

**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.
JENNISSSEN, 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**

**Thursday, May 28, 2009**

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

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

Routine proceedings; introduction of bills.

**ROUTINE PROCEEDINGS**

**INTRODUCTION OF BILLS**

**Bill 214—The Elections Amendment Act**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill No. 214, The Elections Amendment Act; la Loi modifiant la Loi électorale, be now read a first time.

**Mr. Speaker:** It's been moved by the honourable Member for River Heights, seconded by the honourable Member for Inkster, that Bill No. 214, The Elections Amendment Act, be now read a first time.

**Mr. Gerrard:** Mr. Speaker, it's appropriate a time when we're discussing the conduct of election to bring up a bill which would improve the conduct of election, in this case by making it illegal to take down or tamper with or vandalize the signs of other parties, and it's about time that we make sure that we proceed in the way that other provinces, including Saskatchewan, have done already.

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

**Bill 216—The Crown Appointment Review Act  
(Various Acts Amended)**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill No. 216, The Crown Appointment Review Act (Various Acts Amended); la Loi sur l'examen des nominations au sein des sociétés d'État (modification de diverses lois), be now read a first time.

**Mr. Speaker:** It's been moved by the honourable Member for River Heights, seconded by the honourable Member for Inkster, that Bill No. 216, The Crown Appointment Review Act (Various Acts Amended), be now read a first time.

**Mr. Gerrard:** Mr. Speaker, this bill provides for the members of the boards of various Crown

corporations, including Manitoba Hydro and Manitoba Public Insurance Corporation and the Manitoba Lotteries Corporation come before a committee of the Legislature to provide their vision for the Crown corporation and their qualifications, so that we can have appropriate accountability and improved standards for people who become and sit on boards of Crown corporations.

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

Petitions.

**PETITIONS**

**Parkland Regional Health Authority—  
Ambulance Station**

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

These are the reasons for this petition:

The communities of Eddystone, Bacon Ridge and Ebb and Flow First Nation rely on emergency medical services personnel based in Ste. Rose, which is about 45 minutes away.

These communities represent about 2,500 people. Other communities of a similar size within the region are equipped with at least one ambulance, but this area is not. As a result, residents must be transported in private vehicles to the nearest hospital if they cannot wait for emergency personnel to arrive.

There are qualified first responders living in these communities who want to serve the region but need an ambulance to do so.

A centrally located ambulance and ambulance station in this area would be able to provide better and more responsive emergency services to these communities.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider working with the Parkland Regional Health Authority to provide a centrally located ambulance and station in the area of Eddystone, Bacon Ridge and Ebb and Flow First Nation.

This petition is signed by Gail Ross, Donna Houle, Martha Houle and many, many other fine Manitobans.

**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 Facility—Morden**

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

And the background for this petition is as follows:

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

This is signed by Lori Willcocks, Elaine Mayert, Grace Turnbull and many, many others.

#### **PTH 15**

**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 2004, the Province of Manitoba made a public commitment to the people of Springfield to twin PTH 15 and the floodway bridge on PTH 15, but then in 2006, the twinning was cancelled.

Injuries resulting from collisions on PTH 15 continue to rise and have doubled from 2007 to 2008.

In August 2008, the Minister of Transportation (Mr. Lemieux) stated that preliminary analysis of

current and future traffic demands indicate that local twinning will be required.

The current plan to replace the floodway bridge on PTH 15 does not include twinning and, therefore, does not fulfil the current nor future traffic demands cited by the Minister of Transportation.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate twinning of the PTH 15 floodway bridge for the safety of the citizens of Manitoba.

Signed by Robert Rondeau, Sharyn Orr, Alan Ford and many, many other Manitobans. Thank you.

#### **Photo Radar**

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

And 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 by Cathy Cross, Charlene Beleyowsla, Brianne Pearase and many, many other Manitobans, Mr. Speaker.

#### **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.

This is signed by Grant Palmer, Terry MacKendrick, Loretta Gratton and many, many other Manitobans.

#### **Photo Radar**

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

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 speed—posted speed limit when no construction workers were present—present, present.

The provincial government is refusing to refund the money to many hardworking, law-abiding Manitobans who 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 when no workers were present.

This is signed by R. Adema, A. Adema, R. Gibson and many other fine rural Manitobans, Mr. Speaker.

\* (13:40)

**Mr. Speaker:** Petitions; committee reports.

### **COMMITTEE REPORTS**

#### **Standing Committee on Public Accounts Fourth Report**

**Ms. Jennifer Howard (Vice-Chairperson):** Mr. Speaker, I wish to present the Fourth Report of the Standing Committee on Public Accounts.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Public Accounts presents the following as its Fourth Report.

**Mr. Speaker:** Dispense?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

*Your Standing Committee on Public Accounts presents the following as its Fourth Report.*

#### **Meetings**

*Your Committee met on the following occasions:*

- November 28, 2005
- May 27, 2009

*All meetings were held in Room 255 of the Legislative Building.*

### **Matters under Consideration**

- *Auditor General's Report – Follow-Up of Report Recommendations – A Review dated July 2005*

### **Committee Membership**

*Committee Membership for the November 28, 2005 meeting:*

- *Mr. Caldwell*
- *Mr. Cummings*
- *Mr. Hawranik*
- *Mr. Maguire*
- *Mr. Maloway (Vice-Chairperson)*
- *Mr. Martindale*
- *Mr. Nevakshonoff*
- *Mr. Reimer (Chairperson)*
- *Mr. Santos*
- *Hon. Mr. Selinger*

*Committee Membership for the May 27, 2009 meeting:*

- *Mr. Borotsik*
- *Ms. Braun*
- *Mr. Caldwell*
- *Mr. Derkach (Chairperson)*
- *Ms. Howard (Vice-Chairperson)*
- *Mr. Lamoureux*
- *Mr. Martindale*
- *Mr. Maguire*
- *Ms. Selby*
- *Hon. Mr. Selinger*
- *Mrs. Stefanson*

### **Officials Speaking on Record**

- *Carol Bellringer, Auditor General*
- *Mr. Jeff Schnoor, Deputy Minister of Justice*
- *Mr. Martin Billinkoff, Deputy Minister of Family Services & Housing*

### **Reports Considered and Passed**

*Your Committee considered and passed the following reports as presented:*

- *Auditor General's Report – Follow-Up of Report Recommendations – A Review dated July 2005*

**Ms. Howard:** Mr. Speaker, I move, seconded by the honourable Member for Brandon West (Mr. Borotsik), that the report of the committee be received.

**Mr. Speaker:** It's been moved by the honourable Member for Fort Rouge, seconded by the honourable

Member for Brandon West, that the report of the committee be received.

Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

Tabling of Reports; ministerial statements.

### **Introduction of Guests**

**Mr. Speaker:** Prior to oral questions, I'd like to draw attention of honourable members to the public gallery where we have with us today, we have a Children's Wish child, Nathan Hoel and his mother, Krista Kelly, along with family and members of the board from the Children's Wish Foundation, who are the guests of the honourable Member for Southdale (Ms. Selby).

Also in the public gallery we have from Balmoral Hall School, we have 29 grade 9 students under the direction of Ms. Lois McGill-Horn. This group is located in the constituency of the honourable Member for Wolseley (Mr. Altemeyer).

And also in the public gallery we have from Rock Lake School, we have 12 students ages 12 to 15 under the direction of Mr. Tim Remple. This school is located in the constituency of the honourable Member for Turtle Mountain (Mr. Cullen).

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

Oral questions.

### **ORAL QUESTIONS**

#### **1999 Election Judicial Public Inquiry**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** In 1999, the NDP orchestrated a cheque-swapping scheme and then filed false election returns in order to trigger a rebate, an illegal rebate at the expense of Manitoba taxpayers in the amount of \$76,000.

Mr. Speaker, when it—when this was discovered by Elections Manitoba, the NDP interfered with that investigation and under pressure from the NDP, Elections Manitoba swept the matter under the rug.

Mr. Speaker, we have learned that the—that somebody in the Premier's inner circle altered those election returns after they were initially prepared in

draft by official agents at the local level, and in light of everything that has transpired, we now have a call from the former Attorney General of Canada for a judicial inquiry into the conduct of Elections Manitoba and the double standard that applies in terms of treatment of one party versus the other.

Does the Premier agree with the former Attorney General of Canada that a public inquiry is warranted?

**Hon. Gary Doer (Premier):** No, Mr. Speaker.

**Mr. McFadyen:** I want to ask the Premier if he can indicate for the House who within his inner circle altered the election returns after they were prepared originally by the official agents, Mr. Speaker, and if this additional information along with other information that's coming to our attention about his relationship with Elections Manitoba are matters that would be of concern to him.

And is he prepared to make all the facts available to the people of Manitoba about the relationship between the Premier and Elections Manitoba?

Is he prepared to call a judicial inquiry as the former Attorney General of Canada has today called for?

**Mr. Doer:** The report that Elections Manitoba filed some five years ago, five and a half years ago, Mr. Speaker, and before the legislative committee that we call on a regular basis—unlike members opposite—that for the last four committee meetings basically confirmed that there was a, a change in the statements with Elections Manitoba. That's on the public record. That is also contained within the, the statements made by the, the Chief Electoral Officer in June—or July, rather, of last year; in May, again a committee on Monday night.

The issue of the integrity of Elections Manitoba was before the Monnin inquiry. Elections Manitoba and Mr. Balasko has already gone through one inquiry. Judge Monnin concluded: Under the circumstances, as the law, as it stood, the Elections Manitoba did all it could and ought not to be faulted. If there was a fault, it lies with the witnesses who failed to co-operate, who, I quote, lied, unquote, and plainly avoided being interviewed.

Monnin also, Justice Monnin also went on to go, go on to say that we needed the power of subpoena and search. Let me also say that, in this inquiry, Justice Monnin said there should—that should lay to

rest a doubt—any doubt about the particular aspect of this case and the confidence, the pu—the confidence of the public in Elections Manitoba can re—be reaffirmed and sustained.

Mr. Speaker, the issues of having the right of using the rules of evidence, which was not available in '95, has been changed dramatically. The issues of having a, a skilled investigator using the rules of evidence has been changed.

The members opposite may disagree with the legal advice of Mr. Michael Green to the Elections Manitoba. We respect the integrity of that advice and we respect the integrity of that office.

**Mr. McFadyen:** And I, I know he's a big fan of Elections Manitoba and it's becoming abundantly clear why that is, Mr. Speaker. We don't need any further clarification on that point.

Mr. Speaker, there was nothing in the election Manitoba report that he's referring to that laid bare the fact that, after the 13 official agents for his party prepared returns correctly in draft form, that somebody in the Premier's inner circle altered them, didn't advise those official agents, had them sign off on those false returns, triggered rebates that the party wasn't entitled to, rebates that flowed to the central NDP party without the knowledge of the individual campaigns involved.

That was what he was doing to his individual MLAs. That wasn't contained within the report. Does he agree with the former attorney general that this calls for a full judicial public inquiry?

**Mr. Doer:** Mr. Speaker, the, the issue of the way in which the matter was presented to Elections Manitoba and their findings, I've said over and over and over again, we had legal advice.

Obviously, Elections Manitoba had their legal advice. Our party had our legal advice. We—the instructions I gave to the party was to co-operate with Elections Manitoba. That's what they did. They co-operated fully through the matter. We could have disagreed with them and gone potentially to court or maybe not gone to court, but we decided to co-operate with Elections Manitoba. That's what we did.

The Elections Manitoba on Monday night said that every political party in Manitoba has amended reports to their office with the support of Elections Manitoba. They said that over and over and over again. They said at least six times at committee on

Monday night, and last July, that they rely on the advice of Mr. Michael Green and Mr. Graham. They, they rely on the legal advice of those two individuals dealing with the law. Those two are lawyers, skilled lawyers.

Mr. Speaker, the member can't have it both ways. He can't support the idea of Mr. Michael Green being the Commissioner of Elections on one hand and then disagree with the advice that he gives to the Chief Electoral Officer, Mr. Balasko. He can choose—*[interjection]*

**Mr. Speaker:** Order.

**Mr. Doer:** He can choose what advice he's gonna take.

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

**Mr. Speaker:** Order.

**Mr. Doer:** We choose to support—*[interjection]*

**Mr. Speaker:** Order. Order. Order. Lots of time yet for questions. Order.

The honourable First Minister has the floor.

**Mr. Doer:** Mr. Speaker, the members opposite, the Conservative Party, the Liberal Party and the NDP, all supported Mr. Michael Green being the Commissioner of Elections.

The individual would have the power and the rules of evidence, the power to investigate, the legal knowledge, Mr. Speaker, and the bottom line is we chose to support the individual being the Commissioner of Elections. We didn't choose to cherry-pick between what advice we agreed with and what advice we didn't agree with. We absolutely support the integrity of Mr. Green to make recommendations to Elections Manitoba.

We're not going to cherry-pick what we agree with and what we disagree with. We're going to respect the office, the independent office of the Chief Electoral Officer, Mr. Speaker.

\* (13:50)

### 1999 Election Judicial Public Inquiry

**Mr. Kelvin Goertzen (Steinbach):** Well, Mr. Speaker, I also know, I also know a skilled lawyer who is offering advice this morning. This lawyer was the former director of constitutional law for the Province of Manitoba, the former Minister of Labour, the former of Minister of Justice for the

Province, the former Attorney General for Canada, the now president of the Treasury Board and senior minister for Manitoba.

He said in his statement this morning, he said that a full public inquiry into the conduct of the 1999 election is needed to instore—restore the integrity of the electoral system of Manitoban.

Mr. Speaker, there's a dark shadow over the NDP government, and only a bright light of a public inquiry—

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

**Mr. Speaker:** Order.

**Mr. Goertzen:** —can clear up that shadow.

Will the Minister of Justice adhere to—

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

**Mr. Speaker:** Order.

**Mr. Goertzen:** —the word of his predecessor and call that inquiry today?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, I hope, I hope members will listen to what I have to say.

You have a situation where you have a former aide to a premier in the Premier's office charged with election offences. You have a party president, you have a party president resigning his position. You have an election return filed, reviewed by Elections Manitoba, found out that money needs to be paid back and the money's paid back.

What is that, Mr. Speaker? The Conservative Party election expense in 1995 paid back after Mr. president of the Conservative Party resigns and the Leader of the Opposition (Mr. McFadyen) was in Premier Filmon's office as a key adviser.

And, Mr. Speaker, am I calling them? No. The Chief Electoral Officer dealt with that situation exactly the same way they dealt with the situation, and members are making allegations about—

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

**Mr. Goertzen:** Mr. Speaker, it was the former premier who had *[inaudible]*

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

**Mr. Speaker:** Order. We need to be able to hear here. Order. Let's have some decorum. The honourable Member for Steinbach has the floor.

**Mr. Goertzen:** It was the former premier who had the integrity to call the inquiry. In fact, it was the former Minister of Justice, Mr. Toews, who signed the Order-in-Council for the public inquiry. That same Mr. Toews, now, today, says that there needs to be another public inquiry because the confidence of the electoral system itself is at stake.

This government wants to stonewall. This government wants to hide behind the cloak of government. At least there was a former premier who had the integrity. Does this Premier (Mr. Doer) have half the integrity?

**Mr. Chomiak:** The Chief Electoral Officer said—the Chief Electoral Officer said there is not a political party in the House that hasn't refiled a financial statement, that has not repaid reimbursements at one point, in some cases more than once. So this has happened in cases across the board. I have the filing of the Conservative Party refiled, refiled by the Conservative Party and money paid back, and there was no charges laid, Mr. Speaker.

Where are members asking for their own party to have an investigation? Why did your president resign? Why did your president resign, Mr. Speaker? What did you do in Mr. Filmon's office?

But I'm not going to be like that, Mr. Speaker. You were treated the same way that we were treated, and the Chief Electoral Officer said, that matter—

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** —was treated the same way this was in committee.

And you know what, Mr. Speaker? People who have a lot to hide are the lardest—are the first ones to scream, and let me quote Monnin who said—

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

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

**Mr. Goertzen:** The only reason he can quote Monnin is because there was a premier and an attorney general who had the integrity to call for an independent inquiry.

Today, today, that same former attorney general who signed off on the accor—on the Order-in-Council for that inquiry said that he has grave reservations about the ability of Elections Manitoba to meet the high standards expected by Manitobans. Well,

Manitobans also expect high standards for their political leaders.

I say to the Premier, I say to the Attorney General, if they don't take the same action that the former premier and the former attorney general took, they're half the men that they were, Mr. Speaker.

**Mr. Chomiak:** As I—

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

**Mr. Speaker:** Order. Order. Order. Order. Order. At times, issues get a little heated in here, but we have a lot of guests that come down to hear the questions and the answers and we should allow that privilege, and, also, I need to hear the questions and the answers in case there's a breach of a rule. So, I'm asking for—I'm asking for some co-operation here, please.

**Mr. Chomiak:** Mr. Speaker, first off, there was an inquiry under Monnin, and Monnin said, under such circumstances, Elections Manitoba did all that it could and ought not to be—ought not to be faulted, and he also said he'd never seen so many liars in his life.

Mr. Speaker, in Ottawa, when the federal Conservative Party was found by Elections Canada to be in contravention of a cheque scheme, they went to court. They didn't obey Elections Canada. They went to court, and that's how they dealt with it.

In Manitoba, Mr. Speaker, the Conservatives, who did the exact same thing and were—and paid back the money to Chief Electoral Officer, who testified that he had treated a Conservative Party the same way he treated the NDP, the same way he treated the Liberals, and paid back money, and that we've dealt with it fairly.

We have the people opposite trying to find an issue when the issue ought to be look—by looking in the mirror.

### 1999 Election Judicial Public Inquiry

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, there are three major political parties in Manitoba, two of which are questioning why 13 candidates—

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

**Mr. Speaker:** Order.

**Mr. Lamoureux:** —Mr. Speaker, two of which are questioning why 13 NDP candidates seem to have

violated The Elections Finances Act, but were not—were allowed to change their books without charges while three Conservatives were, in fact, charged.

Today, Vic Toews has asked for a public inquiry. In order to restore confidence in Elections Manitoba, we in the Manitoba Liberal Party also see the need for a public inquiry.

Will the Premier do the right thing and agree to call a public inquiry today?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** In 1996, the Liberal Party had to refile its 1995 election financial statement because of mistakes in the accounting of election expenses. The Liberal Party first filed, in '95, the amended result in a reimbursement of the Liberal Party being decreased from 407,000 to 346. In 2004, the Liberal Party sold corporate advertisements in their AGM. A complaint was made, and this may have constituted a corporate donation if the advertisement had been sold for more. While the outcome of the investigation has not been made, we understand the Liberals may be required to pay this amount.

I don't want to dictate, nor will I tell the Elections Manitoba what to do, Mr. Speaker. All I know is that they've dealt with matters fairly, and all political parties, as the Chief Electoral Officer has said—and if they're looking for, if they're looking for something, they should look in the—

**Mr. Speaker:** Order.

**Mr. Lamoureux:** Mr. Speaker, there's a time for the Premier (Mr. Doer) of this province to step up and take responsibility. What we're asking for is to recognize that there are 13 NDP candidates that cooked the books. They took the donation of kind and they took that donation in kind and they changed it to a cheque exchange. We're looking for the Premier of this province to have the political courage, stand on his feet and say that he's prepared to call a public inquiry in order to protect the integrity of Elections Manitoba.

Will the Premier, not the Minister of Justice, but the Premier, stand in his place and say he will call a public inquiry?

**Mr. Chomiak:** Mr. Speaker, I had—I had a distinct sense of hearing this before, and I recall the Member for Inkster standing up in this House and saying he had allegations that there was an impropriety and if these allegations weren't proved, he would resign his

seat. These allegations haven't been proved and we're still waiting for the member to resign his seat.

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

**Mr. Speaker:** Order. Order. I'm going to ask once more for some co-operation here. I'm not going to ask too many more times. The honourable Attorney General has the floor.

**Mr. Chomiak:** Yes, Mr. Speaker, the member stood up and made an allegation. He said if it wasn't proven true he would resign his seat. It was not proven true. The member's still sitting there. If the member has any sense of integrity with respect to what he's trying to raise today, he would resign his seat. Oh, and now the Leader of the Opposition stands, of course.

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

\* (14:00)

#### Point of Order

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

**Mr. Hugh McFadyen (Leader of the Official Opposition):** On a point of order, Mr. Speaker. The rules of the House require members to not impugn the character of other members. And, in particular, on the—it's a case of the—in the case of the language the Attorney General is using—in the case of the language the Attorney General's using with respect to the Member for Inkster.

The fact is that two people were present in a meeting and testified that the Premier's (Mr. Doer) chief of staff offered a government appointment to somebody to have that person drop out of a, of a nomination race. It turns out, Mr. Speaker, that Elections Manitoba looked into it and simply issued a statement saying that they wouldn't be pursuing it any further. We wonder whether that happened as a result of interference and pressure from the NDP, and I call on the Attorney General to withdraw the comment.

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

**Mr. Chomiak:** On the same point of order, Mr. Speaker. In the words of the member of Steinbach, I might only be half a man, but I was just quoting back what the Member for Inkster (Mr. Lamoureux) said in this House. And the Leader of the Opposition, who was the chief, who was, who was an adviser to Filmon, with, with former Premier

Filmon, who called the inquiry that said he'd never seen any more liars in his life, ought to know I was not imputing the motives of the Member for Inkster. In fact, I was asking to fulfil his requirement that he made in this House, not only in this House but in the hallway. And everyone knows that he said he would resign his seat if the charges were not proven. The charges were not proven. He's still sitting there, and now he's making further spurious allegations.

**Mr. Speaker:** The honourable—one more. The honourable Member for Inkster, on the same point of order.

**Mr. Lamoureux:** Yes, Mr. Speaker, on the same point of order, because the Minister of Justice is just trying to throw members of this Chamber off. Just a bunch—Mr. Speaker, I, I—if the Premier had half, a quarter, a fraction of the integrity that I believe I have on this particular issue, he'd be calling the public inquiry.

Mr. Speaker, what the minister specifically is referring to is allegations in which an NDP put out a press release demanding that I resign. I'm not going to resign because the New Democrats want me to resign. Sorry.

**Mr. Speaker:** Order. Order. Order. Order. On a point of order raised by the honourable Leader of the Official Opposition, first of all, points of orders should not be a way—a means of using for argument or debate. So the honourable member does not have a point of order.

\* \* \*

**Mr. Speaker:** The honourable Attorney General had the floor.

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

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

**Mr. Speaker:** Order. Order. Order. Order. Order. Patricia—

The honourable Attorney General did have the floor, and I stopped the clock at 28 seconds. So he's allowed to go up to 45.

The honourable Attorney General has the floor.

**Mr. Chomiak:** Yes, Mr. Speaker, it's very apparent that when members don't have issues of poverty, of the worst economic crisis that this country's ever faced, what they do is attack, attack, attack and personally.

**Mr. Lamoureux:** It is an issue when the New Democratic Party attempts to steal \$76,000 from the taxpayers.

We want the Premier to show some leadership, show some accountability and agree that, in order to establish and to re-establish credibility for Elections Manitoba, there's a need for a public inquiry.

The question that I ask is for the Premier. I don't need the human shield to come up to protect the Premier. Mr. Speaker, what I want is the Premier to be able to stand in his place and say that, today, we will call a public inquiry because we believe it's important to re-establish the independent nature that Elections Manitoba is supposed to be providing all Manitobans.

Thank you, Mr. Speaker.

**Hon. Gary Doer (Premier):** Mr. Speaker, the Liberals had refiling of numbers in post '95. The Conservatives had overspent in '95. It didn't become public till 2000. One could argue that any overexpenditure, by the way, is an advantage in election campaign. They had two political parties in '95. They had two bank accounts in '95. That's all on the record.

That Monnin inquiry reaffirmed the integrity of Elections Manitoba. It reaffirmed the integrity of Elections Manitoba. Mr. Balasko was appointed by Mr. Filmon, and his integrity was confirmed by a judicial inquiry in 1998 by former Chief Justice Monnin.

I would point out that there are members in this Hou—there are members on this side that disagreed, for example, on the electoral map. The Conservatives accused Elections Manitoba of being biased. The member from Inkster accused Elections Manitoba of being biased.

We will stand up for the integrity of that office, the integrity of the people in that office, and that's what we believe in, Mr. Speaker.

### **Education Facilities Asbestos Report**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, after making repeated calls for the Minister of Education to provide a list of schools with asbestos present, we find that the list is 453 schools long or 66 percent of all schools in Manitoba.

The size of that number is stunning. I ask the minister: How could he have been so unaware of this

issue? How could he have been so out of touch that he did not realize that the number of schools with asbestos present is on such a massive scale?

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** You know, I would like to, first of all, take the opportunity to correct the record when the member opposite stood in the House and said that other jurisdictions in Canada have adopted comprehensive asbestos eradication plans for their schools, including Québec.

Well, after consulting with education in Québec, Québec did have an inventory only in 1998. They had allocated \$70 million to encapsulate, address asbestos and apply building insulation in plants, as Manitoba did between 1982 and 1990. Now, it begs a question. Why did it stop in 1990? I have my theories, Mr. Speaker.

**Mr. Schuler:** Mr. Speaker, that is as pathetic as every answer he's given so far, and after delaying and stalling for six weeks, the Minister of Education released a whitewashed list of Manitoba schools that have asbestos present. This Minister of Education cannot be trusted on an issue of asbestos in schools that impacts 66 percent of all their schools, staff and children.

I ask the minister: Did he never think to ask his department for a report on asbestos? In all the years he's been there, how could he have fallen so short of ministerial responsibility when dealing with this issue?

**Mr. Bjornson:** Well, actually, Mr. Speaker, we've been dealing with this issue every year. Every year, on average, in our capital program, we invest between one and \$1.5 million in asbestos remediation as part of the strategy.

We're doing asbestos remediation in projects in Borderland, Garden Valley, Louis Riel, Pembina Trails, Portage la Prairie, Prairie Spirit, River East, Rolling River, St. James-Assiniboine, Winnipeg School Division, Lord Selkirk, Seven Oaks, Prairie Rose. All of these schools have renovation projects under way right now in this capital plan which include asbestos remediation.

The member opposite continues to fearmonger on this issue by suggesting our buildings are not safe. This is encapsulated asbestos which will only become an issue if it becomes airborne. If that is the case, there is immediate action taken, working with the school divisions and working with the Public

Schools Finance Board to address that and ensure that our buildings are safe, Mr. Speaker.

**Mr. Schuler:** Mr. Speaker, six weeks ago, this minister didn't even know that there was an issue, and when it comes to fearmongering, we're fearmongering about a weak and ineffective minister.

When workers are exposed to dangers in the workplace, they are protected by Workplace Health and Safety. In this instance, the teachers and staff have some protection. At least they have somewhere to turn if they are uncomfortable with their work environment.

On the other hand, children are supposed to be protected by this Minister of Education. How can he ever be trusted to protect our children when he has been so negligent of his duties concerning the well-being of 66 percent of our students? He hasn't done his job for the last several years, Mr. Speaker, how can he be trusted on this issue going forward?

\* (14:10)

**Mr. Bjornson:** Well, Mr. Speaker, I know the member opposite was a school trustee, and I know there are schools in the former school division that he represented that still has asbestos. So it's rather curious to hear him come forward with these allegations today.

What did he do when he was a trustee—

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

**Mr. Speaker:** Order.

**Mr. Bjornson:** Thank you, Mr. Speaker, and, again, yesterday, the member opposite stood up and pretended to be a champion of safety issues for our school children when those school children graduate and go on to the workplace, and what does he do? He votes against wo—Workplace Safety and Health initiatives, sweeping changes under Bill 27.

So he's only concerned about our school children but does not care about the workers, Mr. Speaker. So I don't need a lecture from the member opposite about safety issues. We've been dealing with asbestos every year, one to \$1.5 million every year as part of our capital plan to remediate asbestos.

#### **Education Facilities Asbestos Report**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, six weeks ago, this Minister of Education didn't even know which schools contained

asbestos or the extent of the problem. He scrambled to pull a list together, a list which he made public yesterday.

Can the Minister of Education tell us: Did the list he provided contain all of the information he was given, or did he format out some of the details?

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Mr. Speaker, we work in partnership with the school divisions. We asked the school divisions to provide the information to us. They provided that information, and I can assure the members that list is as complete as possible given the information that we've received from the school divisions. And we will certainly continue to have this discussion and dialogue with the school divisions on schools that have asbestos.

And, quite frankly, Mr. Speaker, anytime there is an issue concerning the health and safety of our children, we respond very quickly. There was an issue of mould in one school. It wasn't part of our capital plan to replace that school, but it was an emergent need. The entire school was replaced in, in a member opposite's riding because we recognized the health concerns. So we responded very quickly to do that. And anytime there is asbestos where it can be a threat, we deal with it.

**Mrs. Driedger:** Mr. Speaker, this will not be the first issue that has been dropped by this Minister of Education.

A responsible Minister of Education should have been on top of this issue, especially since the World Health Organization has said that this is a very, very serious public health issue.

I'd like to ask the Minister of Education: Did he ask for detailed information about where the asbestos was found in each school?

**Mr. Bjornson:** Mr. Speaker, the sites where asbestos is contained is identified in the schools and is part of a list that the school divisions have.

Now, you know, the, the Minister of Education in 1994, Mr. Praznik, said, the prime responsibility for a particular work site lies or rests with the owners of that particular work site. So, in the case of St. James Assiniboine school division, in this example, they have a responsibility for the abatement of asbestos problems within their school division. It was dismissed by that minister. We're not dismissing that.

It is our responsibility to work together with the school divisions. And a big part of working together is unprecedented \$310 million in capital to improve the safety and, and the condition of our buildings in the province of Manitoba, but they vote against that, Mr. Speaker.

**Mrs. Driedger:** Mr. Speaker, the Minister of Education should be informed that Darren Praznik was never the Minister of Education.

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

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

**Mrs. Driedger:** Thank you, Mr. Speaker.

This Minister of Education has been kept on a short leash by his staff for a long time. Now we can certainly see why.

Mr. Speaker, 66 percent of public schools contain asbestos, but teachers and parents don't know the extent of the problems and how serious a, a safety issue this is in the schools.

Will the Minister of Education make public a detailed report of where the asbestos is found in all of the schools so that we can know the extent of the safety problems in the schools?

**Mr. Bjornson:** Well, thank you, Mr. Speaker. My apologies to Mr. Praznik. He was one of the few that wasn't Education Minister. They turned over pretty quick by the members opposite—but couldn't keep track of that revolving door. But according, according to Health Canada, according to Health Canada, if asbestos fibres are enclosed or tightly bound in a product, they are no significant health risks. Asbestos poses health risks only when fibres are present in the air that people breathe.

Members opposite are fearmongering, Mr. Speaker. That is what they're doing. We are working with school divisions. Anytime a health issue is raised, we deal very quickly with that health issue. Anytime a structural integrity issue is raised, we deal with that structural integrity issue, and we deal with it because we are investing record amounts of money in school capital. Members opposite will vote against it.

#### **Foster Care Children's Advocate Report**

**Mrs. Bonnie Mitchelson (River East):** And the scathing report released by the child advocate yesterday revealed that the number of children coming into care is up 30 percent since 2003. And,

also, she indicated that many foster parents have spoken to the Children's Advocate and have said that they're not being heard when it comes to dealing with issues of safety and well-being of the children within their care, but this NDP government and this minister aren't listening to those foster parents.

Mr. Speaker, we've heard from those foster parents also. My question to the minister would be: Why hasn't he acted on his 2006 commitment to support foster parents which ultimately supports the vulnerable children in their care?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** I have this feeling that the Conservatives should get a little mirror next to the exit door of their caucus, so they can just check it to see if they have any credibility on a particular issue, Mr. Speaker.

Mr. Speaker, it was, in fact, not just the members opposite but the member who just asked the question that not only cut and froze foster rates in the face of the Children's Advocate's pleading seven times—we increased them seven times—that cut all the funding for the Foster Family Association. We increased it and she has the gall to stand up with that kind of a record and say foster parents aren't being listened to.

I can tell you not only are they being listened to, unlike when the member opposite was in office, but we've increased the foster rates. We're going to continue to increase foster rates. We're going to continue to make sure that they are important team members in the protection of children in Manitoba.

**Mrs. Mitchelson:** But this Children's Advocate's report was released yesterday. It's a report that ends March 31, 2008, nine years of NDP government, and the advocate says, and I quote: "While the government is actively seeking to recruit new foster parents and caregivers, the Office of the Children's Advocate wonders if this is perhaps an instance where new foster parents are coming in the front door while experienced caregivers are going out the back door."—under this minister's watch.

Will he stand up today, take responsibility and support foster families like he said he was going to do in 2006?

**Mr. Mackintosh:** Well, Mr. Speaker, I'm glad that they're now listening to the Children's Advocate because when they were in office and had the levers, the machinery of government at hand, they rejected, argued and belittled the Children's Advocate of Manitoba.

Mr. Speaker, the Children's Advocate has provided a report which is very important as we continue with our overhaul of the child welfare system of Manitoba. I want to advise the House today that as a result of the—as a result of the Circle of Care campaign that was launched in 2007 to recruit more foster families, I can advise that while the initial target was 300 more foster beds, as of today there are 1,944.

**Mrs. Mitchelson:** Nine years of being in government and we have the child advocate saying, and I quote: "We know that foster parents are leaving the system. The first thing to do is find out why." Shouldn't it be standard practice across the province to find out why foster homes want their licences closed and transferred to another agency?

Mr. Speaker, this is happening under this minister's watch. Will he stand up today, after nine years in government and two and a half years after he put out a statement indicating that he was going to support foster families, will he not stand up today and make a commitment to support the foster families so they're not leaving the system?

\*(14:20)

**Mr. Mackintosh:** Well, Mr. Speaker, we recognize—and I know some foster parents, that after raising foster children and when they age-out, they decide not to bring in younger children. That, that sometimes is a decision that foster parents should be respected for after giving so selflessly to the cause.

But, Mr. Speaker, we want to ensure that foster parents aren't leaving because of the rates. That's showing respect, the seven enhancements to rates.

They denigrated foster parents. They cut the rates. Headline after headline: foster parents screaming about a government that was so uncaring for the very foundation of the child welfare system; that is the foster parents. Their hearts and their homes are the very basis of how we can better protect our children.

They turned their backs. We are working to improve the respect for these foster parents, Mr. Speaker.

### **Flood Region Houses Government Buyouts**

**Hon. Jon Gerrard (River Heights):** Last Saturday, last Saturday I was at Breezy Point meeting with residents who are concerned about government plans to buy out some of the residents whose homes have

never been flooded. I'm referring to people like Ron and Sheila Snider, who spent countless hours and thousands and thousands of dollars ensuring that their homes were high enough above the water that they would not flood. And their approach worked, and now the government wants to buy them out, people who have spent so much time and effort.

I ask the minister why he is so determined to buy out people whose homes never flooded.

**Hon. Steve Ashton (Minister of Intergovernmental Affairs):** Certainly it was a very difficult situation this year, especially north of the city of Winnipeg. It was, in terms, unprecedented flooding, also some unprecedented rescue situations that were put in place.

And there were areas, Mr. Speaker, in which—and I want to put on the record, we owe a lot to the first responders, the municipal employees, the EMO staff, who put their own lives at risk to enter, often in the middle of night and very difficult circumstances, and we have not forgotten that, Mr. Speaker.

And following the flood, we're working now with some of the affected municipalities. I know the Minister of Conservation (Mr. Struthers) has been working in terms of Crown land, Mr. Speaker, because we're working on a combination of seeing where we could provide further protection, but in areas where emergency response and the kind of situation we saw this past flood, it creates risks to either individuals or responders—

**Mr. Speaker:** Order.

**Mr. Gerrard:** Mr. Speaker, you know, the government created part of this problem by not having enough ice-breaking capacity and use it there. You add on to that a situation where you've got people who've never been flooded, who made sure that their homes were high enough that they weren't flooded, and the government is now wasting huge amounts of taxpayers' dollars to buy out people who don't need to be bought out because their homes are well above the flood line.

This is a waste of money. Why is the government—when they've got so much better things to do in terms of spending money—wasting dollars, making miserable decisions for people and buying them out when they don't need to be bought out?

**Mr. Ashton:** I find it remarkable that somebody who purports to be the leader of a political party would

get up and blame the government for the flood of the century, Mr. Speaker.

And let's not forget, Mr. Speaker, that it was this government that brought in the ice-breakers, the two Amphibexes, and I believe a certain federal government that the member was—that was certainly affiliated to politically, cut the dredging in the river. So we've taken a proactive view and we're working with it.

But this was the flood of the century. We were dealing with a situation, Mr. Speaker, where people were, were involved in risky rescue missions in the middle of the night with unprecedented flooding. We're working with the municipalities on both flood mitigation and to make sure that any of the residents there, that we can provide proper emergency services.

The comments of the member opposite, Mr. Speaker, are highly irresponsible and I think do a disservice to the many Manitobans who fought hard this flood season.

**Mr. Gerrard:** It is the minister who is being and has been irresponsible. He's trying to avoid blame for some of the bad mistakes that he has made and is making. The fact is that you've got much better solutions and people like dor—George Deserranno, I've actually communicated some of those to the minister but he doesn't seem to have ears to listen.

I ask the minister: Why is he so determined to buy out people whose homes have never, ever been flooded, who made the preventive measures that they weren't flooded and now you want to destroy the vision, the hopes that these people have by buying them out when there are better options?

**Mr. Ashton:** Mr. Speaker, there were people put their lives at risk in rescue situations this, this past flood emergency, and the member can stand up and he can say whatever he wants. He can blame whoever he wants, but it was the flood of the century, and it was very difficult for the municipalities to man the Red. We recognize that, and what we did following the flood, as was done in '97, post-'97, we're now working with the municipalities. They are working with many of the homeowners, but we didn't just say we're gonna wait six months or a year or a year and a half. What we did do was say that we would back up those mis—municipalities in terms of some of the buyouts that many of the homeowners themselves were asking for.

But the bottom line, Mr. Speaker, here is we work in municipalities who have been recommending this. We understand the traumatic situation many people went through, but we will not put public safety at risk no matter what irresponsible statements come from that member opposite.

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

Members' statements.

### MEMBERS' STATEMENTS

#### Children's Wish Foundation 25th Anniversary

**Ms. Erin Selby (Southdale):** Mr. Speaker, I would like to share a story of a remarkable three-year-old boy. Nathaniel Hoel was diagnosed with Ewing sarcoma and later with leukemia. He recently received a bone marrow transplant in February. Nathaniel is full of life and loves being outdoors. While making great strides to overcome his form of cancer, he also had a dream to go camping. Upon hearing about the wish-wish, the Children's Wish Foundation made sure that Nathaniel and his family received a camping trailer so that Nathaniel could enjoy the great outdoors. His wish was granted just three weeks ago, and this story is just one of the thousands of wishes granted every day, thousands of wishes granted every day to a child by the Children's Wish Foundation of Canada.

Today, a week before his fourth birthday, Nathaniel joins us in the gallery. I would like to welcome him and his mom Krista, and, with them, we have the director of Manitoba's Nunavut Chapter, Maria Toscana; Wish Co-ordinator Diane Carr; Event Co-ordinator Kristin Hancock; and Fundraiser Co-ordinator Nancy Yates, on behalf of the Children's Wish Foundation.

Two thousand nine marks the 25th anniversary—Mr. Speaker, I hope I can have leave to finish up.

Two thousand nine marks the 25th anniversary of the Children's Wish Foundation, and each year thousands of children between the ages of three and 17 are diagnosed with life-threatening illnesses. Thanks to the Children's Wish Foundation, two children receive their special wish every single day. The foundation will be making its 15,000th wish this summer. The foundation has established itself as one of the most recognized registered children's charities in Canada, and the most recognized organization when it comes to granting wishes for children diagnosed with high-risk, life-threatening illnesses. The magic of a wish provides children and their

families with an opportunity to share the joy of a special experience, and an escape from the day-to-day challenges of illness. The foundation has never denied a wish to an eligible child.

An extraordinary amount of dedication, planning, organization, compassion and caring has gone into the success of the Children's Wish Foundation, and on behalf of all members of the House I congratulate the Children's Wish Foundation on 25 years and wish it continued success as it continues to bring the dreams of our children to reality. Thank you.

#### Kim Belmont

**Mr. Rick Borotsik (Brandon West):** Well, Mr. Speaker, I have to admit that's a very difficult act to follow, and I thank the member for her statement, and I do wish all the best to the Children's Wish Foundation.

Mr. Speaker, it is a great pleasure for me to rise in the House today to recognize a friend of mine who has become Woman Entrepreneur of the Year. Kim Belmont of Brandon was awarded the Excellence in Service award at the 2009 Woman Entrepreneur of the Year awards.

Ms. Belmont is the founding director of Trapeze Learning, a business designed to assist children and youth from kindergarten to grade 10 with specialized learning needs through educational assessments and innovative tutoring programs.

As a former teacher, Ms. Belmont understands that children have different needs when it comes to education. It was through this philosophy that she opened Traz—Trapeze Learning in 2004. Trapeze Learning offers private tutoring for students along with specialized assessments and referral services, and it also contributes to special needs research.

\*(14:30)

Kim Belmont maintains a high standard of learning for all of her students, which ensures that all students have the opportunity to make gains in their education. Her reputation has grown within the Brandon School Division and other school divisions in southwestern Manitoba. Teachers often recommend her services to parents who are looking for help, as it is through word of mouth that Trapeze Learning has grown.

The Woman Entrepreneur of the Year Awards showcases women in our province who have embraced the challenges and rewards of owning their

own businesses. By becoming an entrepreneur, Ms. Belmont has followed in the footsteps of her mother and grandmother—have both encouraged her to be independent and strong.

Mr. Speaker, I would like to congratulate Kim Bellmont for receiving the 2009 Manitoba Entrepreneur Year-of the Year Award for Excellence in Service. Brandon has become a better community because of Trapeze Learning, and we are very, very fortunate to be the home of Kil Bel—Kim Bellmont's exceptional talents and entrepreneurship.

Thank you, Mr. Speaker.

### **Creek Clean-Up**

**Ms. Bonnie Korzeniowski (St. James):** Mr. Speaker, I rise today to speak about a terrific display of community involvement that took place in St. James earlier this month. The 2009 creek clean-up took place on May the 9th and brought together the constituents of St. James, Minto, Kirkfield Park and Wolseley for a community spring cleaning of Omand Creek, Sturgeon Creek and Truro Creek.

When our St. James' crew met at Bruce Park, we were greeted by a cold and dreary day complete with morning snow flurries. However, our spirits were lifted and our enthusiasm renewed when we were joined by 10 reservists sent by Lieutenant-Colonel Brett Takeuchi from Winnipeg Infantry Tactical Grouping, consisting of the Royal Winnipeg Rifles out of the Minto Armoury and the Queen's Own Cameron Highlanders. These men and women joined the effort of about 20 hardy, local rep—volunteers as we cleaned Truro Creek. We fired up the barbecue and had people coming and going between sharing a hot dog and drink and cleaning up the creek until about four in the afternoon.

I would like to send a special heartfelt thanks to Munther Zeid, owner of Foodfare from 2285 Portage Avenue, who donated everything for the barbecue from hot dogs to burgers, condiments, drinks and supplies, and to Chocolatier Constance Popp of 1853 Portage for a generous donation of a gift certificate prize for our draw. We were delighted and found it quite fitting when the youngest child in our crew was the winner of this sweet reward.

By the end of the day our community effort filled around 40 garbage bags, cleaning the Truro Creek from the airport to the Assiniboine River. A particular highlight was when our clean-up crew discovered a full-length couch with cushions sitting

waterlogged in the creek. It took the united effort of several reservists to drag it out and bring it to the collection area. Without their contribution we might still have this dreadful piece of discarded furniture sitting in the creek today.

I ask the House to join me in thanking our many volunteers for the contribution toward this year's annual creek clean-up and congratulate them for a job well done. Due to the joined efforts of our friends and neighbours, young and old, and the men and women from the Winnipeg Infantry Tactical Grouping, we are able to pro—improve the habitat of these beautiful areas and preserve our watershed green space. Thank you, Mr. Speaker.

### **Jim Mulligan**

**Mr. David Faurichou (Portage la Prairie):** Mr. Speaker, it is with great pleasure that I rise today to recognize a very special constituent of mine. Portage la Prairie resident, Jim Mulligan, has had a long history of serving others and was honoured with the Premier's Volunteer Award for 2009 this past April at the 25th Annual Volunteer Awards Dinner held at the Convention Centre.

Jim is a dedicated, caring and compassionate individual with a special ability to connect with people. He has been serving with the Sunset Palliative Care Inc. in Portage la Prairie since its inception in 1994, providing comfort and friendship for people as they live out their last days.

Jim was one of only five Manitobans to receive the Premier's Volunteer Award for individual service. He was nominated by Pat Chimney, volunteer co-ordinator of Sunset Palliative Care in Portage, for his contribution in volunteer activities within the community over many, many years.

Numerous people testify to the wonderful qualities that make Jim Mulligan more than worthy of this award. His compassionate and sincere demeanour enables him to interact with others on a very meaningful level, and this has enabled him to help guide people to live well at the end of their lives, and find peace during their last days. He is never too busy to help another person and has been known to continue with, with his many commitments throughout the year, no matter what the weather brings.

Since he moved to Portage la Prairie in 1966 from Ontario, Jim has spent the last 25 years volunteering in the community. In addition to Sunset Palliative Care, Jim has been part of an organizing

committee for Prairie Welcome House drop-in centre and has served as a volunteer there since it opened two years ago. He also is a long-standing volunteer at Good Shepherd Roman Catholic Church and regularly visits the sick in the Portage District General Hospital.

Mr. Speaker, I would like to, on behalf of all members of the Assembly, congratulate Jim Mulligan on the honour of receiving a Premier's Volunteer Award and thank him for his constant and ongoing dedication in the service of others. He truly embodies the spirit of volunteerism and is an inspiration to all Manitobans. Thank you.

**Dr. Louis Peter Visentin**

**Mr. Drew Caldwell (Brandon East):** Mr. Speaker, I rise in the Manitoba Legislature to celebrate the distinguished career of Dr. Louis Peter Visentin, president and vice-chancellor of Brandon University, who is retiring this summer.

Dr. Visentin committed nine years of his life to Brandon University. Prior to his appointment to Brandon University, Dr. Visentin was involved in a number of educational leadership and research capacities serving Canada. He received his Bachelor of Science, magna cum laude, from St. Francis Xavier in 1963, his Master's of Science from the University of Detroit in 1966 and his Ph.D. from the University of Michigan in 1969.

Dr. Visentin began his career as a molecular biologist at Canada's National Research Council, where he was successively an assistant, associate and senior research officer. In 1984, he was appointed co-ordinator of the National Research Council Biotechnology Program, and in 1987 he commenced his career as a university administrator by accepting the post of dean of sciences and professor of biochemistry at Memorial University in Newfoundland. During his tenure at Memorial, he was appointed chair of the Newfoundland and Labrador science and technology advisory council. In 1993, Dr. Visentin moved to Mount Allison University where he was vice-president—academic and research, and a year later, he accepted the post of vice-president—academic at the University of New Brunswick.

In taking up the position of president and vice-chancellor of Brandon University in 2000, Dr. Visentin immediately became a vigorous champion for the institution, building excellence at the university and a strong working relationship with

the provincial government. A scientist by education, an artist by inclination, he presided over a flowering of the fine arts at Brandon University, with three galleries now on campus and an established program now serving students.

Dr. Visentin was awarded the Queen's Golden Jubilