We know there have been great difficulties and great problems with morale at Air Canada. Certainly, if this is the kind of decisions that are being made on behalf of shareholders, that morale is not going to improve.

So, certainly, we stand, first of all, looking at the history of Air Canada with great frustration that we've now been left in a situation where it isn't a matter that can be raised in the federal election. It isn't truly a matter that can be raised in Parliament, because it's now shareholders far away from Winnipeg, from Halifax, from Vancouver, who now make decisions about the individuals who are affected.

Of course, I have a personal history, having a father who worked with Air Canada for 35 years. Certainly, I literally grew up under the flight path in St. James and, of course, I do have friends who are

flight attendants. I certainly feel very strongly that Air Canada's decision is the wrong one to make.

Now, when the announcement was made, in fact, I wrote immediately to Robert Milton, who's the chairman of Air Canada. We raised our concerns with the decision and we asked for a meeting with senior management. Air Canada, to their credit, responded to that and I met with the senior vice-president, Duncan Dee and some of his officials last month. We had a very candid, a very frank decision, and we put on the record our concerns about the 145 employees and their families. We put on the record our concerns about the effect on service for the city of Winnipeg and the province of Manitoba and the general message this would send to airline passengers in Winnipeg and Manitoba.

I want to tell you that we made a number of suggestions of things we could do to make the base here in Winnipeg even stronger, whether in terms of assisting Air Canada with recruitment, with training, with bilingualism training for recruiting new employees, anything we could do on the human resources side to make Air Canada realize that this was a mistake.

I want to be honest. At this point I'm not especially hopeful that Air Canada is going to reverse its wrong decision, but we are going to continue to work with them to see what we can do. Again, the Member for Fort Whyte (Mr. McFadyen) chooses to politicize this. I can let him know I've had a number of discussions with my colleague, Angus MacIsaac who's the minister in a similar portfolio in the province of Nova Scotia which has a Progressive Conservative government which has also suffered a major loss with the closing of the base and some 170 jobs. I would also like to remind the members opposite that the city losing the most jobs under this decision is Vancouver and, last time I checked, there was a Liberal government in British Columbia.

So certainly, and again, I take the Member for Inkster (Mr. Lamoureux) at face value. This is a matter that certainly concerns everyone in this House and it's not a political matter. It's a human resources matter and we're going to continue working on behalf of these employees.

I do want to put on the record a few frustrations from the meeting with Air Canada. The Member for Inkster mentioned that, indeed, Air Canada is required to maintain a policy of official bilingualism throughout its network even if it's a flight from Winnipeg to Vancouver. I can tell you that the word

we have from Air Canada is that it's a problem finding employees who have the acceptable level of bilingualism, in their view, in the province of Manitoba. It surprises me greatly, but we've promised to Air Canada that we'll work with them if we can assist on that front.

I also want to express my frustration, of course, that Air Canada, over the years, has developed a hub-and-spoke system which, anyone in this Chamber who's tried to fly just about anywhere in eastern Canada or anywhere in the world knows, requires you to travel through the city of Toronto. Not only is it the most congested airport in Canada, not only is it often closed by bad weather or by operational problems, it also happens to be the most expensive airport in all of North America to fly in or out of.

So, certainly, I can assure this House that I put to Air Canada the idea that not only should they not be removing flight attendants' jobs from Manitoba, they should be putting more flights in our 24-hour airport here in Winnipeg to avoid the high cost, avoid the congestion in Toronto and put Winnipeg back on the map as a true centre for Air Canada in this country.

Now, I've put that forward. Again, I don't want to raise false hope with anybody. This is low-hanging fruit. I don't believe Air Canada is going to save very much money from doing this. Again, CUPE has come forward with an analysis that it will actually cost them more money. I don't know what their agenda is or what their reason could be.

Certainly, we stand with the 145 employees and their families, our friends, members of our community. As minister responsible for this file, I will continue to work with Air Canada to continue to put forward this province's advantages, to continue to put forward the advantages of not taking away, but increasing services, and increasing service to the city of Winnipeg.

So, to the employees here today, we stand with you. We'll continue to work with you. It is our hope that we can turn this thing around and get Air Canada to change their decision and keep the flight attendant base open.

* (15:10)

So it is a pleasure to put some words on the record, Madam Deputy Speaker. I will let the next speaker have their turn. Thank you.

Mr. Rick Borotsik (Brandon West): Let me first of all say that the reason for a MUPI which is the matter

of urgent public importance and, in my opinion, this is possibly one of the most important matters of public importance that we have right now—it's the 145 individuals that we're talking about today, but it goes beyond that. It's going to be or possibly have other larger ramifications not only with Air Canada in the future, but certainly other corporations that are now located in Manitoba at the present time.

I think we in this Chamber, all 57 of us, in a non-partisan fashion should fight for every job in Manitoba. We not only fight for the ones that we have; it's called retention, as the Minister of Health (Ms. Oswald) would understand about retention in our province of Manitoba. It's not only the retention of the jobs that we have here but we develop an atmosphere to attract new jobs into this province.

I do take some exception with the Minister of Competitiveness, Training and Trade (Mr. Swan). This is not a partisan issue. This is an issue about Manitoba and how we present ourselves to the country and internationally and I thank the minister—*[interjection]*—I wish it was. I thank the Member for Inkster for bringing forward a matter of urgent public importance.

There are individuals in the gallery here who are going to be affected personally by this. My leader had indicated personal experiences that he had experienced himself in Toronto, and I can honestly say that I have also lived in Toronto for a number of years and, to the chagrin of the opposition, moved back to this province because I know what this province has to offer. Family life is what it has to offer for raising the children, the young children; this province without question has advantages that Toronto and Ontario do not have. So we want to make sure that those individuals not only stay here but they raise their families and continue to live here, so that they can be constructive members of our society here in Manitoba. We should be sitting, fighting now.

I do congratulate the new rookie Minister of Competitiveness, Training and Trade. What I don't do is congratulate at this point in time the Premier and, please, this is not partisanship. If I were the individual who is faced with the loss of 145 very talented, highly paid, very good positions in this province, I would have been as Premier of this province in the office of the CEO of Air Canada immediately.

It wasn't just Air Canada. It would have been Agricore. It would be HBM&S; it would be Hudson

Bay Mining and Smelting. It would be Convergys; it would be Koch, Simplot. It would be any Koch—*[interjection]*—yes, K-o-c-h, Koch in Brandon, Manitoba, any one of the corporations that ever, ever decide to leave this province, the Premier should be in those corporate boardrooms telling those corporations why it is that Manitoba is a much more advantageous place to do business.

Obviously, the members don't like non-partisan discussion. What I'm suggesting is it was handled perhaps not in the proper fashion. The Premier should have been on an airplane to those corporate head offices immediately to show the importance to that corporation just what it is and perhaps bring forward the requirements of federal legislation. But what I've heard so far in the House is that we have a minister who wrote a letter to the federal government. Don't blame the federal government. There are certain solutions within the law, but don't blame the federal government. Get to the corporation and make sure that we can sell this corporation on Manitoba.

The Minister of Competitiveness, Training and Trade should have been here and in those corporate boardrooms before the final decision was made. He's right by the way; unfortunately, he's right. The decision has probably already been made and it's too late after the fact to go and attend rallies. You should have been there prior to the rallies. You should have been there prior to that final decision being made, and I lay that blame not only at the government but perhaps us. Maybe, just maybe we could have looked at an all-party delegation or committee.

Wouldn't that have been a rather impressive opportunity for us to go and talk to the CEO of Air Canada and say we have an all-party delegation here with the Liberals, with the official opposition and with the government of the day, because we're all there fighting for Manitoba and those jobs? That's what we're fighting for, not for politics. That's where we should have been.

We did it, by the way, very successfully, I might add, dealing with the federal government when CFB Shilo was in jeopardy in this province. I was a part of that all-party delegation, albeit from a different political spectrum, but we did it as a non-partisan group. We did it as—at that time it was Premier Filmon. We did it with an official opposition and we did it with the third party and we were successful at the federal level. Why couldn't we have done—why shouldn't we have done that, not only at the federal

offices but also the corporate offices? Maybe we can learn from this.

My biggest concern—we now have a new slogan in the city of Winnipeg, it's the Heart of the Continent. My biggest concern is nobody's going to know that we are the Heart of the Continent. We're losing a very, very important aspect of this community in this province and that's transportation. We lose the flight attendants base, if we lose the pilot base, if we lose the importance of this province to the country, the importance of this city to the country, where does it stop? That's what concerns me the most and that's what scares me the most.

So I don't believe that this should be partisan. I believe we would love to work together to make a change. I believe it's not too late. I really would take the minister to task because if you believe in your heart, Mr. Minister, right now, Competitiveness, Training and Trade, that it's too late, then it is too late but that doesn't mean we can't continue to fight the battle. If you've thrown up your hands and given up the fight then the fight's lost.

So ask my leader, ask the leader of the third party, ask the Premier to get on an Air Canada flight, which I'm sure we can arrange, I'm sure we can arrange an Air Canada flight, get on the flight and go talk to the CEO. Don't go talk to a vice-president who comes here and calls in a junior minister because if you're going to do that then the battle is going to be lost and that is a travesty because if you're going to let that battle be lost how many more battles are going to be lost in this province? And we can't do it. We can't do it.

If you have to go—and the last thing, Madam Deputy Speaker, I'll give a little bit of advice, if you have to go—[*interjection*] Obviously there are lots of people who have lots of opinions now. If you have to go and live in Ontario, I'm sorry, but you can always come back. Come back home. I've come back home twice and it's the best place to raise a family. If you have to go experience, don't enjoy it all that much, but come back home if we lose you, please. I hope we don't lose you. Thank you.

Madam Deputy Speaker: By agreement of the House, the MUPI is now concluded and we will now continue with routine proceedings.

I will now call grievances. Seeing no grievances, we will move to debate on report stage—[*interjection*]

ORDERS OF THE DAY GOVERNMENT BUSINESS

Hon. Dave Chomiak (Government House Leader): Madam Deputy Speaker, with respect to orders of the day I'd like to call debate on second reading of Bill 46 to be followed by report stage amendments of Bill 32 and Bill 37.

Mr. Speaker in the Chair

* (15:20)

SECOND READINGS

Bill 46—The Community Revitalization Tax Increment Financing Act

Hon. Steve Ashton (Minister of Intergovernmental Affairs): I move, seconded by the Minister of Justice (Mr. Chomiak), that Bill 46, The Community Revitalization Tax Increment Financing Act, be now read a second time and be referred to a committee of this House. His Honour the Lieutenant-Governor has been advised of this bill, and I table the message.

Motion presented.

I want to say as I begin my remarks on Bill 46 that this week has been one of the most significant weeks in terms of our Province's vision for our capital city, the city of Winnipeg, a most significant week in probably a couple of decades because, this Monday, we saw the historic announcement of rapid transit—something that takes the original discussions of going from The Forks to Jubilee, gets it done, provides the financing to get it done and, most importantly, establishes a dedicated route to the University of Manitoba and puts in place a template that will allow us to have rapid transit throughout the city of Winnipeg, whether it be bus rapid transit or perhaps some future installation of a light-rail transit.

This, Mr. Speaker, I want to say is something that is backed up by a 30-year commitment by the Province that is related to our Kyoto commitments. We brought in legislation that said we would support the operating cost of transit. It is this government by the way that brought back the 50 percent share of transit that the former Conservative government took out in the 1990's. We increased our funding for transit by almost 50 percent already, a significant increase in terms of capital, but what we did was make a long-term commitment to the future of the city of Winnipeg.

When I look at the kind of support that this government received from the City of Winnipeg and the complete lack of any kind of urban vision opposite—I note by the way that members opposite not once asked the question about rapid transit. They don't care. I tell you one thing—Monday, with the Premier and the mayor's announcement, was the beginning of a very historic era in the city of Winnipeg.

What is the connection with today's second reading? First of all—this is very significant—our bringing in tax increment financing amendments will make a significant difference in terms of urban renewal. One of the reasons that we have the agreement on rapid transit is because of our innovative approach in terms of tax increment finance. In fact, the mayor of the city of Winnipeg has indicated very clearly that our tax increment finance, also known as TIF for short, and the creative way in which we brought in this bill is a key part of it.

By the way, I want to put on the record what is so creative about this. We have had tax increment financing for the last number of years, but there's been no uptake because tax increment finance is a very basic concept. It's been used in various jurisdictions. I look at cities like Chicago, Minneapolis, St. Paul, Portland; there are various communities in Michigan and Augusta, Maine.

It takes the concept that, if you take a vacant lot for example, if you can trigger development that puts housing—let's call it an apartment block. Perhaps it has some combination of market and affordable housing. You take a lot that's worth, say, \$50,000 and you add to it a \$5-million apartment building. The value of that particular property goes up dramatically in terms of assessment.

Now we've had the ability for tax increment finance for the last number of years that would redirect the increased assessment into the actual development of property itself. It's a bit of a chicken and an egg. A lot of these developments, particularly in the downtown of Winnipeg but many other areas, require some additional revenue stream. Once the revenue stream is there, then the assessments go up.

We came out with tax increment finance legislation that clearly allowed municipalities to rededicate that revenue stream. Slight problem—in Manitoba, there's also the school tax. By the way, there used to be two. Thanks to this government, there is now only one, the local tax, and we're

continuing through our property tax credits to even make that more and more affordable every year.

But we have school taxes. Now, we do not want to have anything that would impact on our school divisions. So, obviously, the starting point with the review of TIFs was to say, we don't want any school district in the province worse off because of TIFs. So what do we do? We sat down, and we came up with a very creative approach which says that no school district will be worse off under this.

Take that vacant lot. That vacant lot that I talked about earlier—you pay property taxes both to the municipality and to the local school district. What we've said is, you put up an apartment block, you will still have a payment stream to the school district that is not only no worse off, but one that actually has an indexing over time. We will make sure that that vacant lot, that the school district will get exactly the kind of revenue over the next 10, 20, up to 25 years, that would have taken place without the development.

But what we've done through this legislation is put in place the ability of a municipality, in this particular case, to drive a development would be accrual, the increased value of that property, the increased assessment over and above what that property would have gone up over a period of time and direct that into the development of that property and surrounding areas.

So take rapid transit. You could do it with rapid transit. In fact, it will be done with rapid transit. One of the most exciting things about the announcement on Monday, by the way, is the fact that we will have 12 stations. There's interest already out there about building additional housing and imagine this: Winnipeg, January, a couple years down the line, having the opportunity—*[interjection]*

Well, the Tories, I'm advised, may not be here, but some of us will be around the province in January. Some of us believe that, actually, January is the best month. In Thompson we get the best view of the northern lights in January, some great skiing.

But, anyway, I'm putting forth this vision. It's January. You come out of your apartment in this newly-developed area, you come down the elevator, you walk out of the elevator and you walk right on to a state-of-the-art rapid transit system that will then take you to our booming downtown, perhaps to the new Hydro building, for example. Perhaps you're a student or an instructor, to the Red River College.

Perhaps you'll come down and you'll head off to the MTS Centre for the latest concert or the latest Moose game.

Now, you know what? This is Winnipeg; this is Manitoba. This is a progressive vision for our capital city. I know members opposite don't get it. I want to remind everybody that 1993, not only were they not moving towards rapid transit, they were trying to slow down the current transit system that we have. They cut the 50 percent cost-share to transit in the 1990s. We reinstated it. That is what rapid transit is a continuation of.

That is why, by the way, the combination of the rapid transit announcement and the TIF legislation this week will probably make this one of the most significant weeks in terms of urban policy and vision in this province. I think you'd have to go back. The last time you would have seen something of this significance, perhaps in the development of The Forks. Ironically, at the time, very controversial with some. There was a very healthy debate about The Forks, but I know we've just had a celebration of the 20th anniversary. I know our Premier (Mr. Doer) was Minister of Urban Affairs at the time, was very much involved with that, received a recognition for his side of it. But, you know, if you want to have an urban vision, it's got to start with a commitment—in this case, our largest city, the city of Winnipeg. But it's also got to be done creatively.

Now, how else can TIF be applied? Well, the most obvious example is with our downtown area, and I want to say, by the way, we see huge improvements in our downtown area in the last number of years. Working with the private sector, with the MTS Centre. I was very involved as Minister of Government Services at the time in terms of development of the Red River College, and I know how significant that was, a leading-edge building in terms of the environment that's right in the heart of the city. It led to a dramatic improvement in terms of what's happening in that area. We've seen other important initiatives downtown.

*(15:30)

I want to particularly point to Neighbourhoods Alive! which has now expanded into additional areas, expanded into additional communities—five new communities throughout the province. So we've started. But you know what? I met with the head of CentreVenture. I've met with various city councillors. I've met with people in our downtown areas and throughout many of the North End

communities. One of the things they need—they need more tools; they need more creative tools to do the job. What could be more creative than taking a vacant lot, or perhaps some of the historic buildings in the downtown of the city of Winnipeg—in many cases, have been sitting vacant for 20 years. By the way, Red River College, the vast majority of those buildings that were redeveloped, preserving the historic authenticity of the buildings, had sat empty. One of them for as long as 20 years, it had sat empty. So to my mind, that is what people are looking for.

We have a challenge in the city right now that we haven't seen for quite some time. We've seen an appreciation in property values that's been quite significant. The discussion in the '90s used to be how much has the value of your house dropped. Over the last period of time, in every area of the city of Winnipeg, the discussion is how much has it gone up. What I'm excited about, by the way, every area in the city of Winnipeg, including some of the traditionally most depressed areas, have seen appreciation property values. Some of the homeowners who stuck it out over years and some of the people who purchased houses and redeveloped those houses are seeing some real payback for their statement of confidence in some of the areas of this city. We've seen areas, by the way, that have been declining in terms of population, where we're now starting to see a turnaround. There are more and more people in those areas, and that is hugely important.

Now, one of the challenges that we're dealing with currently, partly as a result of that success, there's a need for more and more affordable housing, whether it be in Winnipeg, or Brandon, which has seen very significant growth. I sometimes wish that the Member for Brandon West (Mr. Borotsik) in his role as Finance critic would actually give credit to the fact that—and as former mayor, he would realize this—Brandon has done extremely well the last number of years, and the Province has been a key partner. The Province has been a key partner.

But you know, the challenge in Brandon, when I go to Brandon, one of the challenges is affordable housing. What's the other challenge, by the way? Redeveloping the downtown area. Sound familiar? But, with Renaissance Brandon, which our government is supporting, there's a real approach of building up the historic downtown area of the city of Brandon. But the challenge is in terms of affordable housing.

Well, how to do you deal with that challenge? We have, thanks to the leadership of our Minister of Housing (Mr. Mackintosh), a very significant investment in housing. But, Mr. Speaker, I want to remind people that we're still catching up. I notice with some interest today the Member for River Heights (Mr. Gerrard) raising questions about poverty. One of the single most negative thing that's happened in terms of poverty in the last 20 years was the decision in the mid-'90s by the then-Liberal government to get out of social housing. We're now dealing with a catch-up of 15-plus years. I see it in Winnipeg. I see it in Brandon. I see it in Thompson. I see it in remote Aboriginal communities. I see it in rural communities. The bottom line is we're continuously trying to catch up. And where it has particularly impacted is in terms of affordable housing.

Now, what can TIF do? Well, take that vacant lot. Take the need to perhaps work with some of the affordable housing programs that are in place, perhaps with the community. You know what the problem in a lot of the cases is? You'll have a gap, \$10,000, \$20,000 per unit, between the costs of building that unit and what you want to be able to charge in the way of rents to the people that need that affordable housing. How do you bridge the gap? One of the advantages of TIF is that it allows for a bridging of the gap, that \$10,000, \$20,000 per unit. Again, it's pretty simple. It's pretty straightforward, but it's pretty innovative as well. You take the increased value of taxes, both in terms of municipal and school taxes, and you redirect that into the development of the property. You know, enough with the chicken and the egg, which comes first. You end up with new housing and new developments.

I also want to stress, by the way, that you also have the ability to look at economic development as well. When I look at some of the creative challenges we're looking at in this province right now—the leadership our government has shown, for example, with an inland port. A dramatic move, I believe, to capture our unique ability here in the province of Manitoba, here in the city of Winnipeg, where we're centrally located. Let's not forget that, many years ago, before the opening of the Panama Canal, Winnipeg was the centre, the rail centre, the transportation centre. That was very much the vision behind the Port of Churchill at the time. But, I believe, now in a world in which intermodal transportation is, it's the way to go. Again, we're centrally located, a Central time zone. We have a

port. We have rail. We have highways, and, thanks to the Minister of Transportation (Mr. Lemieux), major investments. We're seeing on Highway 75, for example, anchoring us as a north-south trade route, which I think is huge. But you know, again, there's the ability, whether it be this or for other developments, for us to put in place TIF legislation that can be used. Again, it's an option. I'm not saying it will be used particularly in this case, but this is about not just redevelopment of our housing, it's about a wholesale, creative approach to the redevelopment of areas that have been perhaps depressed, or potentially for areas that can see a dramatic improvement in terms of that.

Now, I want to stress, by the way, that many other jurisdictions—I met a number of American jurisdictions. I want to point to the City of Calgary which has used provincial TIF legislation. It's revitalizing the Rivers district, that's very important. What's interesting, by the way, TIF has been used there to clean up contaminated sites. We have that ability through the WPA, for example, to do some of that in the downtown of Winnipeg, and we're seeing some very dramatic condo developments in areas that have previously been contaminated. So I want to stress that's a real prospect. I want to stress, too, by the way, that this, I believe, will be something that could be applied throughout the province to any municipality. I expect from experience it will be applied probably in the larger municipalities, certainly Winnipeg, potentially Brandon. Certainly it will be open to Thompson and Portage, the third and fourth largest cities.

But you know what? I don't necessarily think this is only about our urban vision because, you know, quite frankly, we're at an advantage in this province. We all understand, I believe, well, certainly on this side of the House, the fact that we're all in this together. I don't represent a riding in the city of Winnipeg. I'm proud to be from Thompson. But you know what? I understand one thing. Thompson needs Winnipeg and Winnipeg needs Thompson. Thompson needs Brandon and Brandon needs Thompson. We are rural communities. You know, it doesn't matter where you go, we're all interconnected. One of the advantages of the TIF legislation, in my mind is, it builds on the great Manitoba tradition of partnership. This will work, yes, with the municipalities. It will work, yes, with the provincial government. But, quite frankly, it will work with—whether it be Centre Venture, Renaissance Brandon, whether it be community

groups that see ways in which we can redevelop areas. This is huge. You know, I know this is an important issue. I think I want to stress to members opposite that—

An Honourable Member: Where's the stadium going this week, Steve?

Mr. Doug Martindale, Acting Speaker, in the Chair

Mr. Ashton: Well, the Leader of the Opposition (Mr. McFadyen) is asking, I believe, about the city of Winnipeg—

An Honourable Member: No. The stadium. Where's it going this week?

Mr. Ashton: You know, it's interesting the Leader of the Opposition is asking about the stadium. You know, we'll watch over the next evolution in terms of the stadium. But you know what, the ultimate evolution is from members opposite who opposed the arena downtown, voted against it. They had arena envy, I think, Mr. Acting Speaker. You know, what they couldn't do when they were in government, the private sector did. I give the private sector credit, but with the support of the provincial government. Certainly, I know the Leader of the Opposition, I'm not sure what his view is in terms of discussions in terms of the stadium.

But you know, one thing we've proven, unlike the Conservatives, who could only cover losses of a sports team, we have understood the advantage of working with the private sector. I think the MTS Centre is probably one of the most successful examples of, in this particular case, an arena which is booked. I think it's got some of the highest booking days per year. I mean, look at the tremendous range of musical acts that are coming into town: Elton John this weekend, *[interjection]* Iron Maiden, *[interjection]* Oasis, *[interjection]* Rush. You know, I look to the Minister of Education (Mr. Bjornson) because I think he's been to every single rock concert that's been at the MTS Centre since it came here.

But you know what? I mean, there was a time when we weren't on the map like that. But we are. You know, we were criticized at the time. I mean, they slammed us. They said this was not going to work. Now, of course, the Leader of the Liberal Party—you know, I love the Liberals because they give you lots of choice. They've got two positions on every issue. They've got two positions. They had two positions on this, as well, too.

* (15:40)

But you know what, I think I got off-track because the Leader of the Opposition was baiting me a little bit here. But, you know, the bottom line here is that I think most Manitobans will watch with interest discussions in regard to the stadium over the next period of time.

But you know what? The advantages with this government, by the way, just as we did with the MTS Centre, we have an open mind. We work with the community and we build things. We get things done. Wasn't there a headline a few days ago: Building boom in Manitoba? You didn't get that in the 1990s.

In 2008, I hear a lot of people saying: Where are we going to find the labour force? That's the challenge. That is a real challenge out there, but we've proven—by the way, another question they were asked about was the floodway. We've reached one-in-500-year flood protection as of this fall. That is huge. Again, it took an NDP government to understand the ability to go from the kind of protection we had, which just barely saved us in the '97 flood, one of the most successful mitigation measures ever in the history of this country, probably in the world, and now we're building on it.

Again, I remember when they asked questions. They asked more questions on the floodway than they did on health care in one session. I was the minister; I remember that. They attacked it. It was never going to work and it was never going to be on time, never going to be on budget. One-in-500-year protection—done—and we're going to one-in-700-year protection.

Mr. Speaker in the Chair

I digress, but I want to stress that TIF is in the same category. Now I've had the opportunity to brief the opposition critic. I think that's something that the members opposite will be discussing. I want to put forward my hope that—and I know the opposition critic will be raising this with his caucus—consideration will be given to speedy passage of this bill. It is part of—and I mentioned this earlier—the rapid transit development. It's key to the development of the downtown—*[interjection]*—the member opposite calls it speedy introduction.

If they want to drag this legislation or any other legislation, they have the right as an opposition. I've always felt—I haven't been in opposition myself—that oppositions do best when they realize they've got a thousand and one tactics, but the ones you use are the

ones that actually make sense. You don't just use tactics for tactics' sake.

If it's good legislation, pass it. If you think it's bad legislation, delay it, oppose it and, in this particular case, I would urge members to recognize it works in other areas. In fact we've taken it one step further. This is a made-in-Manitoba, tax-increment-finance, innovative solution. I know it bothers members opposite that once again the NDP's being innovative. I know it bothers them.

They've appointed a city of Winnipeg critic actually. What's interesting, they never once asked a question. They never asked a single question on rapid transit, not one. It was in the public arena for quite some time. Not one question. I sat here; I had my notes ready. I was fully briefed. I was waiting to get up and say, we're working on it. You know what? The members opposite said, rapid transit, oh, transit. They're buses. I know they don't believe in buses. We know by their record they don't have much—oh, they're going to get around to it, yes.

I guess when you're driving in your Mercedes downtown—actually, the funny part is some of the members opposite will realize the car drivers will benefit through this. It'll take a lot of congestion off Pembina Highway. If you've ever been on Pembina Highway—and, by the way, I've been on Pembina Highway in a car and a bus, just so people know. On the record, I do take the bus. I know what it's like to be on a bus.

Do you know how long it takes on Pembina? One of the advantages of rapid transit is everybody benefits. The environment, No. 1, the people that can travel faster and, across North America by the way—*[interjection]*—the member opposite's all about walking. I forgot to mention this has a dedicated commuter bike path as well, so I look forward to the member opposite perhaps driving his car into the city, parking out on the Perimeter, taking a bus. Maybe he'll park at the University and maybe he'll cycle downtown afterwards to show his commitment to active transportation.

This is innovative. This is Manitoba being on the leading edge. The rapid transit system by the way—across North America right now, the average time of a commute by car is half of what it is by bus. There are wide areas of this city where I've talked to people, people I know. Members opposite don't, perhaps, get this because they don't have much of a City of Winnipeg caucus right now, but I know a lot of people would take the bus if it provided the kind

of convenience, and if, particularly, it was fast, as fast or faster than cars.

In this particular case, it's not only going to benefit the South End of the city, it's going to benefit every part of it. If you're a student at the University of Manitoba and you live in the North End, it's a long, a long way to travel. I tell you, I used to go bad enough coming from Thompson to go to university, but I knew once I was in the city, I would have to find a place of residence or close to the university. But there are a lot of people living in the North End of Winnipeg for whom it's a long trip. It's going to make a big difference for them. They're going to be able to hook up from the downtown and it will connect. A lot of people in the South End of the city, the City is already talking about the connections from the different residential areas.

Our goal, by the way, is to get to the point where people have a real choice, a real choice of an affordable, accessible transit system, or the automobile. Every time you get somebody to take a bus voluntarily—we're not like the Liberals federally, you know, with their carbon tax, green shift and all this. I don't think they get, by the way, that if you really want to deal with Kyoto and the environment, one of the key ways is to give people opportunities to do it the right way. In this particular instance, if you build a rapid transit system, I really believe that they will come. They will use that rapid transit system. It will make our transit system more efficient. It will put us on the map.

I think it will demonstrate again, Mr. Speaker, that there's one party in this Legislature that has a vision for the city of Winnipeg. We've had it going back to the 1980s and going back to the 1970s. I look at Ed Schreyer and Unicity. This week—mark it in your calendars—this month is urban vision, urban policy week, rapid transit on Monday, the TIF legislation on Wednesday. If the members opposite see the light on this, perhaps we can pass it, expedite it. We can pass it all the way through this week. But, you know, I leave it to them. If they have a vision, even a little bit of an iota of a vision, they will see that the TIF legislation is, I believe, brilliant in its simplicity. No school district worse off, but our municipalities better off because we will be able to use creative finance. I use that, by the way, not in the quotation side. Creative finance, I actually believe that what we did on rapid transit is creative finance. It's called: We said to the City of Winnipeg, we'll fund 50 percent, and we're doing it over the next 30 years. That's creative financing.

Now, I know members opposite have a problem with the term "creative." Okay, they haven't come up with a creative idea in, certainly, in the time they've been in opposition. I think it's about—you know, they'll throw back the floodway in the '60s. You know, I have respect for Duff Roblin. They're not Roblin Conservatives, believe you me. They are not Roblin Conservatives.

So you know what, Mr. Speaker? I'm proud to be part of a government that has a vision for our urban centres. This is not just about Winnipeg; it's about Brandon; it's about Thompson; it's about Portage. It's about all our municipalities. I would suggest that the bottom line here is we have an opportunity to make a huge, a huge opportunity to move forward on this particular legislation.

You know, I know things like taxes and finance can seem pretty dry stuff. But I'm really excited because behind this bill is going to be rapid transit. Behind this bill is going to be affordable housing. Behind this bill is going to be economic development, tax increment financing, TIF. Remember that term because, over the next number of years, you're going to see TIFs that are going to drive dramatic development in this province. Yes, it was brought in by our NDP government, but I invite members opposite, in the spirit of rapid transit, to get on board at this station and join with us in an exciting journey for this province.

Thank you, Mr. Speaker.

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, I was watching the minister very carefully during that diatribe and, I could be wrong, but I think he delivered that speech all in one breath.

But, in any event, I move, seconded by the Member for Pembina (Mr. Dyck), that debate on Bill 46—[*interjection*]

Mr. Speaker: We have a little difficulty here because, if a member is moving an adjournment and has started to move an adjournment, but the member has spoken first and then moved the adjournment, so either the member is speaking or he's moving the adjournment. I'll give the member an opportunity here. The honourable Member for Lac du Bonnet, I'll re-recognize you.

Mr. Hawranik: Yes, thank you, Mr. Speaker. I move, seconded by the Member for Pembina (Mr. Dyck), that debate be adjourned.

Motion agreed to.

* (15:50)

DEBATE ON REPORT STAGE AMENDMENTS

Bill 32—The Personal Health Information Amendment Act

Mr. Speaker: Resume debate on report stage amendment, Bill 32, The Personal Health Information Amendment Act, standing in the name of the honourable Member for Lac du Bonnet (Mr. Hawranik). Is there the will of the House for the amendment to remain standing in the name of the honourable Member for Lac du Bonnet?

Some Honourable Members: No.

Mr. Speaker: No, it's been denied? Okay.

Mrs. Myrna Driedger (Charleswood): Thank you, Mr. Speaker. I'm speaking today about the amendment that was put forward yesterday by the Minister of Health (Ms. Oswald) on Bill 32, and this has certainly been a review of legislation and changes to earlier legislation that has been a long time coming. In fact, when the original legislation was put together, a review was supposed to have been done five years after that. Within a year, a report was supposed to be forwarded to this Assembly and here we are, quite a number of years again later, where this legislation is finally being amended.

The minister did indicate that the 10-year mark was a great time for it but I think she has missed the deadline by some years. This is something that really should have been done quite some time ago because this legislation has caused a lot of concern in Manitoba. There have been a lot of people that have certainly expressed concern over many years about the fact that this whole legislation turned into "PHIA-noia". It was more about the interpretation of the legislation than it was about the legislation itself.

Having said that, what this review now will do is clear up some of those problems that we've had with the earlier legislation, and it will address some of the concerns that many people have had because this will open up the opportunities for people to receive a little bit more health information and with the amendment will set out criteria as to how that information is given out to the public. I certainly do support that and I do support the fact that there will be criteria set out concerning consent because I think what we do need to do is ensure as much clarity with this act as possible.

I am speaking in favour of the amendment and I'm glad that it was caught in time before this legislation went forward because I think there are a lot of families out there, in particular, that feel a great need to have a voice in the say of what is happening with health care of their loved ones.

I want to just briefly mention two names and that is Mimi Raglan and Blake Taylor, two people that have really put their heart and soul into trying to address some of the challenges that they have had as family members trying to deal with a family member about this legislation, the restrictions this legislation put on them, so that they were shut out of being able to get involved and understand and make recommendations about the health care of a family member. It was a very gut-wrenching process for them and I do give them credit because they never gave up the struggle, and it was a struggle for them. It's certainly sad that they had to fight so hard for so long but I'm glad that in the end the government finally did listen and that the legislation has come forward and that the amendment has been added before this has gone any further.

So I certainly speak in favour of the amendment today. I would just add that it is an interesting amendment where it talks about making more information available to family members. It puts a time frame on that, and it comes at a time when we continue to struggle with this Minister of Health and her department in getting timely information from them.

We have often been put through a lot of challenges ourselves, and I know, in speaking to the media, they have as well. We've seen a ramped-up effort by all of us in the last number of years in trying to get information. We're being forced to go through freedom of information to seek the information we need. We're always delayed. There are times when probably we should never even have to go through that process, that a report should be forthcoming.

I would like to give the minister credit today for, after the questions that were asked today in the House—ensured that the maternity care task force report was put up on-line as it was supposed to have been and she also did forward me a copy without me having to go through Freedom of Information to get it, a hard copy of the report.

So maybe we will see some more of that kind of behaviour from her and her department in providing health information, because this is all about

accountability and transparency. I know sometimes with PHIA, as an example, we walk a fine line but I think that this legislation hopefully has been able to do that. I suppose we will see over the next five years as to whether or not it achieves its goals, but certainly that's the intent. I think in the end it should be better for patients and for their families. Thank you, Mr. Speaker.

Mr. Doug Martindale, Acting Speaker, in the Chair

Hon. Jon Gerrard (River Heights): I rise to provide a few brief comments. I support the amendment of the Minister of Health (Ms. Oswald) in this respect. I also want to say a thank you to the Minister of Health for moving to the 24-hour access that we have been asking for for quite some time. This is a significant step forward and it's come as a result of the work of many. Of course, I've been a strong advocate for that, but people like Mimi Raglan, Blake Taylor, Leslie Worthington, Danica Terziski, Tracy Weber and many others have also had an important role in raising awareness and consciousness and pushing for these changes which are going to happen. I'm pleased that we're taking this step forward. Thank you.

The Acting Speaker (Mr. Martindale): Are we ready for the question? Yeas and nays on the amendment to Bill 32, The Personal Health Information Amendment Act. All those in favour, say yea.

Some Honourable Members: Yea.

The Acting Speaker (Mr. Martindale): Is it the pleasure of the House to adopt the motion? [*Agreed*]

REPORT STAGE AMENDMENTS

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

The Acting Speaker (Mr. Martindale): Bill 17, The Environment Amendment Act, standing in the name of the Minister of—I'm sorry, 37. Report stage of Bill 37.

Mr. Kelvin Goertzen (Steinbach): Thank you, Mr. Acting Speaker. I was just looking for clarification. I'm sorry, I didn't hear you calling the bills. Can you, just for clarification, indicate to me which bill we're doing amendments on?

The Acting Speaker (Mr. Martindale): We're now debating amendments to Bill 37, The Lobbyists Registration Act, et cetera.

Mr. Goertzen: Thank you.

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Acting Speaker, I just want to share that the intervention by the Member for Steinbach was in no way to be construed as a filibuster.

I want to just move the first of several proposed amendments to Bill 37.

I move, seconded by the Member for Steinbach (Mr. Goertzen),

THAT Bill 37 be amended in Clause 3(2)(d) of Schedule A by striking out everything after "Assembly" and substituting "by or on behalf of a person respecting a personal matter;".

Mr. Speaker in the Chair

* (16:00)

Mr. Speaker: It's been moved by the honourable Leader of the Official Opposition, seconded by the honourable Member for Steinbach,

THAT Bill 37—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. McFadyen: This is a relatively minor amendment to, I believe, capture the intent of the section of the proposed Bill 37 that deals with the requirement on the part of people who are defined as lobbyists to register with respect to their lobbying activity.

Mr. Speaker, we have a number of concerns, broader concerns with the substance of the bill, but the particular concern with the provision as it was drafted was that it could capture communications between members of this Assembly and regular Manitobans with respect to matters of personal interest to those individual Manitobans.

Our understanding of the intent of the bill, and we believe there is agreement among parties with respect to the intent of these provisions, is to capture activities on the part of the so-called hired guns, those who are out there making a living attempting to influence decisions of the government or this Legislature. It's not intent to create red tape for regular Manitobans who want to bring forward concerns to their representatives here in this

Assembly. The relationship, as has been very well articulated by many members of the Legislature here in Manitoba and in other parliaments and legislatures around the world, is the very important relationship and role that members of Parliament and members of the legislative assemblies play as advocates for their constituents here in the Chamber.

That relationship between members of the Legislature and their constituents is an important one. It is vital to the proper functioning of our democratic system that citizens feel free to approach their MLAs on matters that are of importance to them and their community. So, as drafted currently, there's an exemption built into the bill that covers communications between MLAs and their constituents, but there are very many cases where MLAs have conversations or receive information from individual Manitobans who may not live within their constituency but who may feel the need to have a matter brought forward in some way.

So this amendment is simply an attempt to clarify the language of that exemption to ensure that a regular Manitoban communicating with an MLA on a routine matter is not required to register under the act and will not, by virtue of any innocent omission on their part to register, doesn't get caught up with some inadvertent offence with respect to the act.

So, Mr. Speaker, we want to see Manitobans feel free to communicate with MLAs. We want them to know that they can communicate with MLAs of any party representing any constituency if they feel that that's what's required in order to bring forward an issue that is important to them. So it was simply a clarification or an attempt to deal with the apparent narrowness of the current section in the act and an attempt to ensure that regular citizens of the province of Manitoba have direct access to their elected representatives here in the Legislature without getting caught up in the registration requirements that apply more properly to those who are professional hired guns, representatives of industry associations, and others who make a living lobbying and attempting to influence government policy.

So we would, and I would ask members to support the amendment. We believe it provides important clarification to this provision of the act and certainly makes it a better act and reduces the likelihood that Manitobans who are wanting to communicate with their MLAs, and have a fundamental right to communicate with their MLAs

without that having to be registered for all to see, feel that comfort and know that that is a relationship that is sacrosanct and that their MLAs are completely free to represent them as their advocates here in the Legislature.

So, Mr. Speaker, I urge members to support the amendment and will certainly look forward to all MLAs supporting a common sense clarification and improvement to this section within the act. Thank you.

Mr. Goertzen: Mr. Speaker, I appreciate the opportunity to simply speak to the amendment that the Leader of the Official Opposition, the Member for Fort Whyte (Mr. McFadyen), has put on the record. He described and he characterized it as a minor amendment. Perhaps, I think, he may have been a little modest. He may have spoken to the length of the amendment in terms of words, but it is an important amendment, I believe, for all of us as MLAs, not simply for members on the opposition benches, but, certainly, for government members as well because each of us will have the opportunity to have Manitobans who may not be our constituents—and I understand that the bill generally makes recognition that constituents dealing with their own MLAs would be exempt from the act—but there will many times when individuals who are not our constituents would come to us with particular matters.

Many of us—really, all of us—deal with different sorts of roles here in the Chamber either as critics or as ministers, and on the basis of those individual responsibilities, we would have people who wouldn't be our constituents but who would be touched by the individual roles that we play in the Legislature who may want to communicate with us in those roles. Certainly, if somebody was coming to me who wasn't a constituent but wanted to speak about, you know, the need for a community hall, for example, in their area, I don't think that the intention of the act would be to capture them but to make them register as a lobbyist. Somebody had a health concern and they wanted to speak to the critic or the minister responsible regarding that health concern. Certainly, just because they weren't a constituent of the member in question, they wouldn't want to, obviously, register as a lobbyist to have their individual health concern dealt with.

I don't believe that it was the government's intention to draft legislation that would capture those individuals acting in that fashion. I suspect that this

amendment would bring greater clarity. We know that sometimes legislation has unintended consequences, and it's important that each of us in looking at legislation think down the road to ensure that unintended consequences don't come from the bill and then we have to come back and try to correct it then after there's already been some challenges.

We sometimes use the term "friendly amendment" in the context of this Legislature or in committee, and I'm sure that the government, the Government House Leader (Mr. Chomiak), the member who is sponsoring this particular piece of legislation, if you looked up the term "friendly amendment," he would find that the definition fits very well into what this amendment is looking to achieve because we always have to recognize that we are elected by individuals but we have a broader scope.

We have to look after concerns that reach well beyond our constituencies. We know that even with redistribution there'll be individuals who may end up in a certain riding who'll want to speak to who they believe might be their MLA after the redistribution or vice versa. Those individuals should feel free to go and raise concerns with MLAs in this Chamber, in this House without worrying about whether or not they have to go through a bureaucratic—a hoop of registering as a lobbyist, which all of us, I think, would be considered to be absurd and not the intention of the legislation.

I look forward to all members of the House supporting this amendment brought forward by the Member for Fort Whyte.

Hon. Gord Mackintosh (Minister of Family Services and Housing): I move, seconded by the Minister of Finance (Mr. Selinger), that debate be adjourned.

Motion agreed to.

Mr. Speaker: Okay, we'll deal with the next amendment.

Mr. McFadyen: I move, seconded by the Member for Steinbach (Mr. Goertzen),

THAT Bill 37 be amended by replacing Clause 5(1) of Schedule B with the following:

Clause 49(1)(c) is replaced with the following:

(c) sets as election day a Tuesday

(i) that is 28 days after the date the writ is issued, in the case of a fixed date election, or

(ii) that is at least 28 days but not more than 35 days after the date the writ is issued, in the case of any other election.

* (16:10)

Mr. Speaker: It has been moved by the honourable Leader of the Official Opposition, seconded by the honourable Member for—

First of all, for 5(1) clause 49(1c). Can we add 5(1)? *[Agreed]* Okay, so that will be added.

It's been moved by the Honourable Leader of the Official Opposition, seconded by the Honourable Member for Steinbach (Mr. Goertzen),

THAT Bill 37—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

THAT Bill 37 be amended by replacing Clause 5(1) of Schedule B with the following:

5(1) Clause 49(1)(c) is replaced with the following:

(c) sets as election day a Tuesday

(i) that is 28 days after the date the writ is issued, in the case of a fixed date election, or

(ii) that is at least 28 days but not more than 35 days after the date the writ is issued, in the case of any other election.

Mr. McFadyen: The intent of this amendment is to move as closely as we can within the parameters of the Constitution toward providing certainty around election dates. That includes certainty not only around the voting day for the election but for the start date for the election campaign.

The existing Bill 37, introduced by the government in controversial circumstances and in a controversial fashion, contains within it flexibility on the part of the government to call an election anywhere between 28 and 35 days in advance of the set election date, and that date has been established, in the case of the next election, as being in June of 2011.

We support the principle of set election dates. We recognize that, under the Constitution of our country, that there are residual powers that rest with the Monarch as represented by the Lieutenant-Governor to dissolve the Legislature and call an election on the request of the government. Certainly that has been illustrated in recent times. We see some

of the challenges of trying to create a legally binding framework with respect to set elections. But we, notwithstanding that constitutional challenge, want to provide as much clarity and as much consistency within the legislative framework in Manitoba as we possibly can.

We believe there's no reason to leave a range in terms of the length of the election period of 28 to 35 days. If you're going to have a set date for the election then have a set date for the start of the election campaign as well, which will allow political parties, volunteers, those who work for Elections Manitoba in the administration of election campaigns, the media and everybody else to have the same amount of knowledge about the start of the election campaign as possible.

It provides a number of other practical benefits in that we can then provide certainty around the ban on government advertising in the lead-up to an election campaign and provides other benefits as well, in terms of clarity around what the rules are, both in the lead-up to and in the course of election campaigns.

We have a highly regulated environment for election campaigns which is appropriate to ensure fairness of elections. We should also have certainty around the length of election periods. What this amendment does is it takes some of that discretion away from the government of the day, whoever it may be, and ensures that all Manitobans will know when the campaign will start as well as knowing when the voting date will take place.

We know with changes that have been brought in to allow for voting in advance polls, that there is no such thing as a single election day anymore in Manitoba or Canada. That there's a range of dates that Manitobans and Canadians are allowed to go and exercise the most important right that one can imagine; that's the right to select those who will govern them. That range of dates provides that flexibility, enhances the ability of Canadians and Manitobans to get access to the polls.

So, while we're going about the work of improving our democracy, why not provide a set start date for the election period, 28 days in advance of the voting day? That then takes away some of that ability on the part of the government, if they were so inclined, to play games with the start of the election period and certainly provides a degree of certainty to all of the people, the many hundreds of Manitobans who come forward to work on election campaigns

either as volunteers for one of the parties or as people who act on enumerations on voting day and in so many other important capacities to make our democracy work well.

I would submit that this is as close to a friendly amendment as we will see. As well, that it certainly is consistent with the stated intent of the bill.

I know the Premier (Mr. Doer) made a lot out of the set date for the election on the day the bill was introduced. I recall a large photograph in the *Winnipeg Free Press* the following day of the Premier dropping a ballot in the ballot box. I know that the Premier would want to be seen to be consistently on the side of transparency, clarity and certainty when it comes to the conduct of elections here in Manitoba.

I know that they believe the rules should apply to all parties equally, not just the party in power at any given moment in time, and that is why I would encourage them to support this friendly amendment to Bill 37 to provide certainty, not only in terms of the date of the election but also the start of the election period.

So I would invite members to support the amendment and to be on the side of making democracy work better for all Manitobans. Thank you, Mr. Speaker.

Introduction of Guests

Mr. Speaker: Before recognizing the honourable Member for Steinbach (Mr. Goertzen), I would like to draw attention of all honourable members to the public gallery where we have with us Mr. Sterling Lyon who is a former premier of our wonderful province of Manitoba.

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

* * *

Mr. Goertzen: It's a pleasure to speak today and now more than ever because with Mr. Lyon in the gallery, as someone who was a bit younger in politics when Mr. Lyon was running the province, certainly, I appreciated the contributions that he has made to Manitobans and to this Legislature. I know that we often remark on the leadership that he provided this province in his tenure as Premier of Manitoba, and we welcome you here today, sir.

In regard to the amendment before us, Mr. Speaker, I want to thank the Leader of the Official Opposition for also bringing forward this carefully considered amendment.

The principle of fixed election dates or set election dates is simply that there be certainty, that there be certainty for those who are running a campaign, considering running a campaign, for those like Elections Manitoba who would be involved in the operation of a campaign.

I suspect it was an oversight by the government when they drafted this legislation by not setting a specific time frame for that election. Instead of having 28 days, as is proposed, they decided to leave some degree of ambiguity and to have it between 28 and 35 days, which really strikes against the principle of the bill which is to bring certainty to elections for those who are running, those who are volunteering and those who are operating the election.

There's been some debate about how committed the Premier truly is to set election dates in the province of Manitoba. We know that he held a previous position regarding set election dates up until the spring of this year, and there are other things that were attached to this bill that may have caused some to be suspicious about the set election date provision. But regardless, if we're to take the Premier at his word that he truly is committed to the principle of set election dates, in fact he would agree with this amendment to ensure that not only the end date of the race is known but the start of the race is known.

One could imagine, if you wanted an analogy, Mr. Speaker, we saw the summer Olympics this summer. If there was a race being held and some of the participants were told where the race would end, but only one was told where it would begin, that certainly wouldn't be in fairness and that wouldn't be the principle of what a race is intended for. So we hope that the government will consider this to be a friendly amendment.

There's another portion to the amendment that deals with the length of time for a by-election. We know that, under the current proposed legislation, 39 days would be the prescribed time for a by-election. This would reduce it to no more than 35 days and certainly that, at the extreme end, whether it's between 28 and 35, 35 days seems long enough for a by-election.

We know that, in the context of a general election, there are more challenges with getting operations running for all provincial parties who are running in the election. A by-election is a little bit different in that it's more localized. So I think that's an important part of it.

* (16:20)

Just to conclude, I would note the Member for Fort Whyte (Mr. McFadyen) brings forward an important point about government advertising. If we can ensure that we know when the election is going to start, not just when it ends, then those who have booked ads within government departments and placed those ads can ensure that they're withdrawn in the appropriate time.

I know, Mr. Speaker, that there was an incidence in the last campaign where government ads were still running on the first day of the campaign, and while the government said that it was a mistake and they would correct that mistake, certainly, by accepting this amendment, we could ensure that that mistake doesn't happen again. Thank you very much.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for—

Some Honourable Members: Floor.

Mr. Speaker: I put the question.

Some Honourable Members: Floor.

Mr. Speaker: I put the question. I had started to put the question; I hadn't completed. So, in the spirit of co-operation, is it okay if I recognize the honourable member for Family Services and Housing? In the spirit of co-operation. Agreed? *[Agreed]*

Mr. Mackintosh: I move, seconded by the Minister of Finance (Mr. Selinger), that debate be adjourned.

Mr. Speaker: It's been moved by the honourable Minister of Family Services and Housing, seconded by the honourable Minister of Finance, that debate be adjourned. Agreed? *[Agreed]*

Next amendment, please.

Mr. McFadyen: I move, seconded by the Member for Steinbach (Mr. Goertzen),

THAT Bill 37 be amended in Clause 6 of Schedule B by replacing the proposed subsection 49.1(1) with the following:

Powers of Lieutenant Governor preserved

49.1(1) Nothing in this section affects the powers of the Lieutenant Governor, including the power to dissolve the Legislature in circumstances where the Lieutenant Governor reasonably believes that the government has lost the confidence of the Legislative Assembly.

Mr. Speaker: It's been moved by the honourable Leader of the Official Opposition, seconded by the honourable Member for Steinbach,

THAT Bill 37—dispense?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mr. McFadyen: The intent of this amendment is to provide some further direction and clarification to both the government and the Lieutenant-Governor with respect to the circumstances where an election could be triggered outside of or on a date other than what the legislation provides as the set election date.

So, on the assumption that we are operating with a June election every four years, we know that there will be circumstances where elections take place on dates other than what has been provided for in the legislation. The reason for that goes to the very fundamental structure of our government and the powers that reside with the Crown through both convention and through the written constitution of our country. These are important powers. They're fundamental to the structure of government that we operate within, not as a republic but as a constitutional monarchy.

Mr. Speaker, we know that the Lieutenant-Governor reserves the power to call elections at the discretion of the Lieutenant-Governor, but that that power is exercised only at the request of the government of the day, the democratically elected government of the day. That power is an important one. To chip away at it is neither appropriate nor within the scope of the power of this Legislature. We believe it's important, therefore, to be clear within the legislation that what we are talking about, insofar as we enshrine set election dates, is consistent with the constitutional structure and values that our country and province are based on.

So this amendment changes the proposed section 49.1(1) of Bill 37, which states only that nothing

impacts on the power of the Lieutenant-Governor. We believe it's important in order to give some more strength to the idea of set election dates to be clear that what we're referring to, what the Legislature is referring to, when we discuss this section in the event it should ever be considered by a court or by a future Legislature, that it is viewed within the context of a desire on the part of the Legislature to provide certainty and consistency with respect to set election dates.

So what that means is that we have explicitly included within the legislation acknowledgement that, in virtually any case, the Legislature would be dissolved, an election would take place only where the government had lost the confidence of the Legislature.

That is always the right of the Legislature as elected members, the right of the government, to carry on and exercise its powers as founded on its having the support of the majority of members of this Legislature. It may be that, in a minority government situation, on any given initiative before the House, the majority of members of the House decide that the government has lost the confidence of the Legislature. Should that take place, there should be an election and the people should have the right to reconstitute the Legislative Assembly in accordance with their will.

It could even occur in circumstances where there is not a minority government, in circumstances where the government of the day has lost the confidence of members of its own party. That we know, Mr. Speaker, has taken place in the history of this province. It wasn't that many years ago. I note the Premier (Mr. Doer) only reads the history of the 1990s but, if he goes back and reads the history of the 1980s as well, he will know that it was a member of his own party voting against his government that resulted in an election campaign and a change for the better for the people of the province of Manitoba. Certainly, that would be the submission of this member of the Legislature. I know many Manitobans came to the polls and spoke very loudly about the desire for change.

So the government must maintain the confidence of a majority of members of this Legislature to continue to govern. In the event that it should lose the confidence of the Legislative Assembly, the Lieutenant-Governor must exercise his or her power to dissolve the Legislature and issue writs of election and have an election in the province.

This amendment simply makes it clear that, when we move away from the principle of set election dates, it should be done primarily only in the circumstance where there's been a loss of confidence, and then that power wouldn't be exercised in other circumstances unless they are highly unusual circumstances.

So, to provide that clarification, we believe it gives Manitobans more confidence in the commitment of members of this Legislature to having set election dates and makes it clearer that we are contemplating only a situation where there's been a loss of confidence in order for us to make an exception to the rule about the set date for the election.

We believe it strengthens the legislation. We believe that members opposite will want to support it, because it will be consistent with what they have said on the record to date with respect to their reasons for advancing these provisions within Bill 37.

So I would urge all members to consider and ultimately support this amendment to strengthen the bill and provide more certainty and confidence to the people of Manitoba. Thank you, Mr. Speaker.

Mr. Goertzen: Mr. Speaker, I also want to put a few words on the record regarding the amendment brought forward by the Leader of the Official Opposition and support the amendment.

We all have a responsibility here as legislators to ensure that bills and pieces of legislation that we bring forward will stand the test of time in terms of how they are drafted and how they are put into practice. While all of us, because of the virtue of our positions and our experience in politics, probably have a fair understanding that where the Legislature or a Parliament has lost the confidence of the majority of its members, that would trigger an election either by the Lieutenant-Governor or the Governor General.

In fact, we can't always imagine the circumstances in the future, different governments, different compositions of the Assembly, where something might cause confusion or uncertainty. So it's incumbent upon us in all pieces of legislation, whether it's dealing with elections or dealing with finances or dealing with justice bills or health bills, that we do our level best to ensure there's clarity and certainty within those pieces of legislation, not as a service to us necessarily, but as a service to those

who will come after us and serve in our places here in this Assembly, bringing clarity to ensure that the discretion isn't able to be arbitrarily applied by the Lieutenant-Governor in terms of the dissolution of the Legislature, to ensure and bring clarity to the fact it's only when there is a position, a situation where the Assembly has lost confidence in the government, because we know that a Legislature cannot continue to operate in our system where the confidence doesn't exist in the government by the members that represent it, or by all the members collectively in the House where that majority doesn't provide the confidence for those in the governing party.

* (16:30)

So I appreciate the fact that the Leader of the Official Opposition (Mr. McFadyen) has taken time and applied his legal and constitutional and parliamentary knowledge to the bill to ensure that it can be strengthened and made better, and that the true intentions of the bill can not only go forward and be seen here today, but stand the test of time when there are others who are forced to live with our bills. That's often the case, Mr. Speaker. I'm sure that parliamentarians who come after us might look at legislation and wonder how is it that that piece of legislation made it through the Chamber without somebody raising a red flag about a particular provision. We need to ensure and exercise our own minds to do our best that we don't fall frail to that and have a piece of legislation go through that isn't as strong as it possibly could be.

I'm sure that the Attorney General, the Minister of Justice (Mr. Chomiak), will look at this amendment. I'm sure he's already looked at this amendment and seen the wisdom of it and seen the necessity of it, and will have no hesitation in having it go through and approved along with other pieces of amendments that might come forward here in the Chamber today in a bipartisan spirit, knowing that it strengthens the bill for us here today and for those who will come after us.

Mr. Mackintosh: I move, seconded by the Minister of Finance (Mr. Selinger), that debate be adjourned.

Motion agreed to.

Mr. Speaker: We'll deal with the second—or the next amendment.

Mr. McFadyen: I move, seconded by the Member for Steinbach (Mr. Goertzen),

THAT Bill 37 be amended in Clause 6 of Schedule B by replacing the proposed subsection 49.1(2) with the following:

General election on second Tuesday in June

49.1(2) Subject to subsection (1) and section 51.1,

(a) a general election must be held on the sooner of

(i) Tuesday, June 14, 2011, or

(ii) a Tuesday not later than 35 days following the dissolution of the Legislature by the Lieutenant Governor pursuant to the Lieutenant Governor's exercise of those powers referred to in subsection (1); and

(b) thereafter, a general election must be held on the sooner of

(i) the second Tuesday in June in the fourth calendar year after election day for the last general election, or

ii) a Tuesday not later than 35 days following a dissolution of the Legislature by the Lieutenant Governor pursuant to the Lieutenant Governor's exercise of those powers referred to subsection (1).

Mr. Speaker: It's been moved by the honourable Leader of the Official Opposition, seconded by the honourable Member for Steinbach,

THAT Bill 37 be—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. McFadyen: And this is another amendment. It is—should be viewed as coming in lockstep with the amendment just introduced in that it makes reference to the powers of the Lieutenant-Governor as drafted in the previous amendment and, for that reason, we felt, for the sake of consistent drafting, ought to be reflected in the legislation.

The other thing that would be more substantive in its nature is that this amendment will take away the discretion that was left within Bill 37, which is the contradiction built into the Bill 37 which we took issue with when it was initially introduced, which says that the election shall be June 14, 2011, unless a general election has been held between the coming into force of this section and the date in 2011. It

essentially put in place a June 11, 2011, election date and then said, unless an election has been held sooner. It defeated the purpose of the bill. It was an inherent internal contradiction; we hope not a deliberate one. We hope one inserted may be as a result of an oversight on the part of the government because we know that they wouldn't want to be communicating to Manitobans a certain date and then, in fact, actually building in an escape hatch that would allow them to call the election sooner than that.

This amendment gets rid of that contradiction, it clarifies and is consistent in terms of the Lieutenant-Governor's inherent powers, and it gets us into a situation where anybody attempting to interpret the bill, the legislation will not be put in a position of facing two provisions in the same act that contradict one another, much the way the Member for Thompson (Mr. Ashton) earlier accused us of not asking questions on the floodway and then, 30 seconds later, accused us of asking too many questions on the floodway. In the same way that the Member for Minto (Mr. Swan) accused us of politicizing the debate on Air Canada and some 30 seconds later went on and politicizes himself.

We wouldn't want legislation to contain inherent and internal contradictions in the way that the speech is given by members opposite contained such contradictions. This amendment gets rid of that internal contradiction, provides a clear statement of this Legislature's desire to set a clear date in June of 2011 for the next election. We think and believe that all members believe in that and for that reason will want to support this amendment to the bill. Thank you, Mr. Speaker.

Mr. Goertzen: Mr. Speaker, I also am pleased to be able to speak to this amendment here this afternoon.

I may not have as much faith and confidence as perhaps expressed by my friend from Fort Whyte about the intentions of this particular part of Bill 37. In fact, I know the Member for Fort Whyte (Mr. McFadyen) sees the best in people and likes to look positively on a number of different aspects to life.

When I looked at this particular piece of legislation I think many Manitobans looked at this particular clause in the bill, and they wondered what it was that the Premier (Mr. Doer) was up to and wondered what it was that he had up his sleeve. In fact, I had the opportunity to sit in on some committee meetings on Bill 37 in the spring. Some

of them lasted well into the long hours of the night. *[interjection]*

Well, you know, the Minister of Justice (Mr. Chomiak) says that every Tory showed up at that meeting. I don't think that that's true, but I can tell you, after listening to the government, if they weren't Conservative when they walked in, they were Conservative when they walked out because of how this government treated them at that particular hearing.

One of the things that came up repeatedly, repeatedly at the committee hearing from Manitobans was the concern about how the fixed election portion of the bill was drafted. I believe one of the presenters said it's sort of like saying, well, set elections if necessary but not necessarily set elections. That's truly how it is. There's never anything that the government doesn't want to blame the federal government on, and even in this particular piece of legislation they can't help themselves and have to try to blame the federal government. Perhaps they could simply look at their own legislation and what it really says.

I don't know how many government members on the opposite side have read Bill 37. I know they've heard a lot about it, but I really doubt that many of them have sat down and read the bill. But if they did, if they actually applied their minds to reading this piece of legislation, I think that they would see what every other Manitoban has seen. You don't need a law degree and you don't need to have gone to a number of different pieces of education. You don't need to be the Minister of Education (Mr. Bjornson) to figure out what it means. It's plain language. You don't need to be the former minister, the Member for Brandon East (Mr. Caldwell). You don't need to have any of those sorts of things behind your name to read the plain language of what it says in this legislation: that we'll have a set election unless an election happens before that date.

For what possibly could be the reason—what possibly? Well, the Premier can't help but blame the federal government for everything. I know that he could possibly look at this legislation and on and on, and maybe the Premier thought he was being clever. We don't have to recount all of the instances that happened, but he drops the legislation quickly. It gets distributed late in the day. He rushes the media into some sequestered, some locked-up environment where they're not able to read the bill. They can't even see the legislation. He smiles for the camera.

It's like some sort of Pavlov-dog response. He sees a camera and he smiles; he can't help himself. So the media come in with a camera, he smiles and says, yes, we're going to have a set election.

* (16:40)

I know a lot of the media who said to me after that they sort of felt that they were hoodwinked because later on when they got the legislation, later in the day or night or weeks later or whenever the government finally got around to distributing the bill, they read it.

They read the legislation and they thought, my goodness, they were sold a bill of goods. They were sold a bill of goods because the Premier, smiling before the cameras and his Pavlovian response, said, we've got a set election. It's not as though we were the first. I might cut him a bit of slack if we were the first jurisdiction to think of this. You'd look and go, well, we're testing this out, but they got dragged into it.

We had members of the opposition here, former members, member Glen Cummings bringing forward the bill and speaking passionately. You might remember as well, Mr. Speaker, about having set election dates and giving the government the framework, laying the road, the laying the foundation about how the bill could be brought forward.

We saw provinces bring forward the bill and the notion of set election dates, but this Premier tries to pull a fast one. Tries to pull a fast one. The Minister of Education (Mr. Bjornson), he shrugs—and I know he's got his own challenges because every day the doors are being knocked on by retired teachers who are upset at his government for not doing the right thing. So I could understand maybe from his perspective why he missed this because, between all the phone calls and letters and e-mails and calls from the retired teachers that he's ignoring, he probably didn't have time. He probably didn't have time to actually read the legislation.

There are a lot of other members opposite—I can understand why they would have missed the boat on this one. The Minister of Finance (Mr. Selinger), of course, was trying to unbalance the balanced budget legislation probably at the same time in history the Member for Brandon East (Mr. Caldwell) was busying lobbying, trying to get back into Cabinet at that time, so perhaps he didn't have a chance to read the bill.

There are a lot of different reasons why ministers on the other side perhaps didn't have the opportunity to read Bill 37 but, for those who did—I think maybe particularly of the backbenchers, the majority of the members who don't hold Cabinet portfolios, whose only role is to come into this Legislature and stand up and vote when the Premier or the Minister of Justice (Mr. Chomiak) tells them when to vote. The only contribution that's visible, that we visibly can see that they're making to support the government is to clap when they're told to clap and to yell when they're told to yell and to vote when they're told to vote. They should have had the time—*[interjection]*—they should have had the time—*[interjection]*—I understand the Minister of Water Stewardship is insulted. Every time she answers a question in the House, she thinks it's an insult that anybody would ask her a question about her various responsibilities.

Members of this Legislature have a job to do and members of the government, the opposition members who don't hold a portfolio, should have gone and said, Mr. Premier, if you really want to have set elections, then have set elections because this clause says something other than that. It says we'll have a set election in June of 2011 if we don't have an election before that.

Well, that's not a set election. That's a clause that's intended for one member in this House and that's for the Premier. That's for his benefit—*[interjection]*—but we shouldn't. I know the Minister of Justice is sensitive these days regarding a lot of—how different things—he doesn't have to be here. If he wants to try and go and figure out how he messed up a very serious situation that happened in the province, he can go and figure that out, and I'd be happy to see him leave the House to use the time to do that.

But, on this particular bill, on Bill 37, if the Minister of Water Stewardship, if any of the ministers would focus and read the particular piece of legislation in this section which says maybe a set election date, maybe not, they'll realize that the principle of set elections isn't being held up.

Then you have to wonder why it is—what would be the motive of the Premier to do that? Was he not sure, or maybe he thinks electorally this might be better for him. He doesn't want to lose control? Maybe he's used to controlling everybody in the Cabinet and used to controlling every decision of government and didn't want to release this particular

power like he said he did. Perhaps there were other pieces of the bill which he wanted to have some smoke screen for so that others wouldn't look at them very closely when the bill was dropped, such as the vote tax or other things within the particular bill, unconstitutional parts of the bill which set spending limits on political parties so that other political parties couldn't get the word out about what the government was doing to hurt Manitobans. Perhaps that's the reason, Mr. Speaker, whatever the reason is.

I know, I can tell by the indicator on my desk that my time is running short, that this government can do the right thing. I would say it's an old saying that it's never the wrong time to do the right thing. Here today, they can say if they're really committed to set elections, then let's really be committed to set elections and make it clear within this particular clause when that next election will truly be and remove the Premier's clause, the Premier's (Mr. Doer) wiggle room, the Premier's escape hatch, Mr. Speaker.

Mr. Rick Borotsik (Brandon West): Gollum, how's it going? How's it going, Gollum? Got to like it, eh, Gollum? Go see *Lord of the Rings*.

As has been identified by previous speakers of this side of the House, Mr. Speaker, it seems that there's an opportunity here to correct a wrong in the legislation, and I think that each member of the opposite side of the House in government should recognize that if they truly, truly believe in set election dates that they will, in fact, support this amendment, if they truly believe it.

Now, as had been mentioned earlier, when this piece of legislation came forward, Bill 37, there was a huge press conference held and the government took great pride in putting forward to Manitobans fixed election dates. That was the headline in the newspapers the following day is that this government listened either to Manitobans or to the polls, and I don't know which one it is because normally they listen to the polls more than they do than Manitobans. The fact of the matter is they came out in public and said, we are going to do something that Manitobans want to have and that's the fixed election dates. That fixed election date for all of us is going to be June of 2011.

What they neglected to say about Bill 37 is that there were a lot of little nuances within that legislation that said that they were also going to take money out of taxpayers' pockets to fund their own

political operations. They forgot to mention that, Mr. Speaker, that they were going to take monies out of pockets of Manitobans so that they didn't have to go out and generate their own cash flow which, by the way, I understand is drying up. I'm sure that they wanted to find some other revenue sources, revenue streams and that was a piece of legislation.

By the way, the headline at that time of the news conference didn't say there's going to be a vote tax in Manitoba. What it said was, is we're going to have fixed election dates in Manitoba. They forgot to tell Manitobans about that. They forgot to tell Manitobans that they had their hands in their pockets again. They also forgot to tell Manitobans, Mr. Speaker, that they were going to make sure that the opposition party didn't have an opportunity to campaign properly in the next election. They were going to stop any of our advertising. They were going to actually vet any of the pieces of material that we passed out into our constituencies. They were going to say if it was detrimental to the NDP's position that they wouldn't let it happen.

Well, Mr. Speaker, that wasn't the headline during the press conference. The headline, again, as I said, was, there will be fixed election dates. That's all it said and everybody went off merrily on their way and said, isn't this wonderful that the Premier (Mr. Doer) of the province of Manitoba has actually done something positive. Very little we can find that he's done positive but at least they pointed to this one thing, that it was a positive thing.

*(16:50)

What they didn't tell you is in the fine print. In the fine print there was an out clause that the Premier, if he decided for whatever reason that the economy was going in the tank or that, in fact, that he didn't seem to think that they were going to get any better opportunity to regain another majority government that, in fact, there was some wiggle room and there was an out clause. The out clause, Mr. Speaker, is trying to be closed right now by this amendment. So, if they truly want to have a fixed election date, the amendment is very specific. It will be on June 14, 2011. No ifs, ands or buts, not it will be held then if, in fact, it hasn't been held sooner.

It doesn't talk about the Lieutenant-Governor-in-Council or the Lieutenant-Governor making the call of an election sooner than that. What it simply says is we will have an election on June 14, 2011, and I think that Manitobans deserve, if nothing else in Bill 37, Manitobans deserve to have this in a finite

detail. They have to know, and we have to know as opposition, that we're going to go to the polls on that date and don't have the wiggle room. And I have to—I have to suggest that we were supposed to go to the polls in October of next year federally, but we're not going to polls in October of 2009, we're going in October of this year, October the 14th. The reason I mention that is because there are opportunities to use those out clause, and let's not give the Premier the out clause. As my leader of my party had indicated, this may indeed have just simply been an oversight.

It may have just simply been an oversight that when the drafters of the legislation were working on it that nobody caught it, and it's obvious that the members of the government didn't catch it 'cause they didn't put in a government amendment. It had to come from the opposition, and it was a good amendment that came from the leader of my party. They have the opportunity now of correcting the wrong and I would hope that each and every one of them, rather than just take their orders from their Whip, would in fact look at the seriousness of this, 'cause when you go to your people in your constituencies, tell them what's happening. Tell them that there will be a fixed election date. Not the vote tax. Not that they're going to vet our information to our constituencies. Not that they're going to in some way, shape or form impact the opposition when it goes into the next election, but tell them in fact there is a positive here, that there will be a fixed election date, and they will. They can mark it on their calendar right now that on June 14, 2011, you're going to have a chance to either re-elect me or, at the insistence of the electorate, go find another position, as some members of the government have done. They found another position. As a matter of fact, they found a position in government, if memory serves me correctly. It just happens, so if you get defeated, I guess you don't have to worry about where you're going to land because sometimes there will be a position generated for you or sometimes there'll be a position found for you.

By the way, that position that is generated for you, if you should get defeated—and, by the way, there will be a number of members on that bench that won't be sitting here next time, and you won't probably get that new position offered to you—but you should take some solace in the fact that those positions usually pay more than what you're making as a backbencher anyways, so take some solace in that. *[interjection]* Well, there has to be qualifications and I think qualifications are, is, a

defeat. I didn't know if that was going to be part of the requirements when you applied for the job, is that you had to be an ex-Cabinet minister, a defeated ex-Cabinet minister, but take some solace in that. But at least you'll know on June 14, 2011, that you'll be faced with some of those decisions that you have to make as to whether you continue here as an elected official or as—whether you have to look at another position in some other department.

But, Mr. Speaker, I'm really pleased to be able to suggest that my leader has put forward a really well-thought-out, a piece of an amendment that in fact should be acceptable. Not only acceptable, but certainly should be agreeable to all members of the government so that we now know exactly what it was that press conference was all about, about fixed election dates and not just simply a charade, a sham, an opportunity for the Premier (Mr. Doer) to put forward what he believes was what Manitobans want, but could rip out the rug from underneath them any time he wanted to. This defends against that and I would hope that we will, in fact, vote in favour of this amendment.

So thank you, Mr. Speaker, for that opportunity to put my comments on the record.

Mr. Leonard Derkach (Russell): Mr. Speaker, just a few comments on the amendment as presented by my leader to support not only the amendment, but also, perhaps, to outline again for the government some of the varying mistakes that were made when this bill was first introduced.

One would have thought that a government which introduces amendments to an election act would have had the courtesy to either have some sort of a communication with opposition members who are impacted by this legislation and, indeed, all Manitobans for that matter, but, instead, this government chose as a Cabinet—I don't even believe that there was a full discussion within their caucus ranks, but a government chose to bring in a bill that would tax Manitobans for election purposes. It would also then muzzle the communication that other parties could put forth and would furthermore then vet the kind of information that MLAs would be allowed to send out to their constituents.

That is hardly a principle of democracy, Mr. Speaker. I think that it is an issue that this side of the House took up, and certainly some changes have been made, but the amendment that is being presented today is again an important one because it does take away that wiggle room, if you like, from

the government to ignore that set election date and to hold an election other than on that particular date.

If we're going to have set election dates—I'm one who's 50-50 on that personally. I'm not sure that fixed election dates are ones that—and I'm talking personally now—do anybody any good in the long term. We've seen how set election dates perhaps sometimes are gerrymandered. I'm afraid that, in this case with the way the legislation is written, this government would certainly want to gerrymander the set election date by having a clause in the bill that gives them the wiggle room to escape from that particular date.

Mr. Speaker, my colleagues on this side of the House have spoken about some of the problems in the bill. I think the government needs to revisit it. I think the government needs to listen to the amendments that have been put forth by this side of the House and take them seriously because, if we are going into set election dates which I think in general Manitobans want—I think Canadians made that known to the federal government—then I think it's incumbent upon us to be pure, because there is a lot of cynicism about the intent of politicians and this kind of legislation that gives wiggle room to not holding an election on a particular date, that causes a lot of cynicism in the minds of ordinary Manitobans who say, yes, but you're all politicians and you give yourself enough wiggle room that you really don't mean what you say.

I think it's time that we meant what we said and that, in fact if there is a set election date, we ascribe to that and we don't give whomever is in government that wiggle room to be able to hold an election date on another date other than the one that was fixed.

My colleague from Brandon West (Mr. Borotsik) just mentioned that, in the federal system, a date was set but indeed, in a minority government, we saw that that election came sooner than that which had been set in the legislation. That has caused some debate, some discussion in the communities about whether or not politicians are true

to their word and quite rightly so, because I think we need to be careful when we write legislation. We need to be careful that the intent indeed mirrors what the legislation says and that we are true with our constituents that we represent.

It's for that reason, Mr. Speaker, I chose to put some remarks on the record, because I think constituents in my area would again see the cynicism of that, if we were to give ourselves enough wiggle room to be able to hold an election other than on the date that has been set.

With those few comments, I just want to say that I support the amendment that my leader has put forward and I would hope that the government would take it seriously and that they would consider this amendment as one that is positive and would endorse it and accept it as an amendment to this legislation. Thank you, Mr. Speaker, for that opportunity.

Mr. Mackintosh: I move, seconded by the Minister of Finance (Mr. Selinger), that debate be adjourned.

Mr. Speaker: I can't leave it in limbo. He just sat down just before 5 o'clock. [*interjection*]

That's okay. The honourable member finished right at 5 o'clock. He's concluded his comments. The debate will remain open.

The hour being 5 p.m., the House is adjourned and stands adjourned until 10 a.m. tomorrow. (Thursday)

CORRIGENDUM

Vol. LX No. 64 – 1:30 p.m., Monday, September 8, 2008, page 2982, the first column, second paragraph should read:

Mr. Speaker, I want to congratulate the organizers of the May 31 celebration that recognized the importance of the life of the Buddha as a prophet of God who advocated for peace and non-violent resolution to conflict. Thank you.

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, September 10, 2008

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