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of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
<i>Vacant</i>	Elmwood	

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, September 18, 2008

The House met at 10 a.m.

PRAYER

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

SECOND READINGS—PUBLIC BILLS

Mr. Speaker: Bill 203, The Liquor Control Amendment Act (Fetal Alcohol Spectrum Disorder Prevention), are we dealing with that this morning?

Hon. Jon Gerrard (River Heights): Mr. Speaker, I believe, if you would canvass the House, there would be agreement that we would move directly to Bill 231.

Mr. Speaker: Is there agreement of the House that we move directly to deal with public Bill 231, The Municipal Amendment Act? *[Agreed]*

Bill 231—The Municipal Amendment Act

Mr. Blaine Pedersen (Carman): Mr. Speaker, I move, seconded by the Member for Portage la Prairie (Mr. Faurschou), that Bill 231, The Municipal Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Pedersen: Thank you, Mr. Speaker. Bill 231 is about property rights, and this is about the right to own property in Manitoba without the fear of having it taken away from you without just cause. Bill 231 is about defining what really was intended in legislation. The Municipal Act deals with, amongst other things, expropriation for municipal purposes and, under subsection 254(1), it states: A municipality may by expropriation, in accordance with The Expropriation Act, acquire land and improvements that the council considers necessary or advisable to acquire for a municipal purpose.

Under this proposed amendment to The Municipal Act, we would add one clause, 254(1.1): a municipality may not acquire land and improvements by expropriation for the purpose of economic development which includes, without limiting the generality of the foregoing, engaging in a business-related undertaking or an industry-related undertaking.

The Municipal Act was rewritten in 1997 under the capable watch of the Member for Russell (Mr. Derkach). The act was expanded to include economic development for municipalities, and this has worked well for municipalities throughout the province to create jobs and wealth within their communities since its inception over 10 years ago.

However, a problem has occurred within the interpretation of the act. The Fouillard family has operated a private tourist site near St. Lazare and in western Manitoba for the past 50 years. The site is a former location of the Hudson Bay trading post, called Fort Ellice, located on a scenic rise overlooking the Assiniboine River. I have visited the site, and the history, the artifacts and the view are very compelling. The Fouillards have hosted many community events over the years as well as letting people just camp on the site.

The Municipality of Ellice and the town of St. Lazare approached the Fouillard family to purchase a historic site to use for tourism to further enhance economic development in the Parkland area of western Manitoba. When a purchase agreement could not be reached, an expropriation notice was served to the Fouillards. To add further insult, instead of the original 98 acres first under negotiation, the expropriation notice was expanded to 298 acres. This additional land would create access problems, safety concerns and possible liability actions against the Fouillard family.

The case went to mediation. The municipality rejected the mediator's report. The Fouillards then took it to court and lost and again to the Court of Appeal and lost again through the court's interpretation of The Municipal Act. The case was dismissed from a hearing at the Supreme Court of Canada.

This just shows how passionate the Fouillard family has been about their land and how they've been treated by the courts. The land value acquisition board continues to try to settle the outstanding claims and, to date, the case has not been settled. At the heart of the matter is the intent of the municipality to create economic development with no business plan and using expropriation to buy land and create a business.

While it is too late to change what has happened in the R.M. of Ellice and to the Fouillards, courts run on precedence and the precedent has now been set. Now, what is to stop a municipality from approaching a local business to buy it? The owner refuses to sell, so the municipality uses expropriation to acquire the business property in the name of economic development. This may sound farfetched to some but remember, the precedent has been set and other municipalities are watching this case.

It was never the intent of the legislation to allow expropriation to be used to buy into a business. Municipalities have every right to own and operate a business venture but not to use expropriation as a means to achieve this. Municipalities must retain the right to use expropriation as a tool for providing vital community infrastructure needs such as roads, utilities, lagoons, and this amendment does not affect their ability to do so. However, the legislation must always be balanced with the right to own and control your own personal property.

This amendment to The Municipal Act is a small but vital change to an act which has served Manitoba very well to date. I urge the Minister of Intergovernmental Affairs (Mr. Ashton) to support this amendment, as our homes, our land, our businesses could be snatched out from under us under the guise of economic good for the community.

*(10:10)

The Keystone Agricultural Producers and the Manitoba Cattle Producers have also expressed concern about interpretation of The Municipal Act, and of the expropriation action to the Fouillard family. These two organizations represent a vast majority of landowners in rural Manitoba, and it is of great concern to them.

This shortfall in the act needs to be addressed and, again, I urge members to pass this bill on second reading today, send it to committee for further consideration by the public.

I ask for all members' support of this bill to protect personal property rights. Thank you, Mr. Speaker.

Hon. Steve Ashton (Minister of Intergovernmental Affairs): I certainly welcome the opportunity to speak in debate on Bill 231, and I must indicate, in listening to the member's comments, I was somewhat surprised that he would focus in on one particular dispute, one particular

court case. I note that, Mr. Speaker, the member seemed to have a particular view of that, and it seems that this bill came about as a result of what he assumes was the situation with that case.

I'm not going to comment on a matter that did receive extensive consideration in the courts. Certainly I'm aware of some of the circumstances of what he refers to because quite frankly, Mr. Speaker, I would hope that the member would take a broader view of what is a very important element of the ability of municipalities to do what they need to do in this province—all 198 municipalities—and, at the same time, a process that is inherently based on a recognition of the need for a proper process and balance when it comes to individual property owners.

Let's be clear, Mr. Speaker, that the provision that the member wants to delete from The Municipal Act, not only is it not unique in this province, that in fact many other provinces have similar provisions. I would note that Alberta, Saskatchewan, Ontario, New Brunswick, all allow for expropriation for any municipal purpose, including economic development. So this is not something that's unique. It's something that has not been used extensively, but was clearly put in the act in recognition of the fact that municipalities do, indeed, have a very significant role to play with economic development.

In fact, there may be circumstances in which there needs to be the ability to have the power of expropriation similar to what happens with other public purposes. It's important to recognize that this is not used capriciously in this province. There are protections in place, in terms of, particularly, the compensation for any expropriation, that they're in place. We have a process with expropriation whereby there can be a hearing, where there's a dispute over something more than just the value itself, but over the purpose itself. So there are all sorts of mechanisms that are in place.

I want to say, Mr. Speaker, that I certainly have a lot of sympathy for anybody going through the process, and there have been problems in the past. I think one of the most abhorrent examples of expropriation that I have seen in this province—it was probably in Hecla Island, when many property owners were expropriated for what was then supposed to be a wilderness park, which subsequently became a golf course and a hotel. I happen to know families from Hecla quite well. I know the history quite well. Anybody from Hecla

Island will tell you—going back to the '60s and into the '70s—this was a very difficult time. That, by the way, was not an expropriation done by a municipality; that was done by the Province, and I would point to that.

I would also point out, though, that it's very easy to take a blanket, negative view of expropriations, but quite frankly, one of the biggest debates in the 1960s was over the floodway. It was over expropriation. There was a requirement of expropriation for land, and there was a fair dispute. I believe the Liberals even voted against the floodway at the time.

Ms. Marilyn Brick, Acting Speaker, in the Chair

I think, given the wisdom of the floodway, most people recognized that there was clearly an established public good that did require that degree of expropriation. But I note that, certainly, the Minister of Infrastructure and Transportation (Mr. Lemieux) is constantly dealing with situations where an attempt to purchase land will not necessarily be successful. In fact, some of the infrastructure projects members opposite advocate for on a regular basis, one of the key issues is often land assembly and that involves purchase, yes, but in many cases involves expropriation as well.

I can assure the member that no one who is ever in the position of having to expropriate land in this province ever does it lightly. I certainly never have in any of the roles that I have been in place but, you know, for the member now to just, because of one issue, one court case, to take a provision out of The Municipal Act raises a number of questions.

First of all, did the member consult with the AMM? I would think that would be the first place to start with. What is the AMM's view of this? You know what? I happen to know what the AMM's view of this is because I do consult with AMM. I know that there are others that have views; I've received correspondence from a couple of organizations, the cattle producers, for example. But I would think if you're going to amend The Municipal Act, the first thing you would do is you would phone up the AMM and say, before I bring in this bill, I've heard about a court case, I've been lobbied by someone—but no, and I think it's unfortunate the member not only didn't consult with AMM but I read his comments and I am not going to get into the particular dispute that he referenced.

That was a dispute that went to the courts and the member outlined the specifics of it. I'm not going to prejudge either side of that because I actually think when you're looking at legislation in this province, it's not about one particular case. It is about what is going to be in place—I mean, if this provision is taken out of the act, this could be decades, decades into the future. We have municipalities looking at very important economic development projects.

By the way, municipalities play a key role with economic development. I think the member doesn't understand what's happening in many of our municipalities. You know, we're looking at an inland port with two municipalities, the R.M. of Rosser and the City of Winnipeg. They've already been involved in discussions. They're key players in terms of this. The two municipalities, the inland port—they've got a critic for the inland port. I wonder if the member opposite talked to the critic for the inland port—*[interjection]*—the Pork Council perhaps.

I know the PCs talk to the PCs on a regular basis. The Pork Council talks to the Progressive Conservatives. I often get the initials confused here, but I wonder if they found the critic for the inland port. I wonder if the member—and I realize this is a private member's resolution—but I wonder if he consulted with his own critic. I mean, did he consult with the critic for municipalities? I'll be very interested to see, by the way, because I have a lot of respect for the critic for Intergovernmental Affairs, a former municipal leader in this province, former president of the AMM. I know it's private member's hour. He's got the ability actually to vote against this if he views this as being negative.

