

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

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

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

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, May 27, 2009**

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

**Mr. Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom, know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Routine proceedings; introduction of bills.

**ROUTINE PROCEEDINGS  
INTRODUCTION OF BILLS**

**Bill 235—The Pet Cemeteries  
and Crematoriums Act**

**Mr. David Faurchou (Portage la Prairie):** My pleasure to say—today to introduce first reading of Bill—

**Mr. Speaker:** Gotta move—I move, seconded by.

**Mr. Faurchou:** Yes, I move, second by the honourable Member for Charleswood (Mrs. Driedger), that Bill No. 235, the pet cemeteries and crematorium act, be now read a first time.

**Mr. Speaker:** It's been moved by the honourable Member for Portage la Prairie, seconded by the honourable Member for Charleswood, that Bill No. 235, The Pet Cemeteries and Crematoriums Act, be now read a first time.

**Mr. Faurchou:** This is long-awaited legislation that would be unique to Canada, as it pertains to the burial and cremation of pets and provides structure through regulation for that activity.

Thank you very much, Mr. Speaker.

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

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed and so ordered.

**Bill 237—The Amusements Amendment Act  
(Restrictions on Ticket Resale)**

**Mr. David Faurchou (Portage la Prairie):** I move, second by the honourable Member for Fort Whyte (Mr. McFadyen), that Bill No. 237, The Amusements Amendment Act, be now read a first time.

**Mr. Speaker:** It's been moved by the honourable Member for Portage la Prairie, seconded by the honourable Leader of the Official Opposition (Mr. McFadyen), that Bill No. 237, The Amusements Amendment Act (Restrictions on Ticket Resale), be now read a first time.

**Mr. Faurchou:** It gives me great pleasure to bring this legislation to the Assembly, as it pertains to the reselling of entertainment tickets and through regulation provided for by this legislation the orderly reselling of tickets, and prevents those engaged in the secondary selling of amusement tickets, a 48-hour window for the general public to access tickets. Thank you.

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion? Agreed? Agreed and so ordered.

Petitions

**PETITIONS**

**Photo Radar**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

It is important to protect the safety of construction workers who are on the job by having reduced speeds in construction zones when workers are present.

The provincial government handed out tickets to thousands of Manitobans who were driving the regular posted speed limit in construction zones when there were no construction workers present.

A Manitoba court has ruled that the reduced speed zones in construction areas were intended to protect workers and that the tickets that were given

when no construction workers were present were invalid.

The provincial government has decided not to collect unpaid fines given to motorists who were ticketed driving the normal posted speed limit when no construction workers were present.

The provincial government is refusing to refund money to the many hardworking, law-abiding Manitobans who had already paid the fine for driving the regular speed limit in a construction zone when no workers were present.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Attorney General (Mr. Chomiak) consider refunding all monies collected from photo radar tickets given to motorists driving the regular posted speed limit in construction zones where no workers were present.

This petition is signed by Don Code, Neil Hamilton, Pat Karras Spangelo and many, many, many others.

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

#### **Long-Term Care Facilities—Morden and Winkler**

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

These are the reasons for this petition.

Many seniors from Morden and Winkler area are currently patients in the Boundary Trails Health Centre while they wait for placement in local personal care homes.

There are presently no beds available for these patients in Salem Home and Tabor Home. To make more beds in the hospital available, the regional health authority is planning to move these patients to personal care homes in outlying regions.

These patients have lived, worked and raised their families in this area for most of their lives. They receive care and support from their family and friends who live in the community, and they will lose this support if they are forced to move to distant communities.

These seniors and their families should not have to bear the consequences of the provincial government's failure to ensure there are adequate per-personal care home beds in the region.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to ensure that patients who are awaiting placement in personal care home are not moved to distant communities, and

To urge the Minister of Health to consider working with the RHA and the community to speed construction and expansion of long-term care facilities in the region.

This is signed by Helen Thiessen, Eva Suderman, Helen Guenther and many, many others.

#### **Community Police Offices**

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

The background to this petition is as follows:

In the 2007 provincial election, the NDP clearly stated that making communities safer was a priority.

The NDP government did nothing to prevent the McPhillips Street community police office and other community offices from closing.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Premier of Manitoba (Mr. Doer) to consider the important role that community police offices can play in making our communities safer.

Mr. Speaker, this is signed by A. Tesoro, R. Mauricio, A. Dela Cruz and many, many other fine Manitobans.

Thank you, Mr. Speaker.

\* (13:40)

#### **Ring Dike Road—Ste. Rose du Lac**

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

The Ring Dike Road is a well-used gravel municipal road that is used as a secondary road in and out of the community of Ste. Rose du Lac.

Given this heavy pattern of use, there is strong interest in the community in seeing the Ring Dike Road upgraded to a paved provincial road.

It would be most cost-effective to upgrade the Ring Dike Road to a provincial road the same time that upgrades are being undertaken at the junctions of Highway 68 and Highway 5.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider upgrading the Ring Dike Road at Ste. Rose du Lac into a provincial road; and

To request the Minister of Infrastructure and Transportation to consider upgrading the Ring Dike Road at the same time that the work is being done at the junction of Highway 68 and Highway 5.

This petition is signed by Tara Dubord, Lynn Jastrebski, Gerald Lopez, and many, many other fine Manitobans.

#### **Traffic Signal Installation— PTH 15 and Highway 206**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

In August 2008, the Minister of Transportation (Mr. Lemieux) stated that traffic volumes at the intersection of PTH 15 and Highway 206 in Dugald exceeded those needed to warrant the installation of traffic signals.

Every school day, up to a thousand students travel through this intersection in Dugald where the lack of traffic signals puts their safety at risk.

Thousands of vehicles travel daily through this intersection in Dugald where the lack of traffic signals puts at risk the safety of these citizens.

In 2008, there was a 300 percent increase in accidents at this intersection.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate installation of traffic signals at the intersection of PTH 15 and Highway 206 in Dugald.

To request that the Minister of Transportation recognize the value of the lives and well-being of the students and citizens of Manitoba.

Signed by Allan Hlady; transportation manager, Jim Wright; bus driver, Beryl Davidson, and many, many other Manitobans.

#### **Photo Radar**

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

These are the reasons for this petition:

It is important to protect the safety of construction workers who are on the job by having reduced speeds in construction zones when workers are present.

The provincial government handed out tickets to thousands of Manitobans who were driving the regular posted speed limit in construction zones when there were no construction workers present.

A Manitoba court has ruled that the reduced speed zones in construction areas were intended to protect workers and that the tickets that were given when no construction workers were present were invalid.

The provincial government has decided not to collect unpaid fines given to motorists who were ticketed driving the normal posted speed limit when no construction workers were present.

The provincial government is refusing to refund the money to the many hardworking, law-abiding Manitobans who had already paid the fine for driving the regular speed limit in a construction zone when no workers were present.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Attorney General (Mr. Chomiak) consider refunding all monies collected from photo radar tickets given to motorists driving the regular posted speed limit in construction zones where no workers were present.

This is signed, Mr. Speaker, by Tim Pfrimmer, W. Wood, J. Ollinger and many, many other Manitobans.

#### **Midwifery Services—Interlake Region**

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

These are the reasons for this petition.

Residents of the Interlake Regional Health Authority do not have access to midwifery services.

Midwives provide high quality, cost-effective care to childbearing women throughout their pregnancy, birth and in the post-partum period.

Women in the Interlake should have access to midwifery care.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider working with the Interlake Regional Health Authority to provide midwifery services to women in this health region.

And this is signed by Joelyn Heide, Gladys Loewen, Esther Penner and many, many more.

**Mr. Speaker:** Committee reports; tabling of reports

#### TABLING OF REPORTS

**Mr. Speaker:** I am pleased to table the Annual Report of the Children's Advocate for the year ended March 31, 2008.

**Hon. Nancy Allan (Minister of Labour and Immigration):** Mr. Speaker, I'm pleased to table the Annual Report of the Manitoba Labour Management Review Committee for the year 2007.

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Mr. Speaker, I'm pleased to table the Teachers' Retirement Allowances Fund Annual Report for 2008.

**Mr. Speaker:** Ministerial statements.

#### Introduction of Guests

**Mr. Speaker:** Prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us today, we have a group from the United Steelworkers of America who are the guests of the honourable Minister of Intergovernmental Affairs (Mr. Ashton).

And also in the public gallery we have with us Marie-Therese Poitras, Valerie Anderson, Cheryl Anderson, and Connie Hyduk, who are the guests of the honourable Member for Springfield (Mr. Schuler).

And also in the public gallery we have from—a grade 3 class of Inkster School under the supervision of Albert Yanofsky, who are the guests of the

honourable Member for Emerson (Mr. Graydon). Included in the class are Bailey and Colby Graydon, along with their mother, Amber, grandchildren of the honourable Member for Emerson.

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

#### ORAL QUESTIONS

##### Elections Manitoba Resignation of Forensic Auditor

**Mr. Hugh McFadyen (Leader of the Official Opposition):** We know that after the 1999 election, the NDP filed a false—13 false election returns that resulted in Manitoba taxpayers being called on to provide more than \$76,000 in, in funds to the NDP, such funds which were not, were not warranted and which were, were paid to the NDP improperly.

Mr. Speaker, the information which has come to light is that the NDP pressured Elections Manitoba to get rid of the forensic auditor, Mr. Asselstine, who had been investigating the NDP in connection with their violations of The Elections Finances Act.

Mr. Speaker, we now—it has now come to our attention that, in fact, after the time that the original false returns were filed, along with audited statements—along with an audit report by Randy Mavins, who was then the auditor for the NDP, that Randy Mavins, the NDP's auditor, resigned, and then the party submitted revised annual returns following his resignation.

I want to ask the Premier if he can explain to the House why is it that his party auditor resigned prior to the revised statements being submitted.

**Hon. Gary Doer (Premier):** Mr. Speaker, I would point out that the issues before Elections Manitoba were dealt with by the—obviously, the accountants and auditors, and they dealt with the issues before, before the Elections Manitoba, and all of those matters went to Mr. Green, Mr. Michael Green, who was the legal counsel in the Monnin inquiry, who is now the—he has now been approved by all parties to be the commissioner of elections campaign.

And Mr. Balasko testified at the committee or, or certainly stated at committee on a number of times that he relied on the advice, the legal advice, from Mr. Graham and Mr. Green. He also said that this is not the first time political parties have revised financial statements; this is not the first time that political parties have worked with Elections

Manitoba; this is not the first time that a number of factors that are being cited by the members opposite have been, have been in question with Elections Manitoba.

We respect the independent office of Elections Manitoba. Members opposite might not, but we respect their role.

**Mr. McFadyen:** Mr. Speaker, we know that they interfered in the investigation, and Mr. Asselstine was pushed out in terms of doing work for Elections Manitoba. We now know that the NDP's own hand-picked auditor resigned before the revised statements were filed in April of 2003, ironically just in time for the 2003 election, not to be disclosed until after that election.

I want to ask the Premier again: Why did his own party's auditor resign prior to the filing of those statements, and why is it that the revised statements, which the act requires to have audited statements attached to them, why is it that 10 years later, their 1999 election statements—13 of them, plus the central party return—to this day have yet to have an auditor sign off? Is that because they cannot find an auditor in the province of Manitoba prepared to sign off on their 1999 returns?

**Mr. Doer:** First of all, all this matter was dealt with—financial statements and other matters were dealt with in the Elections Manitoba report dealing—which was tabled in 2003 or '04, I believe, and deals with all of these issues under Elections Manitoba. It's in page 17. It's been a public document for a number of periods of time. There's a section on update to previly—previously filed financial statements, an update on prosecutions. It's been a public document for literally years, Mr. Speaker, and it goes through all of these issues.

\* (13:50)

I would point out, Mr. Speaker, that the Chief Electoral Officer said, and I quote: that other parties have conducted—have prepared other financial statements subsequent to elections. I would point out, I would point out, Mr. Speaker—[interjection]

**Mr. Speaker:** Order.

**Mr. Doer:** I would point out that the financial statement in the Elections Manitoba annual report has an update in the 1995 election. Based on information not previously available, i.e., not properly filed, Elections Manitoba concluded that an investigation dealing with the PC Party of Manitoba's

1995 election statement was, in fact, based on their amended statement, that the PC Party in Manitoba exceeded the 1995 electoral boundary or the—exceeded the spending limits in the, in the, in the filing.

They, secondly, Mr. Speaker, went on—go on to say that a po—prosecution was barred because time limit, time limits had been exceeded.

So members opposite will be fully aware that in the '95 election campaign five years later we have a statement made from Elections Manitoba similar to what we had in the '99 election.

We didn't whine about losing the election in two—in 1995. We didn't complain about the fact that we lost the election because they had two parties running. We didn't complain about the fact that they had two bank accounts. We didn't complain about the head of Treasury Board ripping up the cheques.

The bottom line is Elections Manitoba—

**Mr. Speaker:** Order.

**Mr. Doer:** —testified at the committee that they do this on a regular basis with political parties, and they, they are absolutely correct to say that, because that's the evidence.

**Mr. McFadyen:** Mr. Speaker, we are, we are aware of the information that David Asselstine did uncover following the 1995 election. Mr.—that same Mr. Asselstine is the forensic auditor that they leaned on Elections Manitoba to get rid of. Elections Manitoba did get rid of him, and then this matter has carried on from there.

Mr. Speaker, the fact is that there are 13 candidates who ran in that election 10 years ago who have yet to have their statements audited, including the Minister of Finance (Mr. Selinger) and the Minister of Labour (Ms. Allan) and two other sitting members of the NDP caucus.

The act, it requires, it says, you shall have an audited statement. The statement that was filed in—on April 30th of 2003, which is the revised statement after they were caught falsifying the earlier statement on the front page, has a big blank area where it asks who the auditor was, and that, Mr. Speaker, is because, apparently, they couldn't find an auditor in Manitoba who was prepared to review their 1999 statements, even though it's mandatory under the law.

Why, Mr. Speaker, do we stand here today, 10 years later, with 13 returns filed, including that of the Minister of Finance, the Minister of Labour, two other members of the caucus, have yet to have an auditor review those statements and file an auditor's report? Why have they not audited their own statements? And why did their auditor resign prior to April of 2003?

**Mr. Doer:** Mr. Speaker, the Elections Manitoba report on page 17 deals with the auditor, the audited reports, the audited reports that were amended and refiled. It's fully in the public record, just like the 2000 report deals with the overexpenditure—which, by the way, would have a lot more of an impact on election campaigns—overexpenditure of money, in the, in the report of the auditor of the Elections Manitoba branch.

Mr. Speaker, the members opposite in their questions on Monday night alleged that, first of all, the, the Chief Electoral Officer made it clear that the individual was involved in the—dealing with another matter than the matter raised by the members.

Secondly, he made it very clear that the chief—the Elections Manitoba has never felt pressure, acts independent from all political parties, acts without fear or favour. He said that nine or 10 times. So you can either use the advice of Mr. Green, which has been supported by all political parties in terms of his legal advice to Elections Manitoba. You can trust the integrity of Mr. Green and Mr. Balasko, or you can say and suggest, as the members opposite have, that you can't trust them.

I trust them, and they acted in a way that was consistent with how they acted with the Conservatives in the past. This is not—it should not be a surprise to the member. He was the chief of staff during those years, Mr. Speaker.

#### **1999 Election Audited Campaign Returns**

**Mr. Leonard Derkach (Russell):** Well, Mr. Speaker, contrary to the Premier's opinion, \$76,000 falsely claimed by the NDP is an issue for Manitobans.

Mr. Speaker, the Minister of Finance (Mr. Selinger) on many occasions in this House stands up and talks about the importance of audited statements and the fact that he believes in audited statements and that we should take them at their worth and, of course, we do.

But, Mr. Speaker, when it came to his personal issue of filing his return with Elections Manitoba, his amended return with Elections Manitoba, he did not have an auditor sign that return.

And I want to simply ask him, 10 years after it was filed, why this return has never been signed by an auditor.

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker—

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

**Mr. Speaker:** Order. Order. Order. Order.

**Mr. Chomiak:** —for the benefit of those that weren't at committee on Monday night, the electoral officer who was cruelly browbeated by the Member for Steinbach (Mr. Goertzen) said, quote: "There is not a political party in the House that hasn't refiled a financial statement, that has not repaid reimbursement at one point, in some cases more than once."

So this has happened in the past, across the board, having not resulted in prosecutions in other cases, Mr. Speaker. And, I note, following the 2003 election, the provincial Tory auditor refused to certify the Tory election financial statements dated October 3, 2003. I repeat: the Tory provincial auditor refused to certify—

**Mr. Speaker:** Order.

**Mr. Derkach:** Mr. Speaker, we're talking about audited financial returns to Elections Manitoba.

And, Mr. Speaker, we're talking about the Minister of Finance—

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

**Mr. Speaker:** Order. Order. Order. Order. We need some decorum to hear the question. Order. Order. Order.

**Mr. Derkach:** —and perhaps the Minister of Justice could control himself just a little, till the question is asked.

But, Mr. Speaker, I'm going to ask the Minister of Finance (Mr. Selinger) once again. Obviously, the minister knew well in advance that something was wrong because he requested and received a letter absolving him of any knowledge and responsibility of what was happening under the central NDP in terms of filing false claims with Elections Manitoba, and I want to ask him whether he will confirm that he asked for the letter and received the letter because

he knew that this action could result in possible legal action against his party.

**Mr. Chomiak:** Mr. Speaker, Elections Manitoba reviewed the Tory financial statements from 2003, and three months past the election deadline. Elections Manitoba must have had some discussion, I would think, with the Tory party regarding the refiling of their 2003 statement past the legislated deadline.

And, while the Tories could have been charged with breaching the act, no charges were laid. The matter was resolved to the satisfaction of Elections Manitoba, confirming what the Chief Electoral Officer said on Monday night, that every single party—every single party—has refiled and been given a—has been reviewed by Elections Manitoba, and the attempt of members opposite is nothing more than, I would say—

**Mr. Speaker:** Order.

**Mr. Derkach:** Well, Mr. Speaker, the Minister of Finance's (Mr. Selinger) silence is somewhat deafening here.

But, Mr. Speaker, I'm going to ask him again. The Minister of Finance knows that knowledge of an illegal act by his party would have greatly compromised his position as Minister of Finance and, so, therefore, he requested the letter.

I want to ask the Minister of Finance whether he requested the letter because he did not want to compromise his position as Minister of Finance for the Province of Manitoba.

**Mr. Chomiak:** Yes, Mr. Speaker, following the 2003 election, the provincial Tories refused to certify their election financial statements—are examined by the provincial auditors of their Tory party. Our examination indicated significant deficiencies in the accounting records and the systems of internal control and, in view of the possible *[inaudible]* effect on financial statement of the matter prescribed, we are unable to express an opinion whether the financial statement *[inaudible]* of the Tory party is presented fairly. The statements were refiled and certified by the auditor after—three months after the deadline.

Like all the—now, I don't know what discussions—

**Mr. Speaker:** Order. Order. Order. Order. Order. We need some decorum. Order. Order. Order. We

need to hear the questions and the answers. Order. The honourable Attorney General has the floor.

\* (14:00)

**Mr. Chomiak:** Yes, thank you, Mr. Speaker.

And that fits exactly with what the provincial aud—with the provincial Chief Electoral Officer said, when he said that, overwhelming, Elections Manitoba works with campaigns to rectify unintentional instances of non-compliance without serious consequences, including the report that he tabled in 2000, which indicated the Tory—

**An Honourable Member:** Five years later.

**Mr. Chomiak:** —five years later—the Tory party, then, had overspent by—

**Mr. Speaker:** Order.

#### 1999 Election Audited Campaign Returns

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, these same changes were also made to the election return for the Minister of Labour's (Ms. Allan) campaign in 1999. Yet, to this day, these changes have not been signed off by an auditor and this is required under the act.

Can the Minister of Labour explain why the changes made to her 1999 election return have still not been signed off by an auditor, as is required under the act, Mr. Speaker?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, on page 17, on page 17 of the annual report of the Chief Electoral Officer that was tabled in this House five years ago, it indicates Elections Manitoba, Elections Manitoba verified that the amended return reflected the same information as the initial audited returns, except with respect to revisions arising from required amendments, just like in the year 2000, five years after the Tories filed a illegal, in their words—not illegal, but an improper expense—they allowed the Tories to repay it back, just like in the year 2003, when the Tory auditor would not sign off on the statements.

Three years after the—three months after the deadline, the Electoral Officer allowed the illegal—no, they're not illegal, the inconsequential wrong amendments done by the Tories to be refiled.

**Mr. Speaker:** Order. Order.

**Mrs. Stefanson:** Mr. Speaker, I would suggest that the minister read the act. Under the act, it requires that changes that are made to election returns must be signed off by an auditor. This has not happened with 13 returns by members opposite.

The Minister of Finance (Mr. Selinger) obviously felt that the changes made to his return, which were similar to the ones made to the Minister of Labour (Ms. Allan), were important enough for him, Mr. Speaker, to ask for a letter from his party absolving he and his official agent of any wrongdoing related to this fiasco.

Did the Minister of Labour ask for the same kind of letter to absolve herself and her official agent?

**Mr. Chomiak:** The 2003 annual report of the Elections Manitoba, said: Therefore, Elections Manitoba verified the amended returns, except with revised—to revisions. The amended returns are available on our Web site at Elections Manitoba—

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

**Mr. Speaker:** [*inaudible*] quite a few times. I shouldn't have to. We should have decorum in the House because questions and answers are very important and we have to hear them all. I'm, once again, asking, co-operate.

**Mr. Chomiak:** Yes, thank you, Mr. Speaker. The 19–2003 annual report that was provided to this House and is on the Web site, indicated that amended statements required. It then goes on to talk about prosecutions from the '99 general election. The PC candidate for The Maples, the PC candidate for Inkster, the PC candidate in Rossmere were all prosecuted as a result of information that came through and provided.

So—and in the year 2000, as a result of the '95 election, even though the PC Party was found to be, even though the PC Party was found to be in violation, they allowed the PC Party to pay back \$13,691, Mr. Speaker, and there was no prosecution.

Mr. Speaker, you know, I, I have to go back to the meeting on Monday night when, over and over and over again, members opposite questioned the integrity of the Electoral Officer.

**Mr. Speaker:** Order.

**Mrs. Stefanson:** Mr. Speaker, the question is quite simple. Why did the Minister of Labour not file an audited return after the changes were made to her election return in the 1999 election campaign?

This is required under the act. Why did she not get an auditor to sign off on the changes that were made? Was she not able to find an auditor to do this? The question is simple, Mr. Speaker.

**Mr. Chomiak:** Mr. Speaker, all the 13 issues and 13 things are dealt with. The 13 NDP candidates—this is page 17 of the report in 2003, filed in this House five years ago. The following 13 candidates amended election statements. The initial statements indicated expenses. The resulting \$76,000 overpayment has been reim—reimbursed, has been repaid. And, it says later on, Elections Manitoba verified that the amended returns reflected the same information as the audit returns except with respect to revisions arising from the required amendments. The amended returns are available on our Web site.

You raised it four years ago. You raised it three years ago. You raised it two years ago. You raised it one year ago. You're raising it now, Mr. Speaker. It's old news. It's on here. It's already been provided. And, in addition, the Chief Electoral Officer said that he uses his judgment and that all three political parties—

**Mr. Speaker:** Order.

#### **Health Access Centres Lease Costs**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, health access centres are a good idea, but there are some questions about how the NDP is managing them. The NDP spent \$7.4 million for the bricks and mortar to build them. Now each access centre pays three-quarters of a million dollars a year for lease costs.

So I'd like to ask the Minister of Health to explain: Who are these lease costs paid to and why are they so high?

**Hon. Theresa Oswald (Minister of Health):** I appreciate the question. It gives me an opportunity to correct some incorrect information that the member put on the record yesterday.

Yesterday the minister or the member suggested that access centres couldn't attract—[*interjection*]-access centres couldn't attract any doctors. On close observation, we know that our most recent information shows that there's less than three-quarters of one position that we're recruiting for, and, indeed, all the other positions for physio-physicians are filled. So that's an important clarification to make.

Further, the member yesterday cited some peculiar numbers about deficits in access centres. Certainly, we investigate all of the numbers coming from the member opposite because they're so often wrong, and these were wrong as well. There are no deficits, Mr. Speaker.

#### Travel Costs

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, we have 10 Freedom of Information documents going back to 2005 that show a chronic shortage of doctors at these access centres, and, also, the financial statements for the access centres were provided to us by the WRHA, so I'm not sure what the minister is talking about.

Mr. Speaker, considering that both health access centres are in Winnipeg and they serve a relatively small geographic area, their travel costs are staggering. Between the two of them, according to the financial statements provided to us, annualized, they spent almost \$600,000 on travel alone.

So can the minister tell us: Where are all of these people travelling to?

**Hon. Theresa Oswald (Minister of Health):** You know, we learned a few days ago that the member opposite apparently seems not to care about primary care in downtown Winnipeg, as she persistently puts misinformation on the record about the clinic that's going to exist in downtown Winnipeg.

Yesterday, we learned from the member opposite that she's not in favour of building any health capital and she thinks that we're wasting our money there.

Today, are we learning that the member opposite is now not in favour of home care and paying for the workers that travel to help elderly people in their homes stay in their homes?

No primary care? No capital planning? And now she doesn't care about home care. It boggles the mind.

#### Communication Costs

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, the questions are about NDP management and accountability and about their, their huge desire to build—

**Mr. Speaker:** Order.

**Mrs. Driedger:** —build a huge bureaucratic building for all their bureaucrats on Main Street for the

WRHA bureaucracy. That's what our concern is, Mr. Speaker.

Mr. Speaker, for the health access centres, there is also, besides the big travel bill, there are also huge bills for telephones. In fact, between the two centres, they spend over a quarter-million dollars a year on phones and pagers. So instead of all of this money going for patient care, where it—

**Mr. Speaker:** Order.

**Mrs. Driedger:** —should be going to, we've got \$824,000, almost a million dollars, being spent by these two primary care centres on administrative expenses for travel and phone. Can the minister explain—

**Mr. Speaker:** Order.

**Hon. Theresa Oswald (Minister of Health):** You know Mr. Speaker, I sometimes find it odd that Tories ask questions about nurses or that members from rural Manitoba ask questions about doctors when they cut the spaces in medical school. But, but a Tory asking a question about a phone bill from MTS, this might take the cake.

But, in all seriousness, Mr. Speaker, I can say to the member opposite that our access centres, coming from the patients, have an over 95 percent approval rating. Families love the access centres as being a single point of entry for their health and their social needs. Yes, we pay for the travel for the workers that go to elderly people's homes that need home care. Yes, we pay for cellphones and other electronics so that these individuals can be in touch with one another, not just for patient safety but for their own safety.

Yes, we fund health care, unlike they ever did.

\* (14:10)

#### Vince Li Review Board Publication of Ruling

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, while Vince Li was found not to be criminally responsible in the horrific murder of Tim McLean, it is still clear that he died at the hands of Mr. Li. Yet the family of Tim McLean and the public are now being told that whether Mr. Li is institutionalized or released and the conditions placed upon him will not be made public because it may violate the Province's personal health information laws and privacy laws.

Mr. Speaker, for the sake of the family, for the sake of Tim's friends, for the sake of the other people on the bus that night and the reputation of the justice system itself, will the Minister of Justice indicate whether he will legally test this opinion to ensure that the family and the public are given the information they deserve?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, the upcoming review board, which is constituted under the Criminal Code of Canada, hearing will be open to the public according to the board chair, John Stefaniuk. The victims' families will be informed of the review board's decisions.

The rules about whether board hearings are public are set out in the federal Criminal Code, subject to some exceptions which sets some limits on media. Mr. Speaker, the Criminal Code Review Board has in the past and continues to release information about dispositions.

**Mr. Goertzen:** Mr. Speaker, we know that in similar situations in other provinces this information is not withheld. There has to be a recognition that there has to be a balance between the privacy in some situations, but in situations like this more weight needs to be given to the victims' families, to the public safety and to the belief in the justice system itself.

It was indicated today that the information couldn't be published in a public forum because of the laws of Manitoba under freedom of information and the personal health information laws. Can the minister indicate today whether or not those laws are impeding the public information on the Vince Li case and whether or not he'll be incarcerated or released?

**Mr. Chomiak:** Mr. Speaker, unlike the Member for Steinbach, I can't put myself in the place of the board and tell whether he's gonna be incarcerated or released. That's the responsibility of the board under the Criminal Code of Canada. And the board, under the Criminal Code of Canada, must hold open hearings unless there's subject to some provisions in the Criminal Code of Canada, under the Criminal Code of Canada under section 672, sub 5, sub 6, and publication of application are prohibited under section 672, point 5, sub 6, sub 10: Unless the review board refuses to make an order under three, no person shall publish, et cetera. That's in the Criminal Code.

John Stefaniuk, who is the chair of the review board, has indicated the hearings will be open to the public and the victim's family will be informed of the review board's decision and, furthermore—

**Mr. Speaker:** Order. Order.

**Mr. Goertzen:** Mr. Stefaniuk indicated that while the hearings will be open for somebody to attend they will not be able to publish whether or not Mr. Li will be incarcerated or whether or not he will be released after that hearing.

He indicated that the reason that they couldn't publish that information were because of provincial legislation, the personal health information and the freedom of information laws in the province.

They should not be used as a shield for information that the public should know in cases like this. I'm asking the Minister of Justice will ensure that the law's tested so that it can be publicly released about whether or not the individual's going to be incarcerated or whether or not he's going to be released, so that the family and so that those who are friends of Mr. McLean can have this information broadly publicized, those who were on the bus and others who have a right to know for the sake of public safety, Mr. Speaker.

**Mr. Chomiak:** The Criminal Code Review Board has released information about dispositions in the past. Mr. John Stefaniuk has said that the hearings will be open to the public. Family members and others will be informed of the review board's decisions, and the Criminal Code says that the hearings must be open, Mr. Speaker.

In all health-care matters, in terms of PHIA health-care information, was brought in by, I think, the members opposite, the restrictions on health-care information. That applies to everybody but that's health-care information, Mr. Speaker. Otherwise, information is provided and the Criminal Code allows for victims to submit victim impact statements to be considered at the review board hearings, and our provincial victim services worker offers assistance to victims with regard to that.

### **Education Facilities Asbestos Report**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, it is my understanding from comments made in the hallway that the Minister of Education completed his assessment report on asbestos in schools, but he

apparently needed a few extra days to format the report.

I ask the minister if he's had enough time to pick out the right font, select the appropriate margin widths, and is he now ready to table the report.

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** As I've assured the member, we'll provide that list in a timely fashion, and, certainly, we've been working with the school divisions to get the list of schools that do have asbestos identified, and the member, I would hope, would want the list to be accurate so we're making sure that the list is accurate, and we're formatting the information that we received from the school divisions.

So once that list is ready, it will be given to the member, and I will assure the member that it'll be done in the very near future, Mr. Speaker.

**Mr. Schuler:** It's been at least four weeks, Mr. Speaker, and exposure to asbestos can lead to life-threatening, fatal illnesses.

We know of one situation raised in this House, in British Columbia, where eight construction workers and several teachers were exposed to this deadly substance. In Manitoba, the government's own Workplace Safety and Health division released a report stating, asbestos-related disease were the second most common cause of work-related fatalities in the province, but the minister seems to place importance on margin widths and the debate over Arial versus Roman fonts.

I ask the minister to put aside his obsession with pretty fonts and table the report today.

**Mr. Bjornson:** Well, Mr. Speaker, the member opposite talks about a case in British Columbia. Well, here in Manitoba, part 37 of the Workplace Safety and Health regulation ensures that all employers and owners, including school divisions, maintain an inventory of their asbestos-containing material. It's done to ensure that any contractors who might be engaged in renovations or additions or repairs to the schools will be made aware, by law, that asbestos may be contained in the area that they will be working.

We're talking about encapsulated asbestos, Mr. Speaker. The school divisions have identified where there's asbestos in the schools. We will have a list for the member shortly, and I can assure the member that it's not helpful to Joe Public for him to

be fearmongering about a tremendous health risk here in our schools.

Our schools are safe and we'll continue to work to make them safer, Mr. Speaker.

**Mr. Schuler:** Well, the question to the minister should be is the list that long that it takes months to produce, Mr. Speaker?

Parents who send their children to school each day do it with the expectation their children will be safe. Other jurisdictions in Canada have adopted comprehensive asbestos eradication plans for their schools, including Saskatchewan and Québec. The World Health Organization is even warning that exposure to asbestos and its impact on public health are substantial.

I'm asking the Minister of Education to do the right thing, realize that it is his duty to have an accurate inventory of asbestos-containing material in our public schools and share that information with the public.

Will the minister now make this his first priority, roll up his sleeves, get busy formatting the report and table it today? Are they formatting, Mr. Speaker, or are they editing it?

**Mr. Bjornson:** Well, Mr. Speaker, I will provide that list for the member today, and it's curious to hear the member speak about safety for our children in our schools because those children graduate and go on to workplaces where this member, as well as several members of his party, voted against Bill 27 providing more workplace safety enhancements for workers in this province.

So to stand up and pretend to be the champions of safety in our public school system and turn around and vote against Workplace Safety and Health measures in Bill 27 is absolutely *[inaudible]*

**Mr. Speaker:** Order.

**Mr. Bjornson:** –politically expedient for them to try to gain points by fearmongering about the safety of our children in our schools, which we work on each and every single day through the province of Manitoba.

\* (14:20)

### 1999 Election Campaign Rebates Investigation

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker—

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

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

**Mr. Lamoureux:** Yes, thank you, Mr. Speaker.

In the 1999 provincial election, it should be very clear that the NDP did, in fact, orchestrate to change the facts: 13 campaigns where there was a shift from a donation of kind into a cheque exchange. The ramifications are very significant, Mr. Speaker. One would have expected a consequence to that action to the same degree there was a consequence to Tory candidates. When the Tory candidates made a mistake, as they put it, there was a consequence. There was concrete actions taken.

My question to the Premier (Mr. Doer) is: Can he explain why there was a consequence for the Tories, but the NDP were allowed to change the books?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, the member was at the committee on Monday night when the Chief Electoral Officer said that every single political party has had them—has had refilings. That includes the Liberal Party. You are given a chance to refile if there's a, if there's a calculation error or there's some other error. In the instance of the 13, in the—

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** —in the interest of the 13, it was a question of allocating the work expenses.

I just want to point out that the first thing we did, one of the first things when we came in office in '99, was ban union and corporate donations, Mr. Speaker, and members opposite voted against, and they want to go back to the old days of free spending, corporations buying votes, corporation moving in, and that is wrong and we're going to stand by our principles, and we want to ban union and corporate donations and make it a fair and level playing ground for all Manitobans.

**Mr. Lamoureux:** Mr. Speaker, we're taking about 13 candidates that literally changed the books. The ramifications meant that the ND—that the NDP party would benefit by getting in excess of \$75,000.

The question that I would ask the Minister of Finance (Mr. Selinger): Were any of those cheque exchanges ended up giving tax credits also, so then it would have been more than \$76,000?

Can the government give us assurances today that no tax credits were given because of this attempt to change a donation of kind into a cheque exchange?

**Mr. Chomiak:** Yes, Mr. Speaker, just like the 2000 report, where the Conservative Party overspent by \$13,000 and was allowed to repay, Elections Manitoba looked at these 13 amended statements, reviewed them and the normal practice to have amendments in the financial statements provided. Therefore, election Manitoba reflected the same information as the audited returns. The money was returned to Elections Manitoba, and the information was provided to the House six years ago, been on the Web site since, and, that information has been for public and scrutiny availability all the time.

And, I add, is the member, again, saying that he's in favour of going back to the old—

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** —where we allow union and corporate donations—

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** —Mr. Speaker, does he want us to do that and go back to the old days where some parties got a lot of money from—

**Mr. Speaker:** Order.

**Mr. Chomiak:** —corporate donations, Mr. Speaker?

**Mr. Speaker:** Order.

**Mr. Lamoureux:** Mr. Speaker, I'm going to ask the—the Justice Minister to focus here. We're talking about \$76,000. That \$76,000 was an attempt by this government, this political party, the NDP, to take \$76,000 from the public of Manitoba, and now I'm asking the government: Were there any tax credits given?

We want—it's a very simple question. Were there tax receipts issued from that change from a, a donation in kind to a cheque exchange? Was there tax credits given by this government?

**Mr. Chomiak:** Mr. Speaker, the same treatment was given to the refiling of the Liberal return in 1995, the refiling of the Conservative return in 2003 and the refiling of the NDP return in 1999, and the Liberal

refiling of '90—[interjection]—in the 1995 election. It was corrected by Elections Manitoba—

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** —which goes to the point—and the money was paid back—and it goes to the point that the Chief Electoral Officer said that all three parties had refiling and restatements.

But I ask the member, does he want to go back to the days when brokers and corporations provided a lot of money to particular—and, yes, some money was provided to the NDP by unions, but a lot of money went to the Liberal and Conservative party from a lot of companies that I could name right off the top, companies that have leases with—

**Mr. Speaker:** Order. Order. Order. Order.

#### **Day-Care Centres Funding**

**Ms. Erin Selby (Southdale):** Mr. Speaker, two years ago the Manitoba government promised to fund 2,500 more child-care spaces within two years.

I'm wondering if the Minister of Family Services could update this House on the progress so far?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Well, I sincerely hope there aren't going to be some reports that we haven't complied with our election promise, Mr. Speaker, of 2,500 spaces, because today we announced 2,850 newly funded spaces.

The newly funded spaces, Mr. Speaker, are also supported by other initiatives including a commitment to 19 more child-care-centre sites that are in various stages of development as well as wage enhancements for those in this important sector, also some important safety enhancements including weather radios for over a thousand child-care centres, a new protocol with Winnipeg Police services to alert child-care centres when there are activities of—that may be at, risking the—those in the child-care centres; as well, a public campaign to alert Manitobans to the great career that child care is.

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

Members' statements.

## **MEMBERS' STATEMENTS**

### **Jo-Anne Clark-Gillespie and Lisa Meeches**

**Mr. David Faurschou (Portage la Prairie):** Mr. Speaker, I'm very pleased to rise in recognition of two outstanding women that were recognized earlier this month at the YM-YWCA Women of Distinction awards.

Jo-Anne Clark-Gillespie and Lisa Meeches, both with roots in the Portage la Prairie area, were honoured on May 6th as the 2009 winners of their respective categories. Their achievements demonstrate a strong community-minded spirit as they work tireless to—tirelessly to better the world we live in.

In the Sport and Recreation category, Jo-Anne Clark-Gillespie was selected at this year's honouree. In her role as a physical education teacher at the Portage Collegiate Institute, Ms. Clark-Gillespie has acted as a role model for young women, encouraging them to pursue their athletic goals. As founder and coach of the PCI Saints female hockey team, she has equalized the playing field ensuring girls have an opportunity to participate in a fav—in a favourite Canadian pastime. Nominated by her teaching colleagues, the extra hours that Clark-Gillespie puts forward in coaching and teaching positive life lessons to her team has not gone unnoticed. Still, she remains very humble, sharing the credit with a host of supporters that have allowed the PCI Saints hockey team to succeed.

In the Creative Communications category, Lisa Meeches was recognized as this year's winner. Ms. Meeches is a broadcaster, producer and president of two Winnipeg-based production comm—production communities called Eagle Vision Incorporated and Meeches Video Productions.

She has been a pioneer in the communications field, celebrating her Aboriginal heritage, working with APTN, acting as executive producer of the children's program *Tipi Tales* and producing and hosting *The Sharing Circle*, among other exciting projects.

As a highly respected Aboriginal producer, she has extensive media experience and involvement in documentary films. In addition, Ms. Meeches was instrumental in the creation of *Manito Ahbee, a Festival of all Nations* and the Aboriginal Peoples Choice Music Awards.

Mr. Speaker, I congratulate all nominees and award recipients of the YM-YWCA Women of Distinction awards for outstanding contributions that they have made. Thank you very much.

### **St. Vital Mustangs 60th Anniversary**

**Hon. Theresa Oswald (Minister of Health):** I rise in the House today to congratulate the St. Vital Mustangs Football Club on its 60th anniversary. Founded in 1948, this non-profit organization is dedicated to bringing the benefits of the sport of football to young athletes from age 7 to 21 years. The Mustangs Football Club has marked, marked its special anniversary through several events including family fun days and a gala dinner event held this spring.

The St. Vital football club engages over 400 players and 120 coaching staff including managers, trainers and equipment personnel. It is a club run entirely by volunteers who give generously of their time to support the young people of the Seine River constituency and beyond in the many life lessons that can be gleaned from playing team sports. The program has produced several outstanding players over the last 60 years but, more importantly, many outstanding citizens.

Last year the Mustangs fielded 16 teams in seven age group divisions, including Terminator, Atom, Peewee, Minor Bantam, Bantam, Midget and Major. Eight of these teams participated in the Football Manitoba Championship Weekend, and the 15-to-17-year-old team brought home the championship prize. The trophy case is overflowing with honours bestowed upon the club over the years, but it is the memories and the lifelong relationships among teammates and coaches that the club treasures most.

Mr. Speaker, I hope all members of the House will join me in congratulating the St. Vital Mustangs Football Club on their 60th anniversary. In particular, the players, both past and present, and the countless volunteers involved in making the club such a special, special place of camaraderie, belonging and friendship. Your club is a very special landmark to hundreds of families who call south Winnipeg home.

Thank you Mr. Speaker.

\* (14:30)

### **Charleswood Hawks Hockey Team**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, I rise today to congratulate coaches Andy Williamson, Brad House, Colin Hekle, Chris Lofto and Assistant Coach Stephen George and the Charleswood Hawks hockey team on winning their Manitoba Major Junior Hockey League championship on April 21st.

It was the sixth championship in the last eight years. It is also the organization's 13th league title, six more than their closest rival, River East Royal Knights. Charleswood is home to many strong high school programs at high schools in the area such as Oak Park, Westwood, St. Paul's and Kelvin.

The championship final kept everyone in suspense as game 7 against the Fort Garry-Fort Rouge Twins went into its fourth overtime period. They showed the same determination in the semi-final game against St. Boniface Riels. They were behind three games to zero and had to win the next four games to make it to the final.

The players of the Charleswood Hawks started the season with a relatively new team; half of their roster was composed of new players. They expect to field an even stronger team next year as they will lose only one player.

Charleswood Hawks's president, Wayne Deschouwer was always confident that his team could rise to the challenge. The Hawks finished the 2008-09 season with a record of 35, 8, 2 and 72 points, just one single point less than they finished last year. However, at the beginning of the year, things didn't look quite so promising. Their record in late November was 11, 7. Following the slow start, they only lost one more game all season.

Mr. Speaker, I would like to again congratulate the players and coaches of the Charleswood Hawks hockey team on their hard work, on their provincial championship, and on their attitude of not giving up and just staying in the game. Charleswood is very, very proud of their success.

### **Maples Collegiate Unity March**

**Mr. Mohinder Saran (The Maples):** Mr. Speaker, today I had the great privilege of taking part in the 14th annual Unity Day March. This march is organized by the Unity Group at Maples Collegiate, and has been held every May since 1995. Students participate in a 12-kilometre walk from Maples Collegiate all the way to the Legislature holding

signs that illustrate a commitment to peace, equality, love and harmony.

The history of the march is a compelling one. Thirteen years ago, a federal politician made racist remarks about East Indian people. Students at Maples Collegiate were upset by the remarks and sent a letter to which they received generic responses. When the students raised their concerns with a teacher at the school, he responded with, if this were the '60s, we would be out there with signs and demonstrating. From this, the Maples Unity March was born.

Racism is not tolerated at the coll-collegiate and has become a part of the culture of the school. The Unity Group has nearly 60 members and is involved in the school and community groups in many different ways. Along with today's Unity March, the group also planned annual events to mark March 21st, the International Day-Day to Eliminate Racism, and December 10, the day to commemorate the signing of the Universal Declaration of Human Rights.

Mr. Speaker, it makes me proud to have been a part of the Unity March today with the student-students from all different backgrounds. As their member in the Legislature, I hope I can bring the message of anti-antiracism to the forefront and represent them with dignity. I congratulate all the students and Maples Collegiate for a successful event. I encourage them to continue building on their convictions and to never stop expressing their commitment and belief in human rights and antiracism action. Thank you, Mr. Speaker.

#### **Darfur Dinner**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, in the last two weeks, I've been asked by various Manitobans to help bring greater awareness of the critical situations in the Darfur region of Sudan, in the Congo and in Sri Lanka.

Last Sunday evening I attended a dinner for Darfur at the Mondragon café. Gabrielle Lemire and her friend Katie, with quite a number of others, helped organize to put on the Darfur dinner to raise awareness of what's happening in Darfur. There was a film which reviewed the history of what has happened there and showed that, indeed, several of the people within the Darfur government, including President Bashir, have been indicted by the International Court of The Hague for the war crimes. It emphasizes the tragedy of what is happening there,

the ongoing criminal activities and the great difficulties that people are having who are living, many of them in refugee camps, in the area, and at the same time as some of the NGOs are asked being to cut down on their activities and to leave. It's certainly a situation which needs attention.

In the Congo, in the last 10 years, there have been something like 6 million people who have died, men and women, and 1.4 million people displaced. It's a tragedy of enormous proportions, and it needs far more attention than it's getting and it's leading to a great deal of instability.

In Sri Lanka, the conflict may have ended but, in fact, there are many, many people who are still in very distressed circumstances, that I'm hearing from a variety of sources. The International Committee of the Red Cross said Thursday that its workers have been barred from the country's largest refugee camp and can't distribute aid to or monitor the well-being of 130,000 displaced residents. This outspoken criticism brings to our attention the need for attention in Sri Lanka.

**Mr. Speaker:** Grievances

#### **GRIEVANCES**

**Mr. Speaker:** The honourable Member for Brandon West, on a grievance?

**Mr. Rick Borotsik (Brandon West):** On a grievance.

**Mr. Speaker:** On a grievance.

**Mr. Borotsik:** There are a number of reasons why I could stand and talk about the disappointments I have in this particular government and the way they manage not only the finances for the Province of Manitoba, but the way they mismanage most all of their departments, Mr. Speaker. But the one grievance I'd like to stand and talk to today is about the particular government and the announcements that they make ad nauseam.

And it wouldn't be a bad thing if, in fact, they announced the project and they actually completed a project. But, no, what they like to do is simply make announcements. The completion of those announcements really don't matter as long as they find the camera and they find the microphone and they can make an announcement, an announcement that's been made many and many a times before.

And the one example that I have was in a recent news release that came out of the Ministry of

Infrastructure and Transportation. It was a wonderful announcement that the Minister of Infrastructure and Transportation (Mr. Lemieux), now, is going to spend an additional \$122 million over last year's, but what the minister forgot to tell those wonderful cameras and microphones was that this amount of money was already approved and in the budget that they had tabled previously, but I guess, maybe, he just wanted to make sure that it stayed in the budget, because we know that the Minister of Finance (Mr. Selinger) did, in fact, change that budget with respect to debt repayment. So I guess the Minister of Infrastructure and Transportation simply wanted to say, well, I have this extra money that's been given to me, why not announce it again. I'm sure there's going to be a camera; I'm sure there's going to be microphone that's going to be around. And I'm gonna make a rehashment of a re-announcement, but I'm not going to complete anything. I'm just going to announce things that have been announced, not only past year, but years ago, Mr. Speaker.

\* (14:40)

As a matter of fact, let's talk about one of these wonderful new announcements that the Minister of Infrastructure and Transportation made on May the 25th, and this is May the 27th. He said that he's going to continue investment in Brandon, including the 18th Street Bridge. Well, I don't see that as being a new announcement but, boy, did he ever take—did he ever take that opportunity to face that camera and those microphones, and say we're gonna have the 18th Street Bridge. Well, actually, the first announcement on that bridge was prior to the nine—or the 2007 election. That was over two years ago. But we're gonna reannounce it, okay, that we're going to have the 18th Street Bridge.

Now, the 18th Street Bridge, they could've had that completed—they could've had it completed long before now. But the department didn't quite manage the project properly because they tendered the project, but then they pulled the tender because it was wrong.

And now I think what they're trying to do, Mr. Speaker, because it seems to be some sort of a, a process that they have, is they'll wait until the next election so that they can now announce the completion of the first phase of that project just before an election.

Now, I wanna, I wanna tell you how, how foolish the department looked because back in June 16 of 2007, when they were looking at setting up this

first bridge project on 18th Street, they went—and I think the minister should listen to this. They made an application to the Navigable Waters Protection Act, which they had to do as part of the tender process.

Now, I just wanna read one section of this application, and it says that its site and plans proposed bridge across—and would you listen to this, Mr. Speaker—the Red River at 18th Street, PTH 10. I have it, I have it, I have it right here, that the application was made for a bridge across the Red River at 18th Street.

Now, not only did they, did they muck up the tender process, but now they've also got a bridge going over the wrong river. Now, as it was, somebody, somebody, somebody obviously came to their senses and decided that maybe the bridge should go over the Assiniboine River instead of the Red River.

Now, we know, we know that the bridges have been put back a year. We know that the minister is going to wanna have another opportunity to have a picture taken someplace in the bridge before the next election.

I should also tell you, Mr. Speaker, I ran, that was my first election in 2007, and I can remember the Premier (Mr. Doer) being out, during that election, and three times announced the bridge on 18th Street. But, that's not enough. On, two days ago, May 25 this year, we'll announce the bridge once again.

Well, let's also go down the other ones. We're going to have an investment in Brandon on PTH 10 south. Now, the last time I drove down PTH 10 south, it's almost completed. Now, I'll give them one compliment. It did take them a number of years but it seems it's completed. But we now have another announcement that they're going to continue on PTH 10 south.

Let's talk about another announcement, Mr. Speaker. In this wonderful press release, they're going to do the eastern access. Well, the eastern access first came to Brandon's attention in 1985. It was a gentleman by the name of Len Evans who suggested it in 1985. He made an announcement; he had cameras; he had microphones. We were gonna have an announcement for an eastern access, an eastern bypass, in Brandon in 1985.

On this piece of paper, the Minister of Infrastructure and Transportation (Mr. Lemieux) says he's gonna do something with the eastern



**Mr. Cullen:** And that's a whole other discussion about falsification of books in—during the 1999 election which maybe we'll have some time to discuss in that today as well.

But out of that \$6-billion budget in 1999, federal transfer payments were only in the area of \$1 billion. So it's pretty clear that this government has been blessed by a real huge amount of transfers from the federal government. And let me tell you what they've done with those huge transfer payments over the years, Mr. Speaker.

\* (14:50)

If we look at the total debt of the, of the Province and this includes Crown corporations and other group-government organizations, the total debt was \$13.5 billion back in 1999. Once we get through this—this budget year, the end—the end of March 2010 the total provincial debt will be in the neighbourhood of \$21.2 billion, Mr. Speaker, \$21.2 billion. That is a tremendous legacy that this NDP government is going to leave for the children of this province.

Mr. Speaker, we know that money has to be spent on infrastructure and social programs and development of our province. All we're asking the government to do is to invest that money wisely, and that's really what it's all about, is investing money wisely. You know, we've had some pretty good times here economically in Manitoba over the last few years, and many other provinces have had some good economic opportunities where they generated some pretty good revenue, and most of those other provinces have taken the opportunity to pay down their debt, but the Province of Manitoba, during their good times, has refused to do that.

So now, when times get a little bit tougher, there's not any extra money around to cover off the expenses they are facing. In fact, Mr. Speaker, the existing legislation says we should be paying \$110 million on our current debt. The budget this year said the government's only going to pay down \$20 million on that particular debt, and then a few weeks later, we come to Bill 30. This is the real nuts and bolts of spending, and Bill 30 says the provincial government isn't going to pay any money down on the provincial debt. Not this year, and maybe not for the next three years, leading up to the next election.

So that really sends quite a message to the people of Manitoba that this government doesn't really view themselves as being fiscally responsible. What message does it send to Manitobans who are

busy working, trying to pay off their mortgage, trying to pay off at least the minimum debt on their credit card? They look to the government, the government of the day in the province of Manitoba. They're saying, you know, we don't really think we have to pay down our minimum credit card debt. We're just going to continue on our merry way, and we're going to borrow more money and everything's going to be good in the long run. Well, time will tell, Mr. Speaker.

You know, it's not that the government of the day hasn't had their hands in the pockets of some of the Crown corporations over the last year. That's why I wanted to bring in those figures in terms of the total debt of all government entities, and I'll just talk a little bit about Manitoba Hydro specifically.

I think many Manitobans remember back in 2003 when the provincial government decided they needed a little extra money to try to balance their budget; so there was a raid on Manitoba Hydro. That raid was in the area of \$203 million, where the Province went out and actually took a cash withdrawal out of Manitoba Hydro.

Now we're just thinking maybe, when the books aren't very good these days, maybe the government of the day will be looking around the corner to see where else they can generate some cash from, and the Premier (Mr. Doer) was certainly vague when he was questioned this week, earlier this week, on whether he was thinking about another draw from Manitoba Hydro. Time will tell whether they go back to the piggy bank over at Manitoba Hydro, but I think it is important that Manitobans recognize that the government of the day also charged water rental rates to Manitoba Hydro. Under this NDP government, the water rental rates have more than doubled in the last 10 years. The Province of Manitoba now collects \$124 million from Manitoba Hydro each and every year for the use of the water.

The other thing that Manitobans should be aware of, Mr. Speaker, is that there is a charge the government charges Manitoba Hydro to guarantee the debt of Manitoba Hydro, and it's interesting to see that the NDP government has also more than doubled that particular fee they charge Manitoba Hydro. The NDP government are now collecting \$73 million each and every year from Manitoba Hydro to guarantee the service of that particular debt of Manitoba Hydro.

Mr. Speaker, that's an ongoing cash issue with Manitoba Hydro, but the big issue—one of the big

issues in front of the province of Manitoba is the fact that the NDP government is insisting on developing a west-side line, a west-side hydro transmission line, commonly referred to as Bipole III, on the west side of the province.

Manitoba Hydro, we know, have looked at the east-side line for several years. We know the east-side communities are looking forward to having an east-side line, but the NDP government, in their wisdom, has decided unequivocally that we're going down the west side of the province almost to Saskatchewan, Mr. Speaker, and we're pretty confident that that extra cost to build a west-side line will be in excess of \$640 million. *[interjection]* It is a waste. It's a waste of our resources. It's a waste of money that we don't even have.

You know, we're talking about borrowing money now just to run the government of the day, let alone going out there—we're going to have to borrow an extra \$640 million. Even the interest on \$640 million, Mr. Speaker, is going to be very significant to our economy.

So, Mr. Speaker, I know the real grievance today, again, as I said, is the fact that we only are allowed one grievance per session. But, with those few comments, certainly on the financial state of the situation here in Manitoba, I do thank you for the one grievance I had this session. Thank you.

**Mr. Speaker:** No further grievances? Orders of the day.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### House Business

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, if you could please call the following bills in this order: Bill 30, Bill 5, Bill 14, Bill 3, Bill 4, Bill 11, Bill 15, Bill 20, Bill 21 and Bill 22.

And I wonder, Mr. Speaker, if I could ask you to interrupt proceedings at 4:45 for further House business.

**Mr. Speaker:** Okay. We'll, we'll deal with these bills in this order. We'll, we'll resume debate on second reading of Bill 30, 5, 14, 3, 4, 11, 15, 20, 21, 22.

And I will interrupt the House at four—4:45?—4:45 for further House business.

**Mr. Chomiak:** Just for clarification, I'm asking that the House be interrupted by yourself at 4:45 for royal assent.

**Mr. Speaker:** Okay. The Hou—the House will be—I'll interrupt the House at 4:45, so that way we can do royal assent. Okay. That's for information of the House.

## DEBATE ON SECOND READINGS

### Bill 30—The Budget Implementation and Tax Statutes Amendment Act, 2009

**Mr. Speaker:** So right now I'm going to call Bill No. 30, The Budget Implementation and Tax Statutes Amendment Act, 2009, standing in the name of the honourable member for the Lakeside.

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable member for the Lakeside?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed? Okay, that's been agreed to. Okay, and to speak, the honourable Member for Carman.

**Mr. Blaine Pedersen (Carman):** Speaking to Bill 30, the budget implementation and tax statutes amendment act, and it's certainly a, a quickly changing world out there every day as we look at the deficits that this government is going to be running, is running up this year and will be running up in the future.

We all know that in the news in the last day, where the federal budget was—the federal budget was projected to be at \$34 billion, has now moved to fil—\$50 billion or projected to be 50 billion, and the reason for that is, is infrastructure spending they say on one side, which is going to provinces like Manitoba, but the other reason is also declining tax revenues, and when we have declining tax revenues at the federal government level there has to be declining tax revenues at the provincial level too.

Despite all the, the wonderful announcements in press releases to the contrary from this government, there will be declining tax revenues within the province. So that really does—it causes a lot of consternation as to what will happen to our own budget. We already know they're projecting an \$88-million deficit in this budget, no matter how they want to, to say otherwise.

\* (15:00)

They're in Bill 38 a year ago, when we had the, the protracted committee meetings about Bill 38 and Bill 37, Bill 17, which are whole other matters. But even on Bill 38 they changed the balanced budget legislation, couldn't live within balancing the budget, so they changed the balanced budget legislation to using summary budgets. They wanted to be able to use their—they are able, now, to use Crown corporations to balance their budget on a yearly basis, and it's a good thing the Crown corporations are making money otherwise this government would never be able to balance a budget, and then only balancing the core budget on a, on a four-year basis. And that's, that was a year ago, and that was before the, what I like to refer to as the pandemic economic storm that, that hit the world last fall.

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

So a lot of things have changed financially since then. Now we see that they're coming back with Bill 30. They can't even make Bill 38 work when they changed it, now they have to change it further so that they're not going to repay any debt and, under Bill 38, they were keeping the \$110-million debt repayment per year, minimum, and—however, they couldn't live with that. They started to mention about a \$20-million debt repayment, and even—they couldn't even do that. So now they're going to, with Bill 30, they're going to allow themselves for zero re—debt pay—or debt payment—zero dollars in debt repayment for the next three years.

On the other side, our debt is going to increase astronomically in Manitoba. Right now our debt sits at—round numbers—about \$11.8 billion in operating funds. Never mind the Crown corporation debt, but just in operating funds it's about 11.8. The projection from the budget was that it was going to go up a billion dollars to 12.8 billion.

Given the Bill 34, which we, I understand we're going to give royal assent to this afternoon, they're borrowing another 1.—will add another \$1.7 billion in new debt, and you're adding debt and you're not even going to try to repay it, and that's a, that's a very slippery slope to go on. Your credit card in Manitoba is maxed out. You're continuing to run up the balance even though it's maxed out. You're going to run it up more, and then you're not even going to pay the minimum payment on a debt, and that's, that's a very, that's a very unhealthy way to go.

And it's interesting, the member from Brandon West made great delight about the announcements, the press releases and announcements that keep being made over and over again. And a few weeks ago there was, there was some infrastructure money announcements, and the Province was up there in front of the camera as well as the federal Treasury—president of the Treasury Board making these announcements for Manitoba, and \$65.7 million was announced that day in infrastructure project, badly needed infrastructure: water and sewer projects all around the province, and there was a lot and we've had discussions about this since, there's a lot of communities that wonder why they weren't included, but the debt—the demand is certainly there, and there is promise of more money and stimulus and the recreation component of it.

But out of that 65.7 million that the Province is—the message coming from the Province is the reason we can't repay the debt, we cannot make any debt repayments for the next three years is because we're pouring all this money into infrastructure money. But, if you break this down, this \$65 million, because it's a third provincial—it's a third municipal, a third federal and a third from the Province, the municipality share of that 21—or \$65 million is almost \$22 million, 21.9 million. The federal government's share is 21.9 and, really, if you break it down, because 38 percent of the budget comes from the federal government—38 percent of the Province's money comes from the federal budget. Really, the Province is only putting in \$13.5 million of their own revenue source money out of that 65 million and yet, we hear, we hear all these great pronouncements about we cannot—we have to run the deficit up, we have to run our debt up that much more because we can't afford to make debt payments because of infrastructure funding. And that's, that's simply just not the case.

But, again, it's more spin out of this government. We have gone from April 1st of '09, every man, woman, and child in this province owes about \$9,800 in round numbers on the provincial debt, in one year alone, just given what the budget was projected to do. And we all, we already see that the budget is totally off, off kilter because in three weeks they brought in another bill to change the budget. But just projected at that, it was gonna go to \$10,600 per man, woman and child and—that's, that's a huge debt on every, on everybody in Manitoba and, and you, you compare that to the three western, we—western provinces to the west of us,

Saskatchewan, Alberta and B.C. we have more debt, operating debt than those three provinces put together.

And not only do we have more debt than those three put together, we have provinces like Alberta which has no debt. Alberta's going to run a deficit this year, but their deficit is gonna come out of cash reserves. They're not going to be borrowing and that's the difference. They will come out of this much faster than what we will. And yet here we are in Manitoba, we are going to be bogged down in debt.

There is no way—it's interesting to notice—to note that in Nova Scotia the, the NDP party and the minority government in, in Nova Scotia, and a number of us were down there last year at a CPA conference and dealing, and talking to them about minority government and, and when we get into the, to the evening session where a lot of the, the smarter things come out there was a lot of talk about how long the government was going to stay in power until, till the NDP defeated them.

And that the trigger for the NDP to defeat the Conservative government in Nova Scotia, the trigger was that when the Conservatives said, we're not going to pay any debt, we're not gonna make any debt payments, the NDP in Nova Scotia defeated that government over that. And here we have an NDP government in Manitoba which is doing the very same thing in terms of, of what the Conservatives had proposed not only just for this year but for the next three years. They're talking about not repaying any debt and we're going to be in, in a terrible financial—in a financial position after that.

And so I, I do have a suggestion for this government, though. They're great on slogans. They're great on press releases and Manitoba Tourism is, is running a new campaign now. It's called, Unforgettable Manitoba, unleashed, unreal, unearthed, unsurpassed. Now I've got a new one for them about the debt: It's unforgivable. I would like to see them put out a press release on that. Unforgivable debt is what they're saddling each and every Manitoban with because of their spending habits are out of control. They have no fiscal management and every day we see this.

And we are, we are great, this, our party is great at reminding Sask—of this government of how well Saskatchewan is doing, how they're moving ahead, how they're repaying their debt and this past weekend I came across—or I should just back up for a

minute. In Estimates with the Minister of Competitiveness, Training and Trade (Mr. Swan), we were talking about advertising costs in his department and he was very—and the minister was very proud of, of the apprenticeship ads that they're running on *Hockey Night in Canada* and on this program called *CSI* on television. I am still waiting for the minister to give me the breakdown of the costs of that advertisement he—those advertising. He hasn't sent that to me yet, but when I did ask him, so is there any, is there any tracking of, of those returns on your investment dollar in that advertising, he said no.

So this past weekend I saw a very interesting ad, again coming from Saskatchewan. It was on the side of, of a semi-trailer truck, beautiful airbrushed job of painting on that truck, and it had Saskjobs.ca and Saskatchewan, nice scene picture on, on the front part of this 53-foot trailer. On the middle it had a picture of a happy family. It had a mother and father and two kids. It even had their names underneath 'em and on the back of the trailer it said, more life, less mortgage; less mortgage and even Saskatchewan is advertising in Manitoba about how you will have less mortgage on your personal life because you will not have to pay the taxes in Saskatchewan that you're—we're forced to in Manitoba.

\* (15:10)

And that, you know, and I, I'd just love to compare advertising costs. A one, one-time airbrush job across that 53-foot trailer and you've got an ad running for years and—versus advertising on television about apprentice with no follow-up as to how it's doing. Anybody who watches television these days—if it wasn't for government advertising, I don't know if the media companies would be able to survive because it seems like every other ad is, is a, is a, a false advertisement out of this government. And, and it—they just, they just don't understand that, that they, they think they can continue to fool everyone and, and it's not going to happen. People are beginning to, to see this because each and every one of Manitobans are looking at their own personal finances. They don't, they don't want to be putting themselves into a position where they can't pay their credit card debt, where they can't pay their mortgage and, yet, we've got a government here that continues to do that on a regular basis.

We have runaway spending by this government and, and they're interfering with the Crown corporations. We keep reminding them of the—of

what we referred to as the daffy detour, the west side Bipole III line, \$640 million. And we've had, we've had resolutions in here about social housing. Imagine the housing that you could build and the homes that you could build for \$640 million, instead of spending that extra money on a west side line. Never mind the line loss, never mind the, the environmental damage that it will do, they refuse—they're, they're interfering. They have the very people that they claim to represent—they're leaving them by the wayside on the sa—for the sake of some New York environmentalist that, that wants to, wants to dictate how Manitoba should do their business. It's a, it's, it just, it's a, certainly a double standard. On one side they pretend to represent people that, that need th—that need assistance and on the other hand, they are just forgetting them and spending it on their own pet projects.

We have \$13 million that they're going to waste again on an enhanced driver's licence. Anybody who needs an enhanced driver's licence, just get a passport. If you're not—you can't fly unless you have a passport. If you're going to drive across to the States, get a passport. It—yeah, it, it's, I—you know, and I understand why they don't do this. It's too simple. It's too simple. It—you could just get a passport and not have this, this enhanced driver's licence which is, which is still being negotiated with the U.S. government as to access of the usability of it.

Saskatchewan, again—Saskatchewan's miles ahead. They just dumped the program and said, nah, we're not going to do this. They're not going to waste the money on—take that \$13 million and put it into more effective spending or repay the debt with it. You don't have to spend every last penny that, that comes into their pockets, courtesy of the, of the taxpayer.

Interesting, too, an article in last week's *Free Press*, one of the—Gerard Lecuyer, if I pronounced his name correctly, was a Cabinet minister in a Pawley government—is even telling this provin—this government that—forget about the west side line. Gerry, Gerry Lecuyer. He's telling, he's telling this government forget about the daffy detour, put the hydro line on the east side. Build a rail line along—beside it, then you wouldn't have to be building a—wasting money on a road through the wildness up there because you would have access by the railway. You would have a far less environmental footprint on there. And why you would build a road through the, through the east side and you can't build

a hydro line, defies anybody's logic, except this government apparently. The environmental footprint from a road is far, far greater than any hydro line, than any rail line and yet, for some reason, this government wants to waste more money on that.

The, the, the examples of how this government wastes money is, is, is phenomenal. You could go on and on but there's a few little things. MLCC, when Manitoba Liquor Control Commission, when we had the, the Public Accounts Committee meeting here a few weeks ago, it was revealed from the Manitoba Liquor Control Commission that they actually did capital projects out of cash reserves. I guess, cash reserves would be a total new concept to this government. But they were able to do capital projects out of cash reserves, and, yet, the reason that the minis—or the, the saving grace that the minister uses for having a Crown corporation run the, run the—or be the only supplier of liquor in this province, in which they're the biggest and the only booze dealer in the province, and, yet, they—he kept referring to it as a socially responsible company. How you can be the biggest booze dealer in a socially responsible—is a bit of a stretch for anybody, and yet they won't let a private wine store—the member from Brandon West constantly is reminding us about having a private wine store in Brandon, but, apparently, that, too, is a foreign concept to this government.

The photo radar, the photo radar issue is cash grab. That's all it is. It's a cash grab and they've got a cash cow here and they're not going to let go of it. Never mind whether they even rebate it. You can just wait, those radar vehicles will be out there in full force, collecting more cash, because they've even budgeted in—they have an increase in their budget for photo—for revenue fine—or fine revenues, and it just—this government has no sense of fiscal responsibility. We would certainly like to see them pull back on Bill 30, make your debt payments. At least, make an attempt to get your credit card balance in order. The past due reminders are going to come to this province. Look what's happening to the federal government in terms of budget. If you think the transfer payments and equalization payments are going to continue when they're running a \$50-billion deficit, you really do need to give your head a shake, because it's not going to happen. We're going to be in fiscal, in a greater fiscal mess here very shortly.

And with that, Madam Chair, I would like to just urge everyone that Bill 30 is a bad bill and it should be defeated.

**Madam Deputy Speaker:** No further speakers? As previously agreed, Bill No. 30 will remain standing in the name of the Member for Lakeside (Mr. Eichler).

**Bill 5—The Highway Traffic Amendment Act  
(Promoting Safer and Healthier Conditions  
in Motor Vehicles)**

**Madam Deputy Speaker:** We will now move on to Bill No. 5, the highway traffic amendment act, standing in the name of the Member for Pembina (Mr. Dyck).

**Some Honourable Members:** Stand.

**Madam Deputy Speaker:** Agreed to leave it standing in the name of the Member for Pembina?

**Some Honourable Members:** Agreed.

**Madam Deputy Speaker:** The Member for Inkster. Member for Arthur-Virden.

**Mr. Larry Maguire (Arthur-Virden):** It's a privilege to speak to Bill 5, The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles).

This bill was brought forward last fall and it's an opportunity to, I think, improve the health of many Manitobans in this bill. The situation with banning the smoking in vehicles of persons 16 years—or under 16 years, Madam Deputy Speaker, is one, I think that has gained much attention across Canada. There are a number of, of, of a jurisdictions that have already proceeded with this type of legislation, and I believe that, that a number of these jurisdictions and provinces have already made the decision, as well as many states in the U.S., to move forward with this type of legislation.

And from our perspective, of course, I had the privilege of seconding a motion in the Manitoba Legislature, a private members' bill, some years ago, to ban smoking in public places in this Legislature. I and the member from Carman, at that time, who had moved that bill, Madam Deputy Speaker, and so I, I, I've always had a great concern, I guess, about the habit of smoking. Many people do it in the province, and that's fine, they're allowed to do that any place that they wish outside of public facilities, but I don't believe that confined spaces like a vehicle are the greatest place to do that either, and, you know, there is a certain, you know, I guess I would look at the circumstances of being in a confined area.

\* (15:20)

And I know that the bill refers to whether or not the windows are open or if you're in a convertible or even the roof is open on many of the vehicles today, Madam Chair, but for young people who have a—you know, they've got a, they do have a faster breathing pace than most of the rest of us. They inhale perhaps more than some others in society today in regards to—*[interjection]*—and to her in regards to the rate that they would consume smoke into their lungs, and so I guess I would look at the jurisdictions in Canada that have done this and look at B.C., Ontario, Nova Scotia, the Yukon has having implemented this type of legislation to prohibit smoking in a vehicle when children are present.

You know, it'll be a—I think our police do have—you know, if there are some concerns that have been raised, and one of them is enforcement of this type of legislation, Madam Deputy Chair, and of course that falls into the compliance of whether or not it's asking our police, is what the government is doing in this bill to enforce this type of legislation, whether they, you know, can, in fact, enforce the, the prohibition of smoking in vehicles for when there's a person under 16, or even a person under 16 if there's no one else present in the vehicle. That's what the bill states.

It goes on to say that, in this bill, Madam Deputy Speaker, that, under The Highway Traffic Amendment Act, Bill 5, that the part of promoting safer and healthier conditions in a motor vehicle is to ban the use of handheld cellphones while driving, in this bill, or text messaging, as well. Some provinces have banned the use of handheld cellphones while others have gone—and other wireless electronic devices while driving—and many, and not quite as many as the pre—what I've just talked about, have also banned the text messaging use in these phones as well, and I believe that this type of legislation coming forward, I'm hoping that, you know, that according to the numbers that we've seen, that there is a great many Manitobans identify text messaging and the use of handheld cellphones as a problem in creating accidents or interference with driving patterns in streets and highways, and this, of course, bill refers to all highways under the definition of the highways traffic act which includes gravel roads in the province, as well.

I know we've had a briefing by the minister. We're still looking, waiting for some replies to

questions that we've recently sent to him, again, in regards to how these vehicles could be used—or how these phones could be used or whether they could be used in heavy construction equipment, or the smoking as well, or while, you know, in cabs, farm equipment as well, Madam Deputy Speaker, concerns about taxis, real estate persons who do their business mainly from vehicles, and, of course, the bill states clearly that you have to pull over. There's no problem if you pull over on the side of the road and use it for—you can use it for speaking or text messaging as long as you're stopped in your vehicle, and the other side is, of course, that if you're a citizen of Manitoba, you can also use it for reporting a—you can report it for—use it for reporting an accident or an emergency in the province of Manitoba, and so I think that with that, I will, you know, that there are, I just wanted to note in this bill that there are cautions and concerns that we have with it, but look forward to taking this bill to committee, hearing what persons have to say.

There are a number of persons already registered to speak at this bill in committee, Madam Chair, and look forward to the—what they have to say and, and the further reporting of it back at report stage in Bill—and third reading in the House.

**Mr. Kevin Lamoureux (Inkster):** I, too, want to put a few words on the record in regards to Bill 5. Bill 5 addresses two, I think, issues that there's a great deal of concern with the—with the public, and, all in all, receives fairly good support because it's two relatively positive initiatives.

The first aspect that I'd like to comment on is that of second-hand smoke. Second-hand smoke is something that is very, very difficult on many people and not in the best health interests of all individuals, Madam Deputy Speaker. And being in a very small, confined area inside a vehicle, second-hand smoke is even that much more in terms of a health risk. And I think, that over time, what we have seen is more, more rights of the non, the non-smoker, more of, of an interest to protect the health of all, of all people, by minimizing second-hand smoke. Even to a certain degree, minimizing people even starting smoking and try to encourage those that do smoke to stop smoking because of the, the social costs, and one could refer to health-care costs of our province as a direct result of smoking or second-hand smoke is fairly significant. But, more important than the health-care cost is the actual impact it is having on individuals.

I introduced a private members' bill dealing with this issue a while back, members might recall, and the government initially didn't think too highly of the bill. But it came around to support it, and indicated in the last Throne Speech that they would, in fact, introduce legislation that would deal with the bill that we, in the Liberal Party, had introduced dealing with just this specific issue of second-hand smoke in vehicles.

So, it, it's good to see that the government is—at times demonstrates that it is listening to what the opposition parties are saying and adopting good ideas. At the end of the day, Manitobans will benefit by it, Madam Deputy Speaker.

And, you know, the, the discussion about the issue—actually it wasn't led by politicians, it was led by the different stakeholders, interest groups such as CancerCare and others that have really brought the issue to light, other jurisdictions. I know when I first heard about it was in a newscast quite a while ago, and it was talking about one of the Atlantic provinces that was taking action on it. And, you know, then you start watching for it, and I can recall distinctly leaving the Leg one day and, and looking at a car dur—in the wintertime in which there was someone smoking in the front and they actually had two kids in the back seat of the vehicle. And, you know, it does, it does raise concerns. So I'm glad that the, the government has moved on that. We look forward to it, to its ultimate passage.

The other issue of course is in regards to the cellphones, and, you know, it's—I hope I'm not alone. To be honest about it, you know, quite often, you know, you'd be on the telephone, or the cell telephone, and you leave a place, and you wonder, well, geez, how did I get to this particular point, but—and I guess you just have like these driving instincts that, that kick in. And to be quite honest with you, Madam Deputy Speaker, that, that is not necessarily a safe situation.

I think that we need to, as much as possible, try to get people behaving—and myself included, Mr. Speak—Madam Deputy Speaker, even though I must say that I have bought the hands-free, and it does make a huge difference having the hands-free.

But, you know, it's much like when I had left the military, I came back to Manitoba, and in Alberta, they didn't have mandatory seat belts. So there was an adjustment period. It was—it's a habit type of thing, you know. You come to Manitoba, and then all of a sudden you have mandatory seat belts. At

first, you know, maybe it's a little upsetting, or why do I—and what right, and all this kind of stuff, but, at the end of the day, I look at it, and, you know, Manitobans have benefited. And it's just a short adjustment period in which you become, you, you, you better appreciate why it is that the law, why it is that the law is there.

\* (15:30)

And today, like all Manitobans I suspect that are in compliance with the law, of course, we appreciate the fact that we're wearing seat belts, and now it's habit-forming. And I suspect the same thing will happen with the cell, cell telephones, that it's only a question of time where, you know, when you're driving down and you see someone and they're, and they are so focussed on dialling a telephone number or sending a text message, and you can see what they're doing as they're waiting at—for a light and then you drive away and they're still at the light quite often or they're not paying attention to, to the road.

You know, I've heard of studies where they show that, you know, how important it is, you know, had the person be, been aware of their environment three or four seconds prior to the collision, that the collision might not have ever occurred, and so it's, it's easy to understand why it is that we, that we need to have legislation of this nature in order to try to address some of those behavioural problems that, at the end of the day, will make our roads safer. And that's why, you know, in principle, in supporting this bill and, you know, I was going to keep my comments brief, but just to acknowledge and compliment the government on, on looking at, at initiative in regards to non-smoking, something that we had brought up and bringing it in and to again recognize the value in terms of the hands free. And who knows in terms of where ultimately that, that might lead, Madam Deputy Speaker?

You know, whatever we can do to try to encourage our roads to, to, to be safer, I think is, is good and, you know, I wouldn't want that to be twisted because of comments in regards to the photo radar and, you know, the photo radar is there to try to make our, our roads safer, but because of the, the way in which this government is managing the whole process, they're putting into to jeopardy what Manitobans could, in fact, benefit by and that is, you know, the red light cameras and the photo radars and making our, the, our, the environment, in, our, in particular, our streets that much safer and the way

they're blowing it is because they're becoming, it's becoming more and more a perception that it's about cash than it is about safety. And, and I would ultimately argue that that is in fact the case and, you know, the public is not stupid. They realize that the government is more concerned about money than it is about safety, and so when we see initiatives of this nature, you know it would be interesting to see in terms of the types of actions that are taken.

Once the law is passed, I would hope that we're not going to see, you know, 50 police officers lining up tagging everyone the day after. There's got to be a way in which the legislation could be enacted in such a way that there's cautionary notes that, that are going out, that there's a bit of a, an advertising campaign, not a political, not a political propaganda campaign, but rather a, a, a legitimate educational issue in terms of that Manitoba has now moved away to, to, not away, but has moved to banning text messaging and talking on cell telephones as opposed to the hands free and—but if we do it, if we do it that way, then I think that we'll have a much more wider acceptance it is as a policy. If you're going to slap on a \$500 fine, well, you're going to lose a lot of credibility awfully quick. I think that we have to be reasonable and allow Manitobans to adjust.

Madam Deputy Speaker, it's with pleasure for us to be able to speak to the bill and, ultimately, have it pass.

**Madam Deputy Speaker:** Previously agreed. Bill No. 5 will remain standing in the name of the Member for Pembina (Mr. Dyck).

#### **Bill 14—The Consumer Protection Amendment Act (Payday Loans)**

**Madam Deputy Speaker:** We will move on to Bill No. 14, The Consumer Protection Amendment Act.

Standing in the name of Mr. Graydon—or the Member for Emerson (Mr. Graydon).

**Some Honourable Members:** Stand.

**Madam Deputy Speaker:** Agreed.

**Mr. David Faurshou (Portage la Prairie):** It is a pleasure for me to rise this afternoon and participate in second reading debate of Bill No. 14, The Consumer Protection Amendment Act, more commonly known as the payday loans act. Madam Deputy Speaker, we are knowledgeable that there is a great interest in the, in the content of this particular piece of legislation, as currently the Clerk's office

has received intention for submission at committee by, by 12 different individuals representing a significant portion of the currently operating payday loans institutions here in the province of Manitoba. So we are quite anxious to see this legislation go forward to committee so that the persons that have already registered and those that will no doubt register before that time have the opportunity to participate and make their known—their, their thoughts known in regards to the legislation.

Now the legislation, I will say, is one that has been crafted to directly address the situation that came about by a challenge to the Public Utilities Board establishment of charges and interest rates pertaining to a payday loan by the Edmonton-based Cash Store finance services. The, the court challenge that came forward did indeed state that the authority of the—or questioned the authority of the Public Utilities Board to establish rates and the government has brought forward this legislation in direct response, which effectively—effectively shuts down the court challenge when the legislation is, is passed.

Now, for members that have been following the, the particular proceedings by the Public Utilities Board and the Edmonton-based Cash Store finance services, it does draw significant concern as to how well the original legislation was crafted. We did support the original legislation. However, amendments that we, we requested were not, were not accepted by government, and some of this is a, a, direct results thereof.

Madam Deputy Speaker, it is important to recognize that the, the government is now, through this legislation, taking on an additional responsibility. It will be the responsibility of the Executive Council, supported, supported by the Lieutenant-Governor, that the regulations pertaining to the rates of interest as well as the charges that are dispensed to borrowers from payday loans institutions. And I trust that the Cabinet members that are listening to the second reading debate of Bill 14 are, are learning that they now will have an added responsibility, that all persons that are, are borrowing monies here in the province of Manitoba will be keenly interested in their, in their due diligence that will have to be gone into the, the rates that the Cabinet will, will see that Manitobans are ultimately responsible for.

And I, I am pleased, though, that the legislation does provide for a review within three years. I would, though, like to say to the government at this

juncture in time that, that perhaps three years is quite a lengthy period of time and, and that the government be more scrutinizing and recognizing of the changes in the financial marketplace to perhaps review and with those reflections more often than every three years.

\* (15:40)

The legislation does say, though, that it won't be the direct responsibility of each Cabinet minister to go out and research what the appropriate levels of interest and, and charges, that they will ask the Public Utilities Board to do the legwork in that respect. But I do encourage the government to remain current and be able to recognize the balance between those that are lending the money and those that are in receipt of, of loans monies.

This particular piece of legislation does actually afford monies to be for—to be placed into a special fund. It's called Manitoba Payday Borrowers' Financial Literacy Fund, and I know the honourable Member for Rossmere (Ms. Braun) will be most interested because, as in her past life, she was very much engaged in teaching life skills to young Manitobans and this, indeed, is a very, very important life skill. That being, not only should one be knowledgeable about their careers and their employs so that they generate an income, but they should also have the tools and the understanding of how those monies can and be managed. Because each and every one of us comes to a point in time where, where, perhaps, we are in need of additional resources for a particular purchase and seek out lenders, and it is vitally important that each individual have an understanding and the knowledge to borrow smartly and to understand the obligations and duties that come with the contract that one is signing when borrowing money. And so this particular entity, the Manitoba Payday Borrowers' Financial Literacy Fund, will be established.

My only concern is that the licensing fees that payday loans institutions here in Manitoba currently pay the highest fee in all of Canada, and I trust that the government, in its insatiable thirst for, for more money, that they recognize that they are putting the financial institutions here in Manitoba in, in jeopardy when they request an inordinate amount of, of monies that is clearly excessive when compared to other jurisdictions in Canada. And I hope, too, that the government will be reviewing the amount of the licensing fee that is currently assessed to payday loans institutions operating here in Manitoba and, if

the government is recognizing of the significant excess fees, that they adjust them to be more in keeping with other provincial jurisdictions. But who knows, Madam Deputy Speaker, as to whether the New Democratic Party, who is in government here in Manitoba, will ever look to other provinces and, and to say that they must remain competitive?

But, that point having been said, as well, I move on to other particular new, new amendments, which all are, are coming into force upon royal assent. And I do agree with the government's move to provide for a borrows reclamation of residual funds because on the cash card—because, currently, the, as we've all recognized, there has been a lot of media attention to cash cards, and, and there being residual dollars on the cash card that cannot be retrieved. Because automatic teller machines, for the most part, dispense monies in \$20 increments and, if one is to include the dispensation charge, one could recognize that a, a value of, perhaps, \$21 and some odd cents, the transaction would not take place because the \$20 bill would be one increment of charge; the other would be the dispensation charge and it would, would, therefore, not—the transaction would not take place. So, so a person could, could have 20-some dollars in—still in the cash cart and not be able to retrieve those monies, and this new provision within the legislation does allow for the borrower to have the right to redeem the outstanding monies on the card and rather than have it lapse.

Also, too, the—this particular piece of legislation allows for a capping of the amount of money that an individual can borrow, because it requires the lender to ascertain from the potential borrower the level of income, and before borrowing monies. And this particular clause sets a limit, which will be, once again, established by Cabinet as to the percentage of income that can be borrowed against.

Other provinces in Canada such as B.C. and Saskatchewan both have similar provisions, and the B.C. regulation, for example, Madam Deputy Chair—Speaker, is maxed out at 50 percent of the borrower's next net pay. And so I'm pleased to see that there is some quantification of the amount of—that is able to be borrowed.

So, Madam Deputy Speaker, I know that it's important that we make adjustments to what has come to the floor of the Legislative Assembly by way of the, of the courts, and do appreciate that the—appreciate that the Minister of Finance (Mr. Selinger) has, has taken this opportunity to put

forward this legislation. And I want to, I want to say that I'm quite anxious to, to hear from the individuals that have registered to make presentation at, at committee.

I also look forward to the members of the government side of the House standing and debating this legislation as it is one that I think the government should stand up and be accounted for, being that they are now taking on greater responsibility for establishing the rates, which Manitobans are going to have to pay and are charged for this service. So, Madam Deputy Speaker, I look to the government side of the House for individuals to participate in the second reading debate. Thank you.

**Madam Deputy Speaker:** Is it agreed—is it agreed to leave Bill No. 14 in the name of the Member for Emerson (Mr. Graydon)?

**An Honourable Member:** Sure.

### **Bill 3—The Forest Amendment Act**

**Madam Deputy Speaker:** We will move on then to Bill No. 3, The Forest Amendment Act, in the name of the Member for Pembina (Mr. Dyck).

**An Honourable Member:** Stand.

**Madam Deputy Speaker:** It's agreed to leave it stand in the name of the Member for Pembina.

**Mrs. Heather Stefanson (Tuxedo):** I'm pleased to put some words on the record regarding Bill 3, The Forest Amendment Act. This legislation was introduced in this House by the Minister of Conservation (Mr. Struthers) last November. One of the primary provisions allows for a ban on commercial logging in 80 of Manitoba's 81 provincial parks. The only exception, Madam Deputy Speaker, is Duck Mountain Provincial Park, which is a key supplier of wood to the Louisiana Pacific operation in Swan River.

\* (15:50)

I want to start off with my comments, Mr. Speaker—Madam Deputy Speaker, to just say that forestry has been a very important industry in Manitoba for many, many decades, and the primary forest sector is responsible for approximately 259 million of Manitoba's gross domestic product. The forestry industry provides approximately 2,500 direct jobs in Manitoba in areas such as logging, paper product manufacturing and related support activities.

It is important to note that from a historical perspective Manitoba's provincial parks originally were established to enforce reserves where pre-existing cutting arrangements were already in place and successive provincial governments have honoured these pre-existing cutting rights in the past. We would encourage this government to work closely with the companies that have been affected by this legislation to ensure that their concerns are reviewed and addressed.

We recognize that there has certainly been a growing public sentiment to see the practice of logging in provincial parks end. We also recognize that Manitobans are keenly interested in protecting the environment, and ensuring the health of our forest is paramount. I don't believe that there's anyone around that wants to see the end of our, of forest in our province and that we want to see all the trees cut down. I don't believe there's anyone, including the logging companies, that want to see that, Madam Deputy Speaker.

So I think it's important as we debate the proposed changes outlined in this bill to remember that the forestry practices that the provincial government uses should be based on sound science using the latest research available. And we believe that a balanced approach is needed to protect the health of the forest which is paramount and the well-being of the forest users to ensure that there is a habitat in which plants and wildlife species can thrive.

Madam Deputy Speaker, in a November 21, 2008, news release the government stated, and I quote: "The complexity of agreements with commercial harvesters in Duck Mountain Provincial Park will not allow operations to end at this time. Mills and jobs are completely dependent on the wood supply." End quote.

Commercial logging operations were to cease in the Whiteshell, Nopiming, Clearwater and Grass River Provincial Parks on April 1st of this year. In announcing Bill 3, the provincial government said that the two major forest product companies being Tembec and Tolko Industries Limited had agreed to move their operations out of these four parks.

At the same time the Province announced the logging ban. It said that a total of just over \$3 million in a one-time financial compensation package would be paid to Tembec and Tolko to reflect the cost of moving their operations out of the parks. But an

additional 16 smaller quota holders will also be moved out of these four provincial parks and there was no indication of financial assistance being provided by the provincial government to these small quota holders.

During the briefing on this bill, the minister said he does not wa—he does not anticipate there will be job losses as his department has tried to help the affected companies find alternate sources of fibre. However, we have already heard from some of the smaller logging firms about the impact of Bill 3 on their operations and certainly they have very serious concerns and are very concerned about having potential layoffs within their companies as a result of this legislation.

For example, some have stated that they have been given new allocations of timber that are further away from their sawing operations than the allocations they had in the provincial parks. These smaller logging firms have indicated that this will drive up their cost to harvest and move the timber for further processing. We have also learned that some of the stakeholders do not believe that they were adequately consulted about Bill 3. And I note that more than half a dozen logging firms, some large and some a little bit smaller, have already registered to speak to this bill when it goes to committee and I'm sure a few of them will have something to say about whether they feel they were adequately consulted about this significant policy change.

And sometimes what concerns me when it comes to consultation with this government is that they're often, you know, they often have good intentions in what they want to do, but they forget that as they go through this, that there are people and there are consequences as a result of their actions. So I just want to caution the minister as we move forward in this process that there are people and family businesses who have been negatively impacted as a result of this, of the introduction of this legislation, and people have—these are people who have not necessarily been properly consulted when it comes to, to their businesses.

And we'll note that the minister did speak with representatives from Tembec and Tolko about their operations and cut a deal with Tembec and Tolko. Unfortunately, the other some-16 smaller quota holders were not offered the same kind of a deal and were not offered any consultation with respect to this, and I think what's unfortunate is that when some people are singled out, or some companies are

singled out in this respect and others are left out of consultation, it's, it is upsetting, obviously, for those that are negatively impacted by this, and I think that more proper consultation, more consultation and proper, a proper process should have been put in place in order to ensure that people were not left out of the process.

In addition to the commercial loggers, other stakeholders have also raised concerns about the impact of this bill. In the December 16th, 2008 edition of *The Drum* newspaper, Chief Marcel Balfour of the Norway House Cree Nation criticized the provincial government for the lack of—also, the lack of consultation on Bill 3. The band also stated that Bill 3 lacked any recognition of the treaty right to harvest timber for ceremonial, medicinal, food and social purposes, or for the construction of cabins and shelters. We trust the government is looking into these types of concerns and looking towards a better consultation process, or we hope they are. The unfortunate part is that this bill is here and this has come into effect already in some of the parks where this went through and the commercial logging has stopped as of April 1 of this year.

In looking at other aspects of this bill, the proposed amendments support changes in timber administration, management, and forest renewal and update the offences, penalties, and statutory inspection powers under the acts. For example, provincial officials will be able to stop a vehicle transporting lumber to determine where it was cut and under what authority. Questions have been raised by the environmental community as to whether the department has sufficient staff to undertake these inspections.

As well, the offence and penalty provisions of The Forest Act are updated by Bill 3. Previously, an individual who committed a first offence under the act could face a fine of \$500 and up to three months in jail. Under the proposed amendments, the fine could now go up to \$50,000 and the individual could face up to six months in jail. Similarly, a first offence for a corporation used to net a fine of up to \$1,000 was now raised to up to \$250,000 under Bill 3.

Bill 3 still allows limited cutting for forest fire control management, control of pests and diseases, and cutting necessary for park management, and these are very important provisions, as we have seen in the past, such as a major blow-down in the Whiteshell Provincial Park in 2007. There are

certainly instances where, in order to protect public safety, it is necessary to remove damaged trees, and we certainly found that after the major storm in the provincial—in the Whiteshell back in 2007, just as one example. There have been many examples of that.

\* (16:00)

Forest management practices were usually done in the past through the timber quota holders, but the changes contained in Bill 3 will allow the quota holder to hire an authorized person to perform the forest renewal work on their behalf. The minister also indicated during the briefing on Bill 3 that forestry companies will still be required to complete their forestry renewal plans when they exit the provincial parks.

The proposed amendments in Bill 3 will allow the Province to adjust timber dues to reflect the market value of timber when it is harvested. During the briefing on Bill 3, the Minister of Conservation (Mr. Struthers) indicated that most other jurisdictions have moved to market-based stumpage fees.

So, Madam Deputy Speaker, there are concerns with respect to the process there—that has taken place here in the drafting of this bill when it comes to the consultation process that took place. I believe that the government, once again, and we've seen this with many other bills in this House, unfortunately, under the NDP government, where there are deals cut in backrooms with some players in the community, but at the expense of some other players, in this case, some of the smaller logging companies out there, and many of these are small companies who have been around for 50 years. They're family-owned companies. They're mostly, the employees are family members, and they had no idea about this legislation coming forward. They have serious concerns with respect to it and serious—and we have serious concerns with respect to the fact that they were not properly consulted in this whole process.

So I think what we will see is that a number of these, a number of these companies or representatives from these companies will come forward at the committee and put on the record and indicate to the Minister of Finance (Mr. Selinger) and members opposite about their concerns. And I hope that members opposite seriously take these into consideration. These are people who are just trying to maintain a living and a livelihood in our communities, and I believe that they have a right

within our province to be properly consulted by a government who is bringing forward legislation in this Manitoba Legislature that seriously, that could seriously adversely affect the operations of their business.

So, with that, Madam Speaker, I think that I have put on the record, I think, my concerns. I think it's also important to note that the environmentalists have some concerns with it. I think it's important to note that some of the First Nations communities have some concerns with respect to the consultation process. but I also think it's important to mention and reiterate, I've already stated this, that I don't believe that there's anyone in this Chamber and anyone in this province who wants to, to see—that doesn't want to see a well—a healthy, well-maintained forestry, forest, for us out there in our province. It's important for our environment. It's important for the future of our province. So we obviously don't want to see a situation. It's not in the best interests of anyone that we see the elimination of our—of forests in our province, in our provincial parks.

So, having said that, Madam Deputy Speaker, I would encourage members opposite to put their words on the record with respect to this bill, and I know that there are a number of my colleagues that, you know, that will probably want to come to committee and hear what has to—what members of the community have to say with respect to this bill. Thank you very much.

**Mr. Kevin Lamoureux (Inkster):** I, too, wanted to share some thoughts with members in regards to Bill 3, and prior to doing that, to acknowledge the minister for his efforts. And I always do appreciate when ministers do make staff available to be able to talk about the legislation and get a better explanation. Typically, what would happen is when government tables legislation, we do get the opportunity to be able to go through it and then there are a number of ministers, some more than others, that are more accommodating in terms of wanting to be able to make sure that the opposition parties do have an understanding of those bills, and that's genuinely appreciated. And you know, one's maybe not as suspicious when you, when you get approached and you're told, here, we would like to explain the bill, as opposed to having to, to go into a bill and get some outside individuals to look at it and then report back to you and so forth. So I think it's—it builds up a little bit more faith and trust in the dialogue when that occurs. And I do appreciate when, when ministers do

make themselves available for those updates and others, Madam Deputy Speaker.

*Ms. Marilyn Brick, Acting Speaker, in the Chair*

Having, having said that, when I—my assessment of the bill is that, in general, it's a bill that in the long term is in the, in the best of interest in terms of protecting our forests and our lumber in the province of Manitoba. And this is an area of the, of the province in terms of thinking of the future of economic—economics and, and the environment. We take that into consideration and, and see this in principle as a bill that's moving forward. It is increasing the ability for us to be able to, to ensure that the, that protection is in fact there.

And to cite some of the examples of that would be to—it enables that trucks could be inspected for transporting timber. It makes it that much more easier in order to inspect those trucks. It increases fines and in this sense it's, it's a good, a good thing, you know, it's going to lead us from 500 to 50,000. I believe that's what it is in, in certain areas.

It allows for the ability to be able to inspect some of the private lands that are out there and, in particular, some of those harvested sites. It also allows for more flexibility for pricing and selling of logs. And, you know, different types of woods have different consumer opportunities or manufacturing opportunities, would probably be better way of putting it, and with that comes a differential pricing. And my understanding, that this legislation builds in the ability to establish that differential prices in different situations. I understand again that it enables the ability to better ce—to better be able to cease timber when there is knowledge that timber has been acquired in any forward of an illegal way or has been harvested illegally.

The whole issue of transportation of timber, it deals with. Some issues surrounding permits, in particular, the salvaging for floodway logs was the example that was talked about, Mr. Speaker—or Madam Deputy Speaker, I should say. I recognize, as all of us do, the importance of forest renewal. In certain areas it rein—reaffirms the Crown's role to, to refurbish our forest. It also takes into consideration third-party's ability to be assigned the responsibility of, of refurbishing or, or in some cases, where private companies would do it themselves.

Reforestation is a very important issue in the province of Manitoba. We want to, as I say, protect this long-term investment that we have been blessed

with in terms of—with our vast quantities of land and forest. With that comes responsibility and we look at, at Bill 3 as a bill that will, in fact, add to protecting our forest going into the future.

The member from Charleswood, the member from Charleswood raises some concerns in regards to, in regards to co-consultation. We recognize that there, there are some fairly—differences in terms of—significant differences in terms of companies that deal within this industry, from the very small to the very large. And this im—this bill will have a significant impact on all.

\* (16:10)

And education is a very important component to any legislation. When government decides to change, change the rules or to bring in legislation that is going to have an impact on a wide variety of stakeholders, that there is a responsibility to minimize the negative impacts, and we look forward to this Bill 3 going to committee where we'll hopefully be able to hear from some of the stakeholders and look forward, ultimately, to the bill coming back for third reading.

So, in principle, as I say, we're quite comfortable with the bill in terms of its passage through committee. Thank you, Madam Deputy Speaker.

**The Acting Speaker (Ms. Brick):** Seeing no other speakers, what is the will of the House?

**Some Honourable Members:** Stand.

**An Honourable Member:** It's already standing.

**The Acting Speaker (Ms. Brick):** As previously agreed, the bill is already standing in the name of the Member for Pembina (Mr. Dyck).

#### **Bill 4—The Community Revitalization Tax Increment Financing Act**

**The Acting Speaker (Ms. Brick):** Resume debate on Bill 4, The Community Revitalization Tax Increment Financing Act.

**An Honourable Member:** Stand.

**The Acting Speaker (Ms. Brick):** Standing—

**An Honourable Member:** Stand.

**The Acting Speaker (Ms. Brick):** What is the will of the House?

**Some Honourable Members:** Agreed.

**The Acting Speaker (Ms. Brick):** Agreed to continue to remain standing in the name—member for—the name of—in the name of the Member for Pembina (Mr. Dyck).

**Mr. Stuart Briese (Ste. Rose):** It's—I'm pleased to rise today to put some words on the record about Bill 4, the community revitalization tax incremental financing act.

*Mr. Speaker in the Chair*

This is a bill that proposes to use incremental school tax off property from future development to stimulate the development up front. Now, there—municipalities already have the ability to use incremental tax by—financing on the municipal portion of their—your property tax bill, but not on the school tax portion.

This bill is being proposed to try and stimulate development. I would suggest that probably most of the tools to stimulate development are already in place. In 2004, the NDP announced changes to The Municipal Amendment Act, The Municipal Assessment Act, to give new authority to municipalities to use tax incremental financing. At that time, Intergovernmental Affairs Minister said the move would, would facilitate community and neighbourhood revitalization efforts. Now, in Manitoba, the only TIF that's in place at the present time is in downtown Winnipeg, but that being said, a lot of municipalities have contributed to economic development in other ways. As I said earlier, they can forgive taxes, they can do whatever they want to do with the municipal portion of the tax to stimulate development. They have forgiven various taxes in various ways and the other thing that they do is provide infrastructure to new development as one of the trade-offs to stimulate that development starting.

Most of the examples of TIF that I have seen only apply to municipal property tax, not school property tax, and I think we are headed down a very dangerous road when we actually go after money that is raised for education purposes. There is no doubt in my mind that over the life of a TIF, which can be a maximum of 25 years—and in all likelihood every one will be 25 years—the education infrastructure in the area will run short of funding. When that happens, what are the options? Well, I only see two possible options: either the Province increases education funding or the school divisions go back and increase their reliance on property taxes, and that is something we all want to avoid.

One scenario that comes to mind is the development that takes place using a TIF and then results in increased population in the area, which then causes an increased need for education facilities and, and more room for students. Perhaps an additional number of stu-school students will enter the local system, creating additional costs and pressures on the local education facility.

Now, where does the funding come from? As I said earlier, there are probably only two options. I would suggest that the odds are very high that the additional funding will come from property taxes. Make no mistake. Tax incremental financing is still a form of public debt even though draw on existing revenues or, or proposed new taxes, it is a debt financing and must be something that has to be repaid.

As I said before, there must be a "but for" component to TIF. There must be some test that says, that particularly it would not have the development but for tax incremental financing being in place. It should never be used to finance anything that could be financed by private enterprise alone.

The tax incremental financing legislation envisions that continuing increase in assessments. I caution that that isn't always the case. In some districts where tax incremental financing has been used, they're on anticipated changes in property tax codes or actual declines in base values of property. When that occurs, someone is left with the responsibility of making up the shortfalls. That someone will obviously be either the Province or the municipality. I see no mention in this bill that addresses that possibility.

The results of such an occurrence would be, in all probability, be a spillover to properties outside the tax incremental financing zone in one form or another.

Remember this. This is debt financing and, as such, must be repaid. I mentioned earlier that the negative impacts of a TIF could have on financing of education. But, there are certainly other municipal services that could be negatively affected. Costs such as police, fire protection, sanitation, most likely will rise in a tax incremental financing zone to the point that pre-TIF property taxes cannot handle the increased costs.

When that happens, there are few choices for government. They can raise sales tax or other taxes to finance the shortfalls or they can, once again, rely

on the property taxes outside the TIF zone to finance the actual additional costs within the TIF zone.

We've seen a continuing assault on property taxes under this NDP government, and this is another form of assault. I remember quite some time ago, at the association of municipalities in a pre-budget meeting with the Minister of Finance (Mr. Selinger), the Minister of Finance indicating that he thought property taxes were a wonderful source of revenue, and he wouldn't mind being able to get his hands on some of them.

Well, it certainly looks to me like they've made the moves that will get their hands on some of them because the tax incremental financing fund, the money collected for additional school taxes, will be held in a special fund controlled by the minister.

Over the years, we've seen, and I've seen quite a number of them, more and more reliance of the provincial government on property tax which used to be and should be the reserve of municipal government.

Health care. We've seen the 10 percent reliance on facilities and that can be very costly for small communities. But, beyond that, the shortage of doctors we see in rural Manitoba causes the municipalities to basically compete against each other and pay a lot of money up front to try to attract doctors to their communities, and that should not be happening.

The NDP government has badly dropped the ball on health care in rural Manitoba and on doctor recruitment in rural Manitoba. We've had close to 1,500 doctors leave this province since this government took power.

\* (16:20)

Another case where there was, in my view, a raid on property taxes by the NDP government was the university property taxes when they were—universities were made exempt from property taxes. That didn't cost the government or the Province a single cent. What it did was reallocate the taxes that came off the university properties to other properties in the area, or in the, in the school, particular school division. Your—if you were—had a residence in the area, your taxes went up because they, a certain number, amount of money had to be raised at, at all times.

Another area where we've seen an assault on property taxes is the increase in both 2002 and 2004

of sales tax on various municipal services, and I would equate what's happening here, with tax incremental finances, to that similar situations. They, the Province increased the sales tax, the number of things that were subject to sales tax, for provincial sales tax, to municipalities and, in essence, cost the municipalities a lot of money. In my view, that's a case of tax on tax. The municipal money is being raised by tax and then the government of the province is taxing the municipalities for their share of that.

One other area that we've seen a continuing cost to the municipalities that probably shouldn't be there is on social assistance. The, the municipalities pay annually approximately \$1.7 million to the provincial government to offset—I stand corrected, I think it's \$1.3 million—to offset social assistance costs in their municipalities, and social assistance should clearly belong to the Province. It shouldn't be on municipal property taxes. I can't overemphasize the need and for a "but for" aspect to tax incremental financing. The Premier (Mr. Doer) has been making promises like he's got a new toy on tax incremental financing, and tax incremental financing should only address blighted areas, brown fields, areas where, but for tax incremental financing, there would be no development.

I know one of the things that the minister touted long and hard was rapid transit, and I certainly support rapid transit. But in his remarks he talked about tax incremental financing occurring on infill along a rapid transit line that would include residential, and I don't think at any time residential should fall into a tax incremental financing simply for the same reasons I quoted before, that, whenever residential increases there's an increased need on schools and school funding and the tax money off the, off the new development, the school tax money will not be available.

Another aspect of this is that there's a large number of organizations including the Association of Manitoba Municipalities, including Keystone Agricultural Producers, including the Winnipeg and Manitoba Chamber of Commerce, that have lobbied long and hard to have school tax removed from property tax. Once there is a TIF zone, or two or three TIF zones somewhere in the province, the, the school tax and property would, would literally be enshrined on property because how do you remove it on property if some of them are locked into a 25-year scheme where it could not be removed?

Bill 4, in our view, is too permissive. I believe there is a need for some of the types of things that are under Bill 4, but I think they should stick, stick strictly to the municipal portion of the tax bill. In most jurisdictions, and I've checked on a lot of them, most jurisdictions the, only the municipal portion of the property tax is, is used, and in most jurisdictions school tax is non-property to begin with. School tax, in my view, absolutely should not be used for anything except the educational needs of our children and grandchildren.

The, the purpose of tax incremental financing, as I said earlier, is to try and stimulate new, new development, but it's absolutely going to impact on education facilities for all the reasons I've already stated.

The best practices reference guideline on the principles of philosophy of governing using TIF for certain projects stated, and I quote, tax incremental financing should be used to promote public policy goals and should not spur development where it otherwise may not occur. Successful communities use TIF as a public policy tool rather than a financing source.

And we've heard this minister speak to the bill and suggest it's a form of creative financing. We've seen some of the other examples of creative financing that this government has used, one being the Crocus fund and the fact that it was used to prop up some distillers that eventually went bankrupt and had no backup to, to rejuvenate the Crocus fund. It, this—that's a similar situation that could very really happen under, under tax incremental financing.

If TIF is as good as people say it is, why aren't its accomplishments reported more transparent and accessible fashion, and they aren't, and there's no call in this bill to have them more transparent and accessible. Doing so would mean reporting to the public expected versus realized returns in terms of jobs and investment activity on all active TIF districts, and there's nothing in this bill that calls for that.

There were a number of small changes to the bill when it went from Bill 46 to Bill 4, one requiring some auditing and one requiring reporting on the accounts. And the—they were good changes and very necessary changes. There are a number of other things that need to be done, but definitely this bill needs to be tightened up. It's just far too open and subject to, in all likelihood, to some abuse.

The—it talks about municipalities and municipalities having the lead and having to agree with the development that may be going on. And in the case of Winnipeg, all of Winnipeg is one municipality, so that means that a TIF zone in one area could rely on funding from another area, and you're still in the same municipality, and that would, I think, come as quite a shock to the people in the surrounding areas.

One of the main things that, I don't think is in this bill and addressed in this bill is transparency and accountability. They've made some moves toward being accountable, but they haven't made all the moves that need to be made. It's definitely not meant to finance megaprojects, and yet we've heard from the Premier and we've heard from the minister that's exactly where they want to go with this.

That, I think, that about covers what I need to say at the present time on this. I'll look forward to the committee hearings and to the comments from the public on this bill and we'll look at possibly making some amendments to this bill. Thank you very much, Mr. Speaker.

**Mr. Speaker:** No other speakers. Okay. This bi—this bill will remain standing in the name of the honourable Member for Pembina (Mr. Dyck).

\* (16:30)

#### **Bill 11—The Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act**

**Mr. Speaker:** Now we'll move on to Bill No. 11, the highway traffic amendment and Manitoba public insurance corporation act, standing in the name of the honourable Member for Steinbach.

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, it is a pleasure to put additional comments on the record regarding Bill 11, the highway traffic amendment act.

Members will know, in this Chamber, that the former Conservative government in the 1990s brought forward legislation that would allow vehicles to be seized in certain cases where a criminal conviction had happened, such as drinking and driving. There were many members of the NDP at that time and some, I think, scholars and academics who believed, in fact, that this legislation would not stand the test of a court challenge because they believed it was the provincial government trying to incede and trying to go into what is a Criminal

Code provision. But, in fact, over time it was realized that the former Minister of Justice under the Conservative government was right to bring forward the legislation, and had the right to bring forward the legislation because it essentially dealt with a property matter, the vehicle, which then could be seized because it was a property issue and wasn't, in fact, interceding and colouring onto criminal law.

And so I want to commend, obviously, the former government for bringing in that legislation forward, innovative legislation that the New Democrats, at the time, questioned, and that others questioned, but really has stood the test of time. It made sense then and it makes sense now.

So fast forward to today, and we see that there has been a number of changes to the Criminal Code relating to an offence known as street racing. I certainly—one that I—all members of this House would find to be wrong and offensive, and other changes to the Criminal Code relating to drinking and driving. And it's necessary, I understand, from staff in the Minister of Justice's (Mr. Chomiak) department, who I want to thank for the briefing that they offered and that they provided to me some time ago, to amend our legislation to ensure that those provisions that deal with vehicle seizures and others can be attached to the new Criminal Code provisions on street racing, drinking and driving, and some other provisions.

And so it's, it's, it's, it's remarkable in a couple of ways, or worth remarking in a couple of ways, both on the foresight that the former Conservative government had to bring forward legislation that could help to reduce some sorts of activities that we—and there'd be more punishment for activities that all of us would agree are not things that we would support in society.

It's also worth noting, of course, that these changes are a result of the federal government making some changes in the Criminal Code, and I want to commend the federal government for some of these changes. They've been aggressive, I think, in making a number of changes to Canada's justice system on the federal level: bringing forward changes to two-for-one time; bringing forward new criminal provisions such as the street racing provision; having auto theft set aside as a separate criminal offence under the Criminal Code; and a whole host of other changes that have been conducted under the federal Conservative government.

In fact, in the past, I know, that the New Democrats in Manitoba have tried to use as an excuse the fact that there weren't changes in the Criminal Code in terms of why they weren't able to do certain things on the justice front here in Manitoba, and it always ringed hollow, of course, because all provinces operate under the same Criminal Code. And so when statistics would come out that would show that we were among the worst provinces for certain levels of crime, it was beyond the pale, I think, to try to suggest that the reason we are worse than other provinces is because the Criminal Code wasn't being changed. Because all provinces operate under the same Criminal Code, and so it's comparing apples to apples. That doesn't mean that there shouldn't and didn't need to be changes to the Criminal Code because, of course, changes did need to happen, and many have happened under the federal Conservative government.

And, but that does mean, of course, that the excuses run a little short now here in the province, as all these changes have happened, and now it's clearly, as it always has been, the ball falls into the court of the Province who administers the justice system, who has many, many powers, as proven by the former provincial Conservative government, to make changes and to make improvements in how our law operates.

And so it's important not only to remember the past changes to the legislation and how we got here, but also to remember that it's also the federal Conservative government, the changes to the Criminal Code, that make this particular law necessary.

Also, the law deals with changes to benefits under The Manitoba Public Insurance Corporation Act. I want to thank my colleague from Emerson, who is on that file and has brought forward a number of good changes under the MPI act, and to provoke proposed changes most recently regarding benefits to those who have significant injuries.

Under the bill, what it's proposing here is that those who are convicted of certain criminal offences will have a reduced amount of money available to them for an indemnity or for support on a go-forward basis from MPI, because it recognizes that it was their criminal act if they're convicted under the Criminal Code that caused this injury, and so they would get less benefits as a result of it. That seems to make a lot of sense.

I think that many Manitobans would go further. In fact, we had this discussion during the—one of the elections campaigns, is it the last election campaign, about eliminating the benefits for auto thieves, and so, if somebody steals a car and is then in an accident, I think that most Manitobans would, would believe that they shouldn't have benefits as a result of that accident, because they stole a car, and so they're the reason, in fact, why they had the accident. They put themselves in that position and they shouldn't benefit to a greater extent than other Manitobans would. And we use the example in the, in the campaign about how there are many Manitobans who don't qualify for enhanced benefits, whether it's building a wheelchair ramp on their home or other specialized equipment, and yet car thieves can, under the current legislation here in Manitoba, and that seems to be very unjust, and it seems to be something that Manitobans would go, well, law-abiding citizens often feel that the, that the scales of justice tip in favour of criminals and those who are committing illegal acts. And it shouldn't be that, in a case where somebody has stolen a car and got into an accident, that there, again, they find themselves being enriched or benefited more than somebody who was obeying the law and had found themselves in a different situation.

For whatever reason, we haven't been able to convince the government of the wisdom of Manitobans, of the common sense of Manitobans, who also believe that there shouldn't be this inequity, shouldn't be this disparity in how ordinary and law-abiding Manitobans are treated and those who are convicted of a criminal offence under the Criminal Code, and then can receive benefits through Manitoba Public Insurance.

I know that some of the changes to the Criminal Code have been a long time in coming, and some of them have been as a result of what we might consider newer offence. I mean, street racing, for example, isn't something that's new to society, but it is something that's had more of a prevalence in the last number of years as individuals, regrettably, have been using our roads as a, as a racetrack, as a speedway, and in driving at, not only beyond the normal speed limit, but really in an excessive way that's considerably more dangerous than anybody would expect to be facing on a road.

And there's been some very high-profile cases, both here in Winnipeg and across Canada and Ontario and British Columbia, where there's been horrific crashes and fatalities of individuals who

were street racing and got into an accident with an ordinary citizen of a province driving on the road and certainly not expecting, could never have expected, to come across somebody driving at that speed because they are racing another individual. And I know provinces like Ontario and British Columbia have taken some pretty strong measures to try to curb street racing and to try to ensure that the offence is reduced in their province, and, certainly, I think that that's a wise course of action. Probably we could look here in Manitoba at more restrictions to try to reduce the offence of street racing.

\*(16:40)

On the issue of drinking and driving, which I know also the Criminal Code has been amended and some changes have come forward there, we would hope that some of the actions, both in public awareness and in other ways, would be reducing drinking and driving in the province of Manitoba. One of the challenges we have, and when I talk to individuals involved with organizations like MADD, Mothers Against Drunk Driving, you find that individuals aren't entirely sure that drinking and driving is going down, that it is being reduced. The numbers, the pure charge numbers might reflect that it's going down, but that really has to do with enforcement because we know, unfortunately, that a person can drink and drive many times, statistically, before they're going to get caught in that act. And the less enforcement you have, the less ability you have for individuals and police officers to be on the road and doing those checks, the less charges you're going to have. And so it's not, in fact, that drinking and driving is gone down in some cases, it's just that enforcement is gone down and there aren't enough police to look at it.

Often, it—you know, it reminds me of the story that a police officer told me about once, in terms of how crimes are reported, and he indicated that, at one point, the Winnipeg Police Service, they could take some certain offences and reporting of certain offences just simply over the phone, and so a person could phone into the local police detachment or—central line and file a report for a criminal activity such as break and enter, for example. And then when these community police offices were set up, their policy changed, and you actually had to go and walk or drive to the community police office, walk in the door and file a report.

And the next year, what they found was there was a radical decline in the number of

break-and-enters, for example, that were reported. And it's not that the crime had reduced. It's not that there was far less break-and-enters, it's just that people, when they could simply phone and report the crime, they would do that, but many wouldn't actually drive to a police station and make the report. And yet the news stories initially said, well, isn't this great? Break-and-enters have gone down. But they hadn't gone down, it's just that it was more difficult to report the crime and that drove down the reporting incidence of it, not the actual crime itself.

And it's not unlike enforcement. If you don't have the enforcement officers out there, you might suddenly get a good story that's saying there's a 25 reduction—25 percent reduction in drinking and driving, when, in fact, what you have is far less enforcement, and so far less charges being laid in a particular case.

You know, I'm mindful of the fact, and I don't mean to bring this into the photo radar debate, Mr. Speaker, but I think that sometimes that there is an overreliance on technology and not a recognition that individual police officers doing traffic enforcement can be a very, very positive thing. I remember reading a study, a few studies, actually, from different jurisdictions that indicated that when you increased traffic enforcement, you actually increased not, not simply speeding tickets, which is what people probably associated most closely with traffic enforcement, but you increase, vastly, the number of arrests you make for individuals who are criminals in other ways.

And so when a police officer pulls somebody over on a traffic violation, it's actually a very proactive way of police work. And so they might find that an individual, of course, might have a suspended licence or there might be a warrant, or there might be a gun or a weapon in the vehicle. And that leads them onto a path of other investigation and leads them in a way to find other crime.

And so in some cities, particularly in some American cities, what they've learnt is that if you really want to clean up a neighbourhood, having increased traffic enforcement really makes a big difference, because (a) there's a deterrent, a very visible deterrent, because you have more officers that are in a community, but it's also a very proactive form of police work 'cause individuals are getting pulled over on traffic citations and the police are

finding then, that those who are in the car may in fact have other criminal backgrounds.

It's not unlike the, the, the theory, the broken windows theory used in New York, which Rudy Giuliani who was brought here by the mayor of Winnipeg—and I think the Minister of Justice (Mr. Chomiak) or one of the, maybe it was the former Minister of Justice, was at that seminar—and there was a discussion about how if you go after minor crime, you find it that leads up to much more significant, that those individuals who are committing smaller crimes are often also tagged or somehow associated with larger crime.

I think the example that was used by Rudy Giuliani at the time—and I had the opportunity to go and to hear his presentation—was that they started to go hard after those who were trying to jump the gate in the New York subway and trying to get in for free. Well, that might seem like a pretty small offence compared to some of the other crimes that were happening in New York City at the time, but when they realized that when they went after these individuals in a significant way who were trying to get onto the subway for free, they did background checks on them after they were detained them, and many of them had backgrounds to much more severe crimes, had warrants that were issued for them and a number of other things.

So one should never dismiss how certain enforcement techniques can help to lead you into a much more significant area of crime. And so I say that with the idea that, you know, the Minister of Justice (Mr. Chomiak) and others shouldn't dismiss the important work that police officers who are even doing traffic enforcement might be involved with, and that there shouldn't always be an over-reliance on technology—

**Mr. Speaker:** Order. I must interrupt the House, and when we return, the honourable Member for Steinbach will have 15 minutes. So I'm interrupting the House for the royal assent.

## ROYAL ASSENT

**The Acting Deputy Sergeant-at-Arms (Mr. Ray Gislason):** His Honour Chief Justice Scott, Administrator of the Province of Manitoba.

*His Honour Chief Justice Scott, Administrator of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour the Chief Justice in the following words:*

**Mr. Speaker:** Your Honour:

The Legislative Assembly of Manitoba asks Your Honour to accept the following bills:

**Madam Clerk (Patricia Chaychuk):** Bill 33—The Appropriation Act, 2009;

**Madam Clerk Assistant (Monique Grenier):** Loi de 2009 portant affectation de crédits.

**Madam Clerk:** Bill 34—The Loan Act, 2009;

**Madam Clerk Assistant:** Loi d'emprunt de 2009.

**Madam Clerk:** In Her Majesty's name, the Administrator of the Province of Manitoba thanks the Legislative Assembly and assents to these bills.

*His Honour was then pleased to retire.*

\* \* \*

\* (16:50)

**Mr. Speaker:** Please be seated.

Okay, we will now—

**Hon. Dave Chomiak (Government House Leader):** I wonder if it might be, the, have the concurrence of the House to call it 5 o'clock.

**Mr. Speaker:** Is there agreement of the House to call it 5 o'clock?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Okay. There's agreement.

So the hour being, the hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 27, 2009

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The Legislative Assembly of Manitoba Debates and Proceedings  
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**<http://www.gov.mb.ca/legislature/hansard/index.html>**