So I look forward to the critic for Intergovernmental Affairs—perhaps if the member didn't consult with the municipalities, perhaps the critic will phone the president of the AMM, perhaps meet with the AMM board, perhaps come to the AMM convention in November because, you know, we're going to have 198 municipalities there.

By the way, I want to stress that if you take one expropriation out of 198 municipalities and then you make public policy based on that, what about the other 197? I mean, I mentioned the inland port, I wonder if his members consulted with the Member for Brandon West (Mr. Borotsik), a former mayor of Brandon, our second largest city.

You know every time—I mean, I love that we had a promotional event, Brandon First. I spoke to the current mayor and said I went there to take notes on

how Brandon does it, because Brandon sure gets a lot of attention in this province. It should; it's our second largest city. I wonder, did the critic consult with one of the MLAs? He could consult with both MLAs from the city of Brandon. Did he consult with the third largest city, Thompson? How about the member for the fourth largest city—not that I'm keeping score here—the Member for Portage? Did he consult?

*(10:20)

Madam Acting Speaker, you know good public policy is not based on one particular court case that you may or may not agree or disagree with. In this particular case, Manitoba has this ability for expropriation. It exists in many other provinces, and I would suggest to the member that he has not put forward any kind of compelling case. He certainly hasn't, I believe, consulted on this.

I look forward to other members, by the way, particularly on his side—this is private members' hour. I look forward to seeing whether they agree with something that would be a dramatic change in terms of The Municipal Act without consultation with the municipalities.

In fact, I'll complete my remarks. I can just see the critic for Intergovernmental Affairs—

The Acting Speaker (Ms. Brick): Order.

Mr. Ashton: —just chomping at the bit. I know he's going to be—

The Acting Speaker (Ms. Brick): Order.

Mr. Ashton: —jumping out of his seat to put on the record—

The Acting Speaker (Ms. Brick): Order. The honourable minister's time has expired.

Mr. David Faurshou (Portage la Prairie): I know time does fly when one's having fun, and I believe the minister responsible for municipal affairs was having a little bit of fun this morning.

I really appreciate the opportunity to participate in debate of Bill 231, and I congratulate the honourable Member for Carman who has put a lot of thought into this amendment to The Municipal Act. The minister actually gave a lot of examples as to why perhaps this legislation is needed, and he cited the Hecla Island situation where effectively it was the Province that tried to get into the business of resort management. We all know how well that has gone.

Years and years of problems still exist to this day. While the minister says it was for a provincial park, within that development plan, the Province got into actually the resort management business. That has been a catastrophic failure over the years. In fact, it's just now been handed back through a very complicated contractual and sales agreement with private enterprise, and it is hoped that finally private enterprise will be able to make that facility a viable one.

So the minister has spoken actually in support of this legislation, and I appreciate the level of enthusiasm that the government members supported the minister in his comments. By the dialogue already, I understand the minister will then be supporting this legislation because he gave an absolutely perfect example as to why we need this clause.

We on this side of the House are Conservative, Progressive Conservatives. We believe that it is free enterprise that should be in business and not government. We understand that government is there to provide for the infrastructure and the supports necessary for a climate where business can flourish and indeed that is very, very important for all levels of government to have powers that will provide those supports.

Yes, expropriatory support legislation for municipalities is very important. It's important for municipalities to be able to acquire properties that ultimately private enterprise or the collective, not-for-profit or charitable organizations then can go forward and provide for the services that are necessary for the greater good of the respective jurisdictions. Indeed, this clause brings home the fact that, when government gets in the business, more often than not, it is a catastrophic failure.

Now again, the minister mentioned the Red River Floodway. Well, that really was for the greater good, and all Manitobans, because of their need for a strong Capital Region, benefit from the operation of the floodway. It indeed was a very worthwhile undertaking by the provincial government.

Again, the minister mentioned the inland port and probably the necessity at some point in time to exercise expropriatory powers to make that a reality. Again, the proponents of the inland port facility are not, and I repeat are not looking to get into actual business and operate an enterprise. They are looking to provide the footprint and the services for free enterprise to come to that location and set up shop.

In the case that was mentioned by my honourable colleague from Carman, it was very similar to that of the provincial government and Hecla Island, and here we're looking at a municipal government trying to get into the tourism business and provide for that enterprise which I would hope will go better than the Hecla Island experience that the Province has had.

Again, the minister has inadvertently, through his participation in debate this morning, shown his support for the amendment. I actually smile at a number of other comments that the minister made that he does consult and listen to the Association of Manitoba Municipalities and, curious, then I look for his support to vote down Bill 17 because AMM has been very strongly in opposition of that legislation, and seeing that the minister does support the AMM we look for his support to vote down Bill 17. Although he is right now, I think, considering supporting that legislation, that would then contradict what he said this morning.

So, further to the example that the honourable Member for Carman used, it was not that the public was not able to make use of the properties for the case of tourism; the property owners did indeed make it available free of charge. So it was fulfilling its economic purpose without the use of expropriation by the municipality. So I think that this has perhaps gone a little farther than was originally intended when the legislation was amended in 1997 to add the proviso for economic development purposes. This clause under Bill 231 actually focusses in on a more defined purpose of acquisition by municipalities and I think actually assists those elected officials at the municipal level to make a better determination as to the use of their powers.

Now it did go to court and we as legislators respect the judicial branch of government and recognize that the law that was interpreted by the judicial branch was in keeping with the current legislative language. That has precipitated the need for the change in legislation to more clearly focus on what municipality should be focussing on and that is to provide for the climate infrastructure necessary for business to prosper, and it is private enterprise although many on the opposite side believe government should be in business, and I understand from the minister's commentary that he is of that mind that government should be in business.

It was mentioned yesterday by the Minister of Transportation (Mr. Lemieux) that the sale of Air

Canada was a mistake and that if they would have had the opportunity they would've perhaps acquired as they did try in the '70s and '80s to get into the telecommunications business with MTX.

* (10:30)

I will say that the previous administration did acquire a private enterprise known as Centra Gas, but it was with an idea that, once again, the government was providing for infrastructure which business uses here in the province of Manitoba, and the service of natural gas is vitally important to business here in the province of Manitoba.

Perhaps the honourable Member for Selkirk (Mr. Dewar) is, indeed, now putting forward a position that this government may now be reconsidering and would perhaps like to sell Manitoba Hydro—

The Acting Speaker (Ms. Brick): The honourable member's time has expired.

Mr. Drew Caldwell (Brandon East): Madam Acting Speaker, it's a pleasure to get up to speak to this particular piece of legislation proposed by my honourable friend opposite.

You know, Madam Acting Speaker, during a previous life as a city councillor in Brandon, I was privileged to be elected to the boards of the Union of Manitoba Municipalities and the Manitoba Association of Urban Municipalities, and then subsequently to be on the amalgamating committee for those two organizations, which led to the creation of the Association of Manitoba Municipalities, which is the body that we in government deal with when discussing issues of municipal significance in this province. The AMM conducts—as members in this House know—regular lobby sessions with members of government and members of the opposition to discuss issues of importance to their municipal membership, the municipalities of the province of Manitoba.

Madam Acting Speaker, never has such a piece of legislation ever been before government or members opposite as a priority of the AMM or, dare I say, even a thought of the AMM in their lobby sessions. So, it does mystify me, I suppose, as it mystified my colleague for Thompson, as to where the idea for this legislation came from because it certainly didn't come from any advice or consultation or discussion with the Association of Manitoba Municipalities. Now, that's a very, very grave flaw in any piece of legislation proposed which purports to support municipal governments in the work that they

do. If it's not their priority, if it isn't something that they've discussed with government, if it's not been part of their consultation sessions and their discussions with government or, indeed, the opposition in this House, then it's fatally lacking in—how shall I say? It's fatally lacking in—*[interjection]* My friend from La Verendrye says, it's logic, which is true. I am trying to be polite and I'm trying to choose my words carefully.

But this legislation and this proposed legislation emerges, as it were, out of the blue without any support, formally or otherwise, from the Association of Manitoba Municipalities and therefore is gravely flawed, Madam Acting Speaker. Really, it cannot pass its way through this House with any degree of integrity.

Now, Madam Acting Speaker, I know that there is some concern about expropriations by municipalities. I know that in my own area of the province in southwestern Manitoba, there has been some concern expressed over the years from time to time about my home community of Brandon threatening expropriation of surrounding municipal lands. I know that's been a very significant concern for those surrounding municipalities and a legitimate concern, I might add, of the surrounding municipalities. Expropriation is a fairly draconian step for any government to take in terms of securing whatever policy initiative it wants to secure by proposing that expropriation.

There are, of course, safeguards in place already to prevent a big-bully municipality from expropriating lands from its surrounding weaker municipality. The Municipal Board is in place, and I know Executive Council deals ultimately with recommendations from the Municipal Board on issues such as these. So we do have protection for smaller, weaker municipalities who are being threatened by larger, more powerful municipalities already in place.

So, while I do sympathize with the intent of the legislation vis-à-vis that reality, there are safeguards in place which mitigate against that sort of behaviour presently. So, not only is it an unnecessary piece of legislation, Madam Acting Speaker, in light of that fact, but it is, as I mentioned earlier, a piece of legislation that's been brought to the House without any apparent consultation with the provincial municipal organization, the Association of Manitoba Municipalities, who are required—in my view, their views are required for any piece of legislation that

comes before this House. Sometimes we will agree with the AMM; sometimes we will disagree with the AMM, but always we respect the AMM and the wisdom that they bring to our deliberations in government, for legislation that impacts their jurisdiction, and that is the jurisdiction of municipal councils around this province.

Madam Acting Speaker, there are a number of provinces that allow municipalities to expropriate land for any municipal purpose, including economic development. Our two provinces to the west, Saskatchewan and Alberta, as well as Ontario and New Brunswick to the east, do allow such expropriations. This reflects the fact that municipalities are responsible governments with democratically elected officials, and these democratically elected officials are accountable to their constituents. Having said that, Madam Acting Speaker, there are times when expropriations ought not to be permitted and, as I said, those safeguards are in place through the structures that we already have in the province of Manitoba. So it is an unnecessary piece of legislation in that light.

I expect that the opposition is bringing forward this bill in response to a specific issue, with the expropriation of land in one rural municipality, although I can't be certain of that because it's too veiled or too vague in its composition to be able to identify clearly that there is a specific case. But I suspect that is, in fact, the reality behind this particular piece of legislation and, as such, it may make for good politics in that particular area of the province, to be standing up or to be seen to be standing up through a piece of legislation like this. To be seen to be standing up against a larger, more dominant municipality taking advantage of a weaker, smaller municipality. But again, that's a political gambit that's being played in this particular case and should not be the foundation for a piece of legislation which, as everybody in this House knows, should have relevance across the province for fundamental processes that affect every municipality.

So, while it may be politically expedient to be seen to be presenting this legislation for a specific case, for a specific political purpose, to gain favour in a particular region, that's no foundation to create legislation in this House. Our job is to create legislation that benefits the people of the province of Manitoba as a whole, not to play political games with legislation, but to provide legislation that is going to be in the public interest broadly in Manitoba.

* (10:40)

As I said, Madam Acting Speaker, I see my light flashing, so my time's almost up. As I said, first and foremost, this piece of legislation arrived here without any apparent consultation or dialogue with the Association of Manitoba Municipalities and, therefore, is gravely flawed. Secondly, we already have provisions within existing legislation to mitigate against a large, powerful municipality dominating and expropriating land from a smaller, weaker municipality adjacent to it.

With those few words, Madam Acting Speaker, I'll keep my remarks. Thank you.

Mr. Ralph Eichler (Lakeside): Madam Acting Speaker, a pretty exciting time to hear the Member for Thompson (Mr. Ashton), the Member for Brandon East (Mr. Caldwell) talking about consultation. Yesterday afternoon, we spent the entire afternoon bringing amendments forward that were done in consultation with not only the Pork Council, with KAP, with Credit Union Central, with municipalities. So I was glad to see the change that this government's taken in less than 24 hours.

I know the Member for Thompson made reference to several organizations that he likes to lobby with and talk with. Well, AMM's made it very clear their position on Bill 17. Credit Union Central has made their position very clear with Bill 17. The Manitoba Business Council has made their position very clear on Bill 17.

I can go on and on and on. In regard to other issues that we brought forward, the government says they're listening. We had 319 presenters on Bill 17, who—they say they listened to the consultation. Well, they had four presenters—I believe it was four—we can even go as high as five that said scrap Bill 17. So talk about consultation, here we are.

They also want to talk about consultation on this particular bill. I will talk about what Keystone Ag Producers have said. In November 9, 2007, entitled, "How Easy My Land Becomes Your Land," then KAP president, David Rolf stated: Of the court appeals ruling, the precedent this sets out should raise alarm bells for landowners across the province. The municipality's ability to expropriate for reasons has been reinforced by this precedent-setting decision and can open the door to a wider range of acquisitions for potential historical and cultural sites in the future. It is a simple question of property rights and where they begin and end. Manitoba is rich in

culture and heritage, so one can only guess how far this ruling could reach in the future and how many private landowners could be affected. This land is your land today, but reasons it could be expropriated tomorrow may have just been broadened.

That was in KAP column, November 9, 2007. More recently KAP president, Ian Wishart, stated that the whole situation points to the fact that municipalities should have a good business plan before proceeding with expropriation. Wishart stated, and I quote: We'll call it the law of unintended consequences. The wording hasn't quite worked out the way they intended.

That was in the *Manitoba Co-operator* on April 24, 2008.

So when we look at consultation—and I think that's important—any legislation we bring forward, whether it's through a private members' hour, whether it's a bill brought forward by the government or whether it's a private member's statement, let's look at what is best for the people of Manitoba. That's what we need to draw back on.

We're talking about land that, in many cases, is very good farmland. We have to make sure that any land that's being expropriated is being expropriated for the right reasons and all the alternatives that go with it. We're not going to focus just on the issue of one particular municipality, because it's imperative that we do that for all issues.

Expropriation is a very serious issue when we look at expropriating land. So the debate on Bill 231, I think, is a really important one. It's certainly raised our side of the House's awareness of the issue and also it brings awareness to the government's side. I think anytime we do that is great in the House for that debate process.

I know there are other members who do want to speak, but I do want to come back to just drive it home the consultation process, in particular with Bill 17, as I know that people on our side of the House and people on the other side of the House have taken this issue very, very seriously. So I ask the government to adhere to their own advice that they're giving us on Bill 231 and follow through on Bill 17. Thank you, Madam Acting Speaker.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): I'm pleased to rise today to speak against Bill 231 as proposed by our esteemed colleague from Carman, and I do so as a former councillor for the Town of Gimli which, at

one point in time, had to use expropriation for economic development in our community.

Now, I'm not sure if the Member for Carman (Mr. Pedersen) has visited my fine community, but a little history lesson perhaps that Gimli, before it became the combined Municipality of Gimli with the former Rural Municipality of Gimli in the town proper, the town proper consisted of a half mile by one mile land mass. It was actually the second most densely populated community in Manitoba—I was surprised to learn that—with 1,800 people crammed into that area. At any rate, the vision of the municipal leaders at the time to develop it into a tourist mecca, as it has become—a very important tourist attraction in Manitoba—involved the expropriation of a house that was sitting right in the middle of the harbour development area.

Now, if you were to go to the community today and you go to the harbour area, you'd see the Lakeview Resort. You'd see the art club. You would see a couple of restaurants. You would see the yacht club—the Gimli Yacht Club, not the Royal Lake of the Woods Yacht Club—the Gimli Yacht Club. You would see these amenities and in between them all was this very large parking lot which, at one point, had a house with a very tiny yard, and it was surrounded by all this tourism development, all this commercial development and recreational development.

Now it certainly made sense, and very few people argued with the fact that it was the right thing to do, to expropriate that particular piece of land. That was the right decision to be made. If you were to go to Gimli this fall, you'll see that all the whitefish boats are dry-docked, and they've pulled them up into that parking area. That in itself is a bit of an attraction for people who come to the community to see the fleet of whitefish boats dry-docked in that parking area. That certainly made sense.

That made sense in an area that was very landlocked, and that makes sense in many municipalities, by virtue of the boundaries—might have some limits placed on their ability to provide economic growth and economic opportunities by virtue of the current boundaries that they might experience.

Now, it was rather interesting listening to the Member for Portage (Mr. Faurschou) actually criticizing our participation as a government in the '70s in Saunders Aircraft because, when I was

growing up in Gimli in 1970, the federal government had put \$8 million into the runway in that facility, and just a few short months later decided to pull out the Canadian Forces base at the time. That had a tremendous impact on the community, as one could expect, to have your population essentially cut in half by pulling out the Canadian Forces base. So, it's rather interesting that they would be criticizing an effort by government to save a community that had a lot of economic dependents and its success based on the presence of the Air Force base. But that's another issue. I digress.

But he did say something about developing a climate necessary for business. Certainly that climate necessary for business includes looking at past mistakes and looking at new realities, and those past mistakes could be zoning issues where things just don't fit, where they don't make sense and where it might be necessary to expropriate property that doesn't fit into the growth and economic development of a community, such as that house in the middle of the parking lot.

You have to provide that flexibility in The Municipal Act and, as my colleagues have already stated, this is not done capriciously. This is done with the best intentions and perhaps the situation that has brought the member to bring this bill to the Chamber. He might argue otherwise. I don't know the details of that particular situation, but municipalities are entrusted, as elected officials, to make the decisions that are in the best interests of their communities and the best interests of the electorate that put them there.

So, I can't speak to those specifics, but, as my colleague from Thompson said, you're going to handcuff 197 municipalities because of the actions of one? That hardly seems fair. Municipalities need to have the flexibility to expropriate property where it makes sense, and I would trust that most municipalities that have been engaged in this exercise have done so. They've expropriated property where it makes sense.

The members opposite talk about consultation, and it's a little disconcerting that we see a bit of a pattern here because I know, during the deliberations on Bill 45 and the amendments that the members opposite propose, they had no consultation with the Manitoba Teachers' Society, the active contributors to the pension plan. So, to hear that there's no consultation with the AMM, who would be the most profoundly impacted by this legislation if this

legislation were to be passed, is a little bit disconcerting—that the key stakeholders were not consulted on this particular issue.

*(10:50)

Mr. Speaker in the Chair

It's a broad sweeping amendment that removes a significant tool for economic development from rural municipalities and it would bring Manitoba out of step with several other jurisdictions. My colleagues have already mentioned that Alberta, Saskatchewan, Ontario, New Brunswick all allow municipalities to expropriate land for any municipal purpose including economic development. This reflects in fact that municipalities are responsible and democratically elected officials and they are accountable to their constituents.

We know that the opposition, as I said, is bringing this bill in response to an issue of land use in one municipality. So, to bring forward a bill to prevent all rural municipalities from ever expropriating any land for economic development purposes, even if it is in the best interest of the public, is a rather extreme response to one issue with one municipality.

So it's critical that we work in partnership with municipalities to develop solutions and, certainly, our government has demonstrated that we are very much prepared to work in partnership with municipalities as we continue to assist in the development of infrastructure both in terms of waste-water treatment, in terms of recreational infrastructure, in terms of libraries, in terms of highway development, drainage development. These are all very important issues that our government does in concert with our partners in municipal governments.

We continue to update this legislation. The Minister of Intergovernmental Affairs (Mr. Ashton) continues to update legislation ensuring it stays relevant and gives municipalities the tools that they need to do their jobs. Those tools include promoting economic development and revitalization, including the ability to provide tax credits, grants and loans, and to use innovative tax increment financing is important to rural development in creating opportunities in all parts of the province.

So, Mr. Speaker, I think it's very important that we look at the big picture. Again, I appreciate, as an MLA, that when constituents have issues that are important, you raise those issues in the Chamber and

you do so appropriately but I don't believe that sweeping legislation of this nature is an appropriate vehicle to deal with this particular issue that the constituents have brought forward to this MLA.

So we have a very good working relationship with the AMM. We have a very good working relationship with the municipalities. We'll continue to work with our partners in the AMM and with the municipalities to ensure that that relationship continues to grow and all Manitobans benefit as a result. If you look at that relationship, consultation, of course, is part of it but it's not only what we talk to our municipal partners about, it's what we do with our municipal partners. We do have the largest unconditional grants as a percentage of total revenue in the country, 14 percent, and the third highest percentage of total grants in the country of 23.8 percent.

Dr. Enid Slack has said that Manitoba is the only province that shares income tax revenues with municipalities on a per capita basis but it also shares fuel taxes, video lottery terminal and casino revenues and province fine revenue. So, these partnerships, it's not just about the consultation but it's also about the action that we have with the municipalities and these types of grants, these types of funding arrangements support the economic development.

But, occasionally, there's a barrier to that economic development. Occasionally that barrier might be some inappropriate reality, whether it's based in history or poor decisions that were made in the past that allowed zoning to take place, that allowed something to exist that is not a good fit and this legislation allows for a better fit. It allows for municipalities to say, yes, we see a vision. We have a vision. We have a future. We have an economic plan and there is something that stands in the way and that's something that would require the expropriation of property for us to realize that vision, realize that plan and realize that future.

So, indeed, this is a necessary tool that municipalities are entrusted with, as duly elected officials. They do so with due diligence in terms of exploring what options are available to them before proceeding with expropriation, but it is a necessary tool.

I know that this government continues to work with municipalities to improve the legislation and to assist them in any way, shape or form if we can, for them to realize that vision for economic growth, prosperity—

Mr. Speaker: Order. The honourable member's time has expired.

Mr. Larry Maguire (Arthur-Virden): I just wanted to put on the record as well—it's very obvious that the government is going to vote against this amendment today. At least I take that from the few members that rose to speak to this in this House today.

I think the most important part is then that maybe they will listen to the amendment and bring forward an amendment on their own, to take care of such circumstances where expropriation was taken for a purely business purpose. We know that was not the extent and the intention of the act when it was put in place. This bill does certainly nothing to amend the situation of expropriation for land, for roads, sewer, water, that sort of thing that's required in municipalities throughout Manitoba, at particular times, to enhance the infrastructure of those municipalities.

Mr. Speaker, I commend the member for bringing this forward and the attention because of the precedent-setting situation that took place in one particular area of Manitoba, in the St. Lazare area. I wanted to put on the record as well that Keystone Ag Producers and a number of organizations in Manitoba are in favour of this amendment, and a number of municipalities that I've spoken with are as well.

Clearly a number of other areas being established in Manitoba are for the purposes of development of infrastructure. The present Minister of Intergovernmental Affairs (Mr. Ashton) must realize that in the rant that he provided us with in the House today.

Although it is of somewhat relief to hear his protestations, I just have to say that he knows full well that the inland port legislation is being established to allow the development of infrastructure and promotion of the development so that private enterprise can take place in that region, and we hope that it is very successful.

With those few words I just wanted to put on the record that I was certainly in favour of the amendment, or of the bill that the member has put forward, the Member for Carman (Mr. Pedersen), Bill 231, on The Municipal Amendment Act, and would encourage the government to vote for this amendment. Thank you.

Mr. Daryl Reid (Transcona): I'm pleased to rise to add my comments to Bill 231, The Municipal

Amendment Act, brought forward by the Member for Carman.

I have to wonder, Mr. Speaker, I listened to the comments of my colleagues in this House with respect to this bill and the intent of this bill. As my colleagues have already indicated with respect to this bill, how much thought was put into not only this particular bill, which amends the original piece of legislation that was brought in by the Conservative government of the 1990s, why the government of that day didn't see this as being a serious issue? Or if they did, why didn't they deal with it at that time?

I have to ask why because there are members of the former Conservative government that are sitting in this Chamber today that were members of Cabinet at that time. I'm sure they represented those communities and they must have given some thought to this, or at least I would have hoped they would have given some thought to this at the time and perhaps rejected it outright as not being crucial—you wanted to put the decision-making into the hands of the local municipalities.

Now I know my colleague the Member for Thompson (Mr. Ashton) and others, the Member for Brandon East (Mr. Caldwell) and the Member for Gimli (Mr. Bjornson), have indicated that there was no consultation undertaken by the Member for Carman when he brought forward this legislation—didn't consult with the AMM or the 198 municipalities other than the one he consulted, which was his own no doubt. Why he didn't just lean over and talk to the Member for Ste. Rose (Mr. Briese) who happened to be a member of the AMM at the time, and I believed he headed the AMM and perhaps could have got some consultation with respect to the intent of this legislation. I know that there are—you have to ask the questions. Does this legislation then prevent the municipalities—does this legislation being proposed by the Member for Carman—

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

The hour being 11 a.m., we will now move on to resolutions.

* (11:00)

House Business

Mr. Gerald Hawranik (Official Opposition House Leader): Mr. Speaker, in accordance with

rule 31(9), I would like to announce that the private member's resolution that will be considered next Thursday is a resolution on Promoting Manitoba as an Inland Port, sponsored by the honourable Member for Carman (Mr. Pedersen).

Mr. Speaker: In accordance with rule 31(9), it's been announced that the private member's resolution that will be considered next Thursday is a resolution on Promoting Manitoba as an Inland Port, sponsored by the honourable Member for Carman.

RESOLUTIONS

Res. 22—Protecting Lake Winnipeg through Sound Public Policy

Mr. Speaker: Now we will move on to resolutions, and we'll deal with resolution 22, Protecting Lake Winnipeg through Sound Public Policy.

Mr. Ralph Eichler (Lakeside): I move, seconded by the Member for Tuxedo (Mrs. Stefanson),

WHEREAS Manitobans have a fundamental expectation that government leaders, policy makers and stakeholders will work together to develop policies aimed at protecting the environment; and

WHEREAS Manitobans have a reasonable expectation that environmental policies will be based on sound science and not politics; and

WHEREAS our livestock producers provide Manitobans and consumers around the world with high quality food grown in an environmentally sustainable manner; and

WHEREAS it is in the best interests of all Manitobans to maintain an economically viable and sustainable agriculture sector as we achieve environmental goals; and

WHEREAS it is all Manitobans, as well as those living in the Lake Winnipeg watershed beyond our borders, who contribute to the water quality problems and the solutions for Lake Winnipeg; and

WHEREAS it is the responsibility of all Manitobans to help with the clean-up of Lake Winnipeg, and not any one individual sector of society; and

WHEREAS Manitobans are seeking innovative approaches and measurable outcomes from the government environmental policies, not merely promises of future action.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the

provincial government to consider examining ways to partner with agriculture industry and other stakeholders in the development of research and technology aimed at reducing nutrient loading to Lake Winnipeg; and

THEREFORE BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to recognize that the regulation of agriculture sector should be just one in a series of collective initiatives involving all Manitobans aimed at reducing nutrient loading and improving the health of our water resources.

Mr. Speaker: So the resolution moved will be as printed, okay, because there were a few deviations here and there, but we'll accept it as printed.

WHEREAS Manitobans have a fundamental expectation that government leaders, policy makers and stakeholders will work together to develop policies aimed at protecting the environment; and

WHEREAS Manitobans also have a reasonable expectation that environmental policies will be based on sound science and not politics; and

WHEREAS our livestock producers provide Manitobans and consumers around the world with high quality food grown in an environmentally sustainable manner; and

WHEREAS it is in the best interests of all Manitobans to maintain an economically viable and sustainable agriculture sector as we achieve environmental goals; and

WHEREAS it is all Manitobans, as well as those living in the Lake Winnipeg watershed beyond our borders, who contribute to the water quality problems in and the solutions for Lake Winnipeg; and

WHEREAS it is the responsibility of all Manitobans to help with the clean-up of Lake Winnipeg, and not any one individual sector of society; and

WHEREAS Manitobans are seeking innovative approaches and measurable outcomes from government environmental policies, not merely promises of future action.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to consider examining ways to partner with the agriculture industry and other stakeholders in the development of research and technology aimed at reducing nutrient loading to Lake Winnipeg; and

THEREFORE BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to recognize that the regulation of the agriculture sector should be just one in a series of collective initiatives involving all Manitobans aimed at reducing nutrient loading and improving the health of our water resources.

So it's been moved by the honourable Member for Lakeside (Mr. Eichler), seconded by the honourable Member for Tuxedo (Mrs. Stefanson),

WHEREAS—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. Eichler: I do want to put some comments on the record in regard to the private member's resolution that I brought forward in regard to Lake Winnipeg through sound policy. When we look at Lake Winnipeg, it's a very serious issue. We know that we all have a responsibility collectively, whether it be the farmer, whether it be the household mother, the father, the manufacturers, the people that walk and talk and even eat and make this province what it is today.

Whenever we're talking about policy for Lake Winnipeg, we have to make sure it's sustainable, it's predictable, it's something that we as Manitobans all want to work together in order to try and clean up Lake Winnipeg. It didn't happen yesterday. It didn't happen last week. It didn't happen last year. It's happened over our lifetime and generations and generations, so we certainly expect it's going to take time in order to get that cleaned up.

We talk about tackling the nutrient loading into Lake Winnipeg. We also talked about the Province's insistence the City of Winnipeg remove nitrogen at its waste-water treatment plant and, of course, the decision to put a moratorium on hog production in many areas of Manitoba. It's come out loud and clear through this public debate that everyone should be working together. We know that we have had, as I quoted yesterday, several researchers that have studied Lake Winnipeg. We have scientists that have done a fantastic job at recommending to this province the issues they see at addressing the phosphorous levels, the nitrogen levels, and what we have seen most is on the forefront Bill 17, The Environment Amendment Act, which placed the moratorium on hog production. In fact, they already had a moratorium on hog production and they could

have just continued that without banning growth within the province of Manitoba and putting mixed signals out to the business section of this province.

We're talking about an inland port. We're talking about seeing the province grow and prosper, but what we've done is put false expectations out there in regard to the messaging that we want to send out to see Manitoba grow and prosper.

The people that presented on Bill 17 made it very clear. They wanted it based on sound science and not politics. Unfortunately, it's become politics. Yesterday, I brought amendments forward on Bill 17 that would allow the government tools in order to work towards ensuring that we would have clean water in the future and in the next generations. These people are very disappointed in the government for not accepting these amendments that I brought forward yesterday. In fact, I've had a number of calls, and I'm sure that the minister has had calls as well. Certainly, I would hope that they would have called him and outlined their concerns.

On Bill 17, Dr. Karin Wittenberg, Associate Dean, Research, University of Manitoba Faculty of Agricultural and Food Sciences stated, and I quote: The key strength in Bill 17, a traditional regulatory policy, is a high level of assurance that the number of pigs will not increase in any parts of the province. That is not the same as developing a policy to reduce nutrient loading of Lake Winnipeg. Innovative, incentive-based regulatory tools have cost effectiveness and promotion of innovative technology for environmental controls.

That was in her submission that was submitted on June 11.

Also, I want to quote another one that Dr. Don Flaten, of the National Centre for Livestock and the Environment, at the University of Manitoba, stated, and I quote: It's a well-documented fact that nutrient loading, especially phosphorus from land to water, contributes significantly to the risk of algae growth in the water bodies such as Lake Winnipeg. What many people don't want to admit is that the risk is equally large whether the ton of nitrogen phosphorus is coming from loaded land, soil or lawns around the cottage development, a sewage lagoon from a small town, inadequately treated waste-water discharge from our cities, or crop or livestock farms as well. Therefore, each of us needs to be doing a better job of nutrient management. If we're going to make progress on improving water quality in this province, we've got to stop blaming others in what I call the

blame game for the problem and each of us do our share to reduce nutrient losses.

That's exactly what this resolution is saying. We need to base this on sound science. We need to all do our part and make sure and abundantly clear that it's not just the farming sector; it's not just the City of Winnipeg; it's not just the municipalities. It's all of us collectively—to make sure that the next generation has the opportunity to play and be active and make their livelihoods from the water here in the province of Manitoba.

I want to go on to another research scientist, Laurie Connor stated, and I quote: I applaud and will support legitimate government initiatives to protect our natural resources. Bill 17 is not one of them. I stand here tonight to request, as have many others, of them to withdraw Bill 17 and encourage the government of Manitoba to take time to plan the type of well-informed approach needs to be addressed to the real issues associated with nutrient loading in our waterways, a plan that charges all Manitobans, including the non-farming majority, to take responsibility for their impact on water quality in this province. Livestock production and hog producers in particular should not be the scapegoats.

She added: I implore this committee, as have many others, and the government of Manitoba to withdraw Bill 17, consider what the real issues are surrounding water quality in Lake Winnipeg and all the Manitoba waterways, reconsider the well-balanced report of the Clean Environment Commission and its recommendations, take the time and use the expertise that is necessary to develop short- and long-term plans that conserve our natural water resources, plans that include educating the public and charging them with their responsibilities, plans to facilitate responsible sewage management in the municipalities, towns, cities of Manitoba as well as plans to ensure environmental economic sustainability of our rural communities and farmers.

That was in June 11 presentation.

* (11:10)

Mr. Speaker, what we need to do is bring these brilliant people to the forefront. We need to have the producers—and the Minister of Agriculture (Ms. Wowchuk made it very clear. She's more than happy to sit down with the producers and talk about a solution. Pork Council, Keystone Ag Producers, pulse growers, canola growers, corn growers—we can go on about all the groups that want this issue to be resolved. They're all prepared to come to the table.

We don't need a permanent ban put on the hog moratorium. We don't need to single out one particular group.

All those people—in fact, I hear the Member for Interlake (Mr. Nevakshonoff) chirping from his back seat that he's talking about his particular area. I know he's opposed to the hog producers in his area. He's been anti-farm. He hasn't stood up for them for the flooding that's been going on in the area. It's shameful. He's never asked the minister to come to the forefront, stand up for the farmers. Let him put it on the record if he's there for them. Certainly he has not, so I'm not going to take any advice from the Member for Interlake.

What I will do is recommend that we in this House stay focussed on ensuring that we do have clean water. The amendments that I brought forward, the amendments that have been brought forward in this particular bill and the private member resolution I'm bringing forward today is a very sustainable one. It's one that brings forward the ideas brought forward in order to ensure that we do have clean water for our next generation.

Having said that, thank you, Mr. Speaker.

Hon. Stan Struthers (Minister of Conservation): It seems to me very straightforward as to what our friends across the way could do to help protect water in Manitoba. They could take some advice from their own resolution. They could drop their ideological, partisan, political opposition to Bill 17 and move forward in protecting Manitoba's water.

They claim that's what they want to do but not only on Bill 17, Mr. Speaker. In Bill 17, the Tories and the Liberals have been very clear that they don't like Bill 17. They would repeal it, should Manitobans ever have the misfortune of having the Tories or the Liberals form government in this province.

Mr. Speaker, it's not just Bill 17 that the Conservatives don't like. It's every other water-protection regulation, every other water-protection measure, every other water-protection program that this government or any other government has put forward. It's ideological on the part of the Conservatives. They don't like regulation no matter what that is, and they're going to oppose it because it's regulation.

This bill, Bill 17, makes sense. It made sense in 2006 to go forward with the regulation having to do with the regulation of phosphorus which they

opposed vehemently. I remember the meetings all across Manitoba that they had. Manitobans came forward; farmers came forward; municipal leaders came forward. Tories came forward and they opposed that then. Their own leader who sits in the leader's chair today opposed any kind of regulation. Oh, we'll get rid of it, he said. Don't worry, we'll get rid of it. *[interjection]* The Member for Carman (Mr. Pedersen) was in the same category. Yes, it's good for the Member for Steinbach (Mr. Goertzen) to remind me of that, that of all the members across the way who opposed any kind of regulation to protect Manitoba's water, now today they come forward feigning their interest, feigning their love for Lake Winnipeg. Give me a break, Mr. Speaker.

If you love Lake Winnipeg, if you think that water protection is a good thing in this province, then do something about it. Stand up and support something that's actually going to protect water in this province instead of sitting in your seats and being critical of the farmers who do want to protect water and being critical of the City of Winnipeg which is making steps to do that—the City of Brandon, the City of Portage la Prairie, every municipality in this province and in this country who have signed on for infrastructure programs and have gone back to their own local municipal treasuries to put money in place to protect Manitoba's water.

You're out of step. Everybody else says we need to protect water, and you guys say no, no, no over and over again. Doing nothing isn't an option, Mr. Speaker. Sticking your head in the sand while Lake Winnipeg and others continue to eutrophy is not an option. I would suggest even politically it's not an option, but you can't see down the road far enough on that, I don't think. It's an ideological, very partisan, very political opposition that you have to any kind of water protection method, any kind of water protection measure that has been put forward in this Legislature. I think you've got to get over that.

Mr. Speaker, I was at what I thought was a very good forum the other morning, and I know there were members opposite who were there as well. We had Terry Sargeant and Norm Brandon; we had Andrew Dickson and Don Flaten whom I thought did a very good job—moderated by Jim Carr. I thought they did a very good job of putting out before everybody who was there all of the issues, one side and the other. I thought each one of those people made very good presentations along with many of

the presentations that were made before third reading on this bill, on Bill 17.

Andrew Dickson from Manitoba Pork, I thought, did a very good job of outlaying the Manitoba Pork Council's position. He took us back a little bit in history. He started the clock running in 1980. He pointed out that, in 1980, there were 1.26 million hogs in Manitoba. Today, he pointed out, there are 9.45 million hogs in Manitoba. I know the CEC—and I use the numbers over and over again—where they started the clock running in 1990, but it shows the same kind of unprecedented, unfettered growth in this industry, in this one industry. Now, there's nothing wrong with growth, Mr. Speaker. Unfettered, unsustainable growth, I hope members opposite have a problem with. I hope they do. Because if we allow the industry to continue to exist they way they had, that would cause huge problems. It would be more of an economic challenge to that industry in years to come.

The other part that I need to remind people of is that the Clean Environment Commission said and recognized that growth that took place and they very wisely pointed out for all of us—now whether we're wise enough to understand this or not is another question—but the CEC very clearly said that that growth was not evenly distributed around the province. There wasn't a structure in place, and maybe there couldn't have been a structure in place. But there wasn't a structure in place, and what happened was the growth occurred in some parts of the province at unsustainable levels.

It said further that the government had better do something about it. So we did. We didn't stick our heads in the sand like the Tories are doing. We acted on it—*[interjection]*—the political answer from the Member for Tuxedo (Mrs. Stefanson) sums up the Conservative position pretty well. It's ideology and it's very much party politics that drives any opposition to any regulation that has anything to do with water protection. So we've moved forward, and we've identified three areas of the province that need this kind of protection.

The Member for Lakeside in his statement just now, I think, said something very telling. He says, I don't need to listen to the Member for Interlake (Mr. Nevakshonoff). I don't need to take advice from the Member for Interlake. Well, he should. He should take advice from somebody who doesn't absolutely agree completely with his perspective every now and then. He should broaden his horizons a little bit,

listen to people who may have a different view of things and maybe he'll learn something. Because the Member for Interlake (Mr. Nevakshonoff) has been going to bat for Interlake farmers for a lot longer than the Member for Lakeside (Mr. Eichler) has.

The Member for Lakeside has been talking about the plight of the Interlake farmer. Well, you know what, Mr. Speaker? When you look at water protection measures, I'm not going to stand here and watch as more spread fields are allowed to occur where the Member for Lakeside identifies flooding taking place today. Does that make any sense, Mr. Speaker?

* (11:20)

If we allow spread fields in areas that are prone to flooding, where does the Member for Lakeside think that the nitrogen and the phosphorus are going to end up? Does it magically disappear someplace? No, Mr. Speaker. It ends up in Lake Winnipeg, in the Red River; 54 percent of the nutrients loaded in Lake Winnipeg go up the Red River, a flood-prone area, taking nutrients from an area in southeast Manitoba that is already overdeveloped.

The amendments that the Tories and others have put forward in this so-called zero percent solution would allow more manure to be spread on fields next to Lake Winnipeg, next to the Red River, in areas that already have no room for spread fields. And you say that you're not trying to gut Bill 17? That's nonsense, Mr. Speaker.

It's a very poorly disguised way in which to get rid of Bill 17, because our friends across the way can't stand to have any kind of regulation that would do any good to protect Manitoba, including Lake Winnipeg, which they, in a phony way, say they support Lake Winnipeg.

Mr. Speaker, I think we can see through this resolution. I think we can see through—

Mr. Speaker: Order. The honourable member's time has expired.

Mrs. Heather Stefanson (Tuxedo): I just wonder how much nitrogen is actually in the raw sewage that has been dumping over on that side of the House, Mr. Speaker, by the Minister of Conservation (Mr. Struthers) for the last 10 minutes.

It's unbelievable. Here we are talking about water quality. I would suggest that the minister would want to support such a resolution that has

come forward and introduced by the Member for Lakeside. This is a wonderful resolution that has to do with water quality in Lake Winnipeg. I think that it's incumbent upon a minister of Conservation and members opposite to support such a resolution. I'm surprised that the Minister of Conservation would stand here and not support clean water.

But certainly it's not the first time that he's done that, Mr. Speaker. In fact, all members opposite had the opportunity yesterday and stand up for clean water in Lake Winnipeg by supporting the Member for Lakeside's amendments yesterday that offered that with Bill 17. Yet, members opposite, including the Minister of Conservation, the Minister of Water Stewardship (Ms. Melnick) and the Premier (Mr. Doer) stood up yesterday and voted against initiatives to support clean water in Lake Winnipeg.

So I say, shame on them, and I would say that there is a precedent set from members opposite to vote against sound science and to vote against any initiative brought forward to support water-quality issues in Lake Winnipeg.

Mr. Speaker, what has come through loud and clear during the debates over the last little while, with respect to environmental matters and with respect to clean water in Lake Winnipeg, is that the public has a very strong expectation that everyone should be working together when it comes to developing policies aimed at protecting Manitoba's environment, including Lake Winnipeg. There is also a very strong expectation that policies should be developed on sound science, not on politics, like members opposite.

By way of example, our caucus has been asking this government whether they believe that requiring the City of Winnipeg to treat waste water to remove nitrogen is necessary. Mr. Speaker, scientific studies such as those done by respected researcher, Dr. David Schindler of the University of Alberta, have found that controlling nitrogen does not produce the results expected when it comes to preventing the formation of algal blooms and neutrification in Lake Winnipeg.

Mr. Speaker, Dr. Schindler was interviewed in the *Winnipeg Free Press* in July about his research regarding nitrogen and phosphorus. He was asked whether he believed it was sound policy to require the City of Winnipeg to treat its waste water for nitrogen. Dr. Schindler stated, and I quote: I think it's a waste. I would much sooner see the money spent

on attempts to restore the lake to be devoted to phosphorus. All the data supports that.

Mr. Speaker, Dr. Schindler's views were echoed by biochemist Dr. Lyle Lockhart who is a Lake Winnipeg Foundation board member. Dr. Lockhart told the *Winnipeg Free Press*, and I quote: Taking away the nitrogen supply doesn't work, and yet ratcheting down the phosphorus like they did in Lake Erie does work.

Mr. Speaker, this is not the first time that these doctors, these scientists have spoken out on this issue. They have talked about this for years now, for years, yet this government has refused to listen to the scientists out there who have studied this for years, and they've refused to listen until yesterday. I think it's unfortunate because I think there's probably a lot of money that has been wasted on upgrades to facilities already and as a result of this government not listening to scientists who have been saying the same thing for year after year after year in this province.

The *Winnipeg Free Press* editorial board has also weighed in on this issue, stating, and I quote: The Province's decision, the city believes, was motivated by political considerations as opposed to a sensible cost benefit analysis of the problem. The longer the Province refuses to study all of the evidence, the more obvious it seems that politics, not science, is guiding its decision.

Mr. Speaker, we have repeatedly brought these concerns and so have scientists brought these concerns and findings to the government's attention, only to have them ignored, and I think that is unfortunate. Finally, just yesterday, this government was forced to admit that perhaps requiring the City of Winnipeg to remove nitrogen during its waste-water treatment processes may not be the best approach.

The government has asked the Clean Environment Commission to reaffirm its order on phosphorus and nitrogen removal and ammonia treatment of Winnipeg's waste water. The Conservation Minister conceded in his announcement, and I quote: "We remain open to further scientific debate on the removal of nitrogen."

Well, Mr. Speaker, we're glad the minister has finally seen the light of day when it comes to this issue. We're glad that he's finally listening to the scientists who have been saying this year after year after year. He's finally listening to members on this

side of the House, the Liberal members and Conservative members on this side of the House who have been calling on this government day in and day out to listen to the scientists. We congratulate the government for seeking more scientific information, but we have to ask what took them so long. This is not a new issue. We've been debating this day in and day out in this Legislature and outside this Legislature. Scientists have been out there debating the issue.

It's very clear, Mr. Speaker, that this government has bungled this issue. The government has also been extraordinarily stubborn as it moves forward with Bill 17. During the debate over Bill 17 we have seen many different groups come forward to provide input in this legislation. They have ranged from primary producers and allied industries stakeholders to respected research scientists to local governments to ordinary citizens. They have brought forward thoughtful insights and strategies related to managing nutrients.

All of these people had an expectation that Bill 17 would be based on sound science and not politics, Mr. Speaker. What's unfortunate is that members opposite chose to only look and go the political route. They also had an expectation that the government would listen to their input and that it would make changes to this ill conceived legislation. How disappointed all of these people must be.

* (11:30)

Take for example the input from respected researchers and scientists at the University of Manitoba. In a written submission on Bill 17, Dr. Karin Wittenberg, who I've quoted several times in this House—she is the Associate Dean of Research at the University of Manitoba Faculty of Agriculture and Food Sciences—stated, and I quote: The key strength in Bill 17, a traditional regulatory policy is a high level of assurance that the number of pigs will not increase in many parts of our province. That is not the same as development of policy to reduce nutrient loading of Lake Winnipeg. Innovative, incentive-based regulatory tools have greater potential for environmental returns, through improved cost effectiveness, and promotion of innovative technology for environmental controls. End of quote.

I think the members opposite have listened to scientists, finally, after years of debate on one issue, and that is the issue of nitrogen removal from waste-water treatment in the waste-water facilities in

the city of Winnipeg. I hope they also listen to the scientists who have come out and stated the incredible flaws with respect to Bill 17.

Mr. Speaker, I would encourage this government to take a sober second thought at the way it develops its environmental policies. They should be based on sound science and not partisan politics. If the government truly cares about Lake Winnipeg, and I think they do, they will do the right thing and support this resolution before us today.

Thank you very much.

Mr. Tom Nevakshonoff (Interlake): Mr. Speaker, and I welcome the opportunity to speak on this resolution. I'd like to begin by saying how disappointed I was in the Member for Lakeside (Mr. Eichler), who had to use his speech to make a personal attack on myself and my commitment to the farmers of the Interlake. It has been a long, painful summer for all of us in this particular region and the last thing we need is to hear scurrilous, unfounded attacks like that. So I really have to take exception to that.

I look at the wording of this resolution and I see in the first couple of WHEREASes, where they say, we will work together and we'll try not to politicize this issue. It's very ironic, to say the least, that in the midst of the disaster in the Interlake, and not just this year, but even going back the five years since the onset of BSE, this has been exactly the strategy of members opposite to politicize this issue, to try and capitalize on it, taking advantage of the suffering of the people out in the farm sector. It's really regrettable how they've conducted themselves throughout this whole debate.

Now, I look to just the whole disinformation campaign on the concept of disasters, which is utter nonsense and they know it. Now the people of the Interlake are starting to realize it as well, that rather than trying to solve problems, rather than working together and not politicizing issues, the exact opposite is the case with members opposite. If they really were committed to the protection of water, then they, indeed, would support Bill 17, which is designed to do exactly that.

I'd like to give them a bit of a reality check. The Interlake, in case they're not aware of it, is highly sensitive land. It's ridge country, it's a lot of swamps, swales and so forth. So this is not ideal ground for broadcasting manure across the land. For the most part, that's exactly what happens to manure in the

Interlake. It's broadcast and it's not injected. It's very difficult to inject manure into a cattle pasture, which is where the majority of the spread fields are in the Interlake. So they like to try and deceive us, suggesting that these technologies are in use there, when in reality, that's not the case at all.

I look to the history of the development of this industry in the Interlake to further strengthen my support of Bill 17, and I just have to look back to how barns came about there. The Member for Lakeside, the previous Member for Lakeside, which sat in that very same chair, began this whole process many years ago. I look to the R.M. of Fisher, my home municipality, where a travesty was perpetrated on the people of this area—going into land that technically should've been wildlife management area. In fact, it was located between two wildlife management areas. Crooked land deals, decisions made right in the Cabinet room, Mr. Filmon and Mr. Enns catering to their friends and the result being that we ended up with, instead of wildlife management land, hog barns in the midst of this very area. Then, subsequent to that, expansion of drainage, new roads going into the point, where the town of Fisher Branch is in danger of flooding as a result of this very, very poor backward planning that was perpetrated upon our people by members opposite.

So that's how things were done in the good ol' days by the good ol' boys opposite here, and the result is that a lot of the barns in the Interlake area, which is fragile enough as it is, are incredibly poorly sited in exactly the places they shouldn't be in. That's not just the past. I look to the last set of barns that were built in the Interlake, strongly supported by the reeve of Armstrong at the time, who, coincidentally, ran against me for the Conservative Party in the last provincial election, and really got soundly defeated, largely because of his support of splitting applications to bypass the regulations of the day, resulting in barns to this very day being poorly located.

So, the bottom line is that they have a very poor track record when it comes to siting. The Interlake is a very fragile region to begin with. So the only obvious solution is to close the door on this, and this is precisely what Bill 17 has done. The Member for Dauphin-Roblin, the Minister of Conservation (Mr. Struthers), I take my hat off to him for taking this bold initiative, and this will change the face of the Interlake and protect this zone that sits upon one of the best aquifers in the province, if not the country.

The aquifer between the lakes is some of the purest, best water that you can find in all of Canada, and this is the best use they can make of it is to mix it with manure and broadcast it out on the pastures and into the swamps and onto these limestone ridges where they have these barns sited. So, obviously, the industry did not develop as it should have. The record is there for all to see and this resolution, which purports to support water, but in effect is support of uncontrolled expansion of this industry and to this pristine area is just wrong from the very beginning. So, I'm very happy to have the opportunity to put these precise thoughts on the record today.

I look to how this industry has developed, as well. It's not the family farms that it was 10, 15, 20 years ago. I remember 15, 20 years ago, there were lots of family hog farms in this area. Small operations, maybe 100 sows or so, but as long as they had the single desk in this country, in this province, they had a place to take their hogs. That was one of the things that Mr. Enns did, when he was the Minister of Agriculture, was to do away with the single desk, against the wishes of the producers. And I recall that time. All the producers, all good supporters of them as well, were adamantly opposed to this move, but the mindset is the corporatization of agriculture. It's the industrialization of food production. That's the Tory mindset. It's not good for the environment. It's not good for the quality of food that's produced using those methods, and it's not good for the family farm. I am firmly in favour of supporting family farms, but this unfettered growth of the industrial side of this industry was the wrong approach.

Now, I look to the Hutterites, and I admire the way they operate for the most part, because typically they have a lot of land themselves in grain production, so they have a logical place for their manure. So, I would support that type of development, but that's not the way it's been, for the most part, in the region.

* (11:40)

For these large corporate entities, manure is not fertilizer. Manure is a disposal problem for them. They're in the business of meat production and manure is a distant afterthought for them, and if they can put it into the swamp or onto the ridge—out of sight, out of mind, that's how it's been done, so closing the door at this point is the best way to go.

Our government has done a lot in terms of protecting water since we've come to office. I look to the creation of the Department of Water Stewardship, the first of its kind in the country, probably in the world, as a huge step in the right direction and subsequent to that, the passage of The Water Protection Act, which was the legislative initiative of this new department, the creation of water quality management zones for proper siting. The expansion of the conservation district program, Mr. Speaker, we went from nine to 18 or 19 conservation districts now, and I'm proud to say that we constituted the East Interlake CD and we're on the verge of the creation of the West Interlake CD, so we're definitely making good progress in that regard.

I look to our commitment in terms of infrastructure. That's what farmers need more than anything. They need good highways and good drainage, and when the Tories were in office, they never turned a wheel in the Interlake constituency for the nine or 10 years that they were in office, not a wheel, not a single road built and no drainage done whatsoever. So their record is disgraceful.

Mr. Speaker: Order. The honourable member's time has expired.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to speak to this resolution. We have nine long, long years of NDP government and the algal problems on Lake Winnipeg have been worse under their watch than under any previous government in the history of Manitoba. That is the sad reality of what's happened, and, of course, this government is feeling the heat on Lake Winnipeg because they have not performed all that well in making sure that the algal blooms are under control, that the phosphorus levels have been reduced, and as a result we have a rant from the MLA for Interlake (Mr. Nevakshonoff). Let me just address certain—
[interjection]

I, too, have been in the Interlake and I, too, have heard concerns, and I have seen areas where at the moment manure is being spread. I have talked with farmers, and while it may be true that it's a little more difficult to inject manure into a cattle pasture, the technology is now there that it can be done, and I would suggest that the technology can be improved and we can do it better. When we do not only move to injecting into cattle pastures and build the better technology, the fact is that we will be marketing that technology all around the world because we will be ahead and we will have the wherewithal to do it.

So instead of trying to work with the farmers in the Interlake who are struggling with figuring out what to do with their hog waste and are at the moment getting many of their neighbours very upset with the smell and with the waste flowing into the streams, this Member for Interlake (Mr. Nevakshonoff) should have been working with the industry, which is what this resolution calls for, and making sure that the technology for injecting into hay pastures was improved and that the problem was solved.

In nine years it should have been solved, but because of this MLA's inaction over nine years, the problem has not been solved. We have a lot of people I know in the Interlake who are quite upset, and they're upset with the inaction by this government, and they're upset because they're living from time to time in an environment in which there is a big hog smell and a lot of local pollution, and, yes, it needs to be addressed.

The interesting thing about this bill is that it won't do anything to change the practices of the existing farmers that he's so worried about. The reality is you put a moratorium on new expansion, it won't change the current practice of spreading on hay. The only way you're going to solve it is to use a liberal approach and inject all the manure. Or, alternatively, in Holland they produce dried pellets from the manure—other options, but we need better stewardship of the land. We need to work with the farmers. We need to be thinking forward. Instead of closing things down, we want to find a solution that people can live and work together in harmony because we're better stewards of the land.

The important thing here is to reduce the amount of phosphorus coming off the land and getting into the waterways. So we need better standards for the water in the waterways. We need approaches which are going to dramatically reduce the phosphorus in the waterways and injection of manure is one, but there are a variety of other water management approaches which are not being adequately followed.

The South Tobacco Creek initiative has been hanging on by a thread under this government, and it should have been expanded all over the place so that we're holding water back as well as draining more, because when you drain and drain and drain, you actually add the phosphorus to the waterways.

I was interested in the member's comments on Hutterite colonies. I support Hutterite colonies too. I've been to many of them. While from time to time

there may be some improvements that can be used in farm stewardship, I think what we saw during the hearings was a remarkable progress that many Hutterite colonies have made and achieved already in having better environmental stewardship. So we should salute them.

I think it very strange that the member talks about closing operations down and then forgets that he's talking about closing Hutterite colonies down as well. He doesn't distinguish in this legislation between Hutterite colonies and others. I think this is not a good approach, and the Member for Interlake needs to go back and rethink what he is saying. Thank you, Mr. Speaker.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): I'm pleased to rise today to perhaps set the record straight for some of the members opposite with respect to the action that we have taken, intersectorally interdepartmentally, with respect to the health of Lake Winnipeg.

As someone who's lived beside Lake Winnipeg, I've often characterized it as the serene, the surreal and the savage. The serene is when you get up in the morning and you're walking down the beach, and you see the sunrise reflecting off the water. The surreal is when the lake takes on such an air that you can't discern the horizon of the sky and the lake. The savage, of course, is when you see the lake go from dead calm to two metre swells in a matter of minutes and the impact that can have on those wary travellers that perhaps didn't pay attention to those warnings and were unfamiliar with the tenacious nature of that lake.

But on the surface you could describe it in so many ways, but we all know that it's what's underneath the surface that's causing us tremendous concern these days. We know that it's this government that has shown a tremendous amount of leadership in taking the steps necessary to correct what's wrong with the lake today.

Now it's interesting to rise after hearing the Member for River Heights (Mr. Gerrard), the ubiquitous Member for River Heights, because he is everywhere. I have seen him in Gimli on a number of occasions. Perhaps next time he comes he could ask me for a tour because I can show him first-hand concrete examples of what we're doing as a government to support the health of Lake Winnipeg. I say that figuratively and literally because the concrete that is being poured as we speak at the new waste-water treatment facility in Gimli is a

tremendous example of our commitment to support the health of Lake Winnipeg.

The lagoons that are currently on the shoreline of Lake Winnipeg, it was a painful reminder for us again this summer with the amount of water that fell. I believe it said Gimli received 159 percent precipitation this summer. There was potential that the lagoons would have to be discharged prematurely into the lake because of that, but that won't be an issue when the lagoons are decommissioned and that sewage is rerouted to the state-of-the-art waste-water treatment facility.

Maybe if the member would like a tour of that I can show him a concrete example in a literal sense of what we are doing to protect the lake in the community that I have been born and raised in.

* (11:50)

I'd also like to suggest to the member that he, the next time he's in Gimli, he talk to the Youth Community Partnership, an outstanding organization of young people who, for the summer, as a summer job, decided to take inventories of community grocery stores and convenience stores to see if they were selling lake-friendly and eco-friendly products and certainly to raise awareness that the choices that you make in the stores are going to impact the quality of our water.

Now I can say that, likely as a result of the work that they have done, we see stores in the community of Gimli that have displays that are specifically lake-friendly and eco-friendly products for cleaning materials and cleaning supplies. Maybe next time he's in Gimli he'll see the kiosk that this fine group of young people sets up occasionally at events including Islingadagurinn, including the film festival, including the many other things that go on in the summer in Gimli to make people aware of what's happening to our lake and what we need to do as a community to improve the quality of water and restore the lake to the levels that it had been historically.

Certainly I know the impacts first-hand. As somebody growing up in Gimli, I remember the lake being closed, the fishery being closed because of fear of mercury contamination. I saw the impact that that had on my community because many of the children that I went to school with were the children of fishers. We saw the impact first-hand on what happens when you allow things to go unchecked and allow for poisons and toxins to enter our system.

But we also know that this is not just a community problem at the local level. It's a provincial issue. It's also the fact that we have many jurisdictions that are part of this watershed that drain 25 percent of North America into this wonderful asset that we call Lake Winnipeg. We know that it is going to take a lot of action, and to suggest, in this resolution, that agriculture should be just one in a series of collective initiatives—that has always been our approach. We have not singled out agriculture in our efforts to clean up Lake Winnipeg.

We know that Bill 17 is about water, it's about protecting water. We know that the opposition is speaking against it. They are prepared to gut it. They're prepared to gut the legislation. They're prepared to allow things to continue that have contributed to the problems that we have in the lake today, and we are looking at all sectors throughout the province and how we—*[interjection]* The Member for Brandon West (Mr. Borotsik) is offering some advice; I'm sure he'd like to speak to this—and that's why we are working with the City of Winnipeg on a waste-water treatment facility that will be state of the art. Again, they are opposing our initiatives on that front, as well.

For them to suggest in any way, shape or form that—*[interjection]*

Mr. Speaker: Order.

Mr. Bjornson: Again, I heard it loud and clear. On the doorstep, when I was campaigning last year in the election, that a very important issue to Manitobans is Lake Winnipeg. I heard it loud and clear that they were not impressed that the members opposite would propose gutting all the water regulations that we brought forward.

Now, we know that this is a 30-year, 40-year problem with respect to the pollutants and toxins and everything that's been going into the lake. We know that that's an issue, and we know that it's going to take a few years to fix. We know that we're on the right track.

We know that it's partnerships. It's partnerships with the Department of Education. We know that education is critical. Education can make a big difference on how people behave in the future and the choices that they make. As a result, the Department of Education, in partnership with the Department of Water Stewardship, is developing a resource to support the curriculum so all our students can learn specific outcomes about Lake Winnipeg

and about the watershed and about water as a resource and the importance of water to the future of Manitoba's economy. So, if you want to look at all the other issues and all the other efforts that we've been making as a government, it's about agriculture, it's about education, it's about infrastructure, it's about investment.

I was with my colleagues when we renewed the funding to the *Namao*, a research vessel, and granted, the federal government has gifted that vessel to the Lake Winnipeg consortium, and that's a good thing. It was a little disconcerting to learn that a scientist who'd been hired to examine some of the samples that were collected had retired and the federal government hadn't replaced that individual. It was in the paper just the other day. So, Lake Winnipeg consortium, there's an outstanding team of scientists who are trying to get to the root of the problem and understand, in a longitudinal study—because you can't make your decisions based on something that you discover from one trip into the north basin. They go on several trips. They're collecting a lot of data. They're trying to get a real, solid, scientific understanding of what the issues are in Lake Winnipeg. To learn now that the federal Fisheries and Oceans individual that was studying the water and the samples that were collected has retired and hasn't been replaced is somewhat disconcerting and questions the whole nature of support that we're seeing from the federal government on this very important initiative.

Now, if you look at all the things that have been done, the Lake Winnipeg Stewardship Board established in '03 and provided the government with a report with 135 recommendations on actions needed, and we've accepted the report, all 135 of the board's recommendations. We've implemented or completed 95 percent of the recommendations.

Now, I've seen members opposite receive reports and put them up on the shelf and let them collect dust, but we act on the recommendations that we've received. Certainly, when you look at the strategy, as far as Lake Winnipeg water quality issues are concerned, there are multiple approaches that have been undertaken. Enacting new legislation such as The Water Protection Act and the proposed first-in-Canada, phosphorus reduction act; making new regulations; establishing the first-in-Canada water protection areas, opposed by members opposite; the proposed first-in-Canada restrictions on the cosmetic application of fertilizers; working to set

long-term, ecologically relevant objectives for nutrients in Lake Winnipeg; strengthening water quality standards for waste-water effluent, opposed by members opposite; implementing regional moratoriums on new or expanding hog operations to protect water, ensured long-term environmental sustainability on the hog industry.

Before I conclude—I see my light is flashing here—I would also like to pay tribute to my colleague from the Interlake, who has been a tremendous advocate for the farmers in the Interlake and who has done much to support the need to look at the drainage systems that we have in the Interlake—something that was neglected for years by members opposite—and in support of the conservation districts and the need to look as stewards of the land and stewards of the water in a sustainable manner.

I thought it was patently unfair to have the Member for River Heights (Mr. Gerrard) attack him as such when you consider the work that he has done on behalf of his constituents. I'm very proud to work with my colleague from the Interlake, and I look forward to a long, long working relationship with him. Thank you very much, Mr. Speaker.

Mr. Speaker: The honourable Member for Arthur-Virden.

Some Honourable Members: Oh, oh.

Mr. Speaker: I've recognized the honourable Member for Arthur-Virden who was standing.

Mr. Larry Maguire (Arthur-Virden): Well, Mr. Speaker, this resolution that's been brought forward, along with Bill 17—as opposed to Bill 17—I cannot believe a government would vote against a resolution that urges the provincial government to consider examining ways to partner with an agricultural industry and also vote against research and technology to deal with the issue. It's just abhorrent.

I know that the Minister of Conservation (Mr. Struthers) is feeling under great pressure from his Premier (Mr. Doer) who forced him to put this bill forward and carry it into the House.

There are also only 350,000 sows in Manitoba, Mr. Speaker. Four million of the 9.4 million hogs that the minister spoke of are 20-pound piglets that leave the province. I wonder how much excrement they can leave behind before they leave. It's just

ridiculous the arguments being made by this government.

So, I just want to say that Bill 17 is a '3 p' bill. It's about purely political posturing, Mr. Speaker. Thank you.

Hon. Christine Melnick (Minister of Water Stewardship): Mr. Speaker, it really is a pleasure to speak on this today. I'm going to set the record straight on the true record of the Liberal Party and the true record of the Tory party here in Manitoba.

In 1995, the Member for River Heights (Mr. Gerrard), who sat in the federal Cabinet, reviewed the Canadian Environmental Protection Act in the House of Commons Standing Committee on Environment and Sustainable Development and recommended that Environment Canada regulate the phosphorous content of cleaning agents other than laundry detergent.

The Government of Canada responded with a science assessment entitled, *Nutrients and Their Impact on the Canadian Environment*, but they did nothing to proceed with an amendment, and that is the true record of the Member for River Heights, Mr. Speaker.

Also, when he was sitting around that Cabinet table, he promised more money for water monitoring in the 2003 election, but when he was in the federal Cabinet and the Department of Environment was cut by 1,400 staff, \$229 million between 1995 and '97, and when he was asked about this, the Member for River Heights said, these kinds of decisions—

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

The hour being 12 noon, we will recess and reconvene at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, September 18, 2008

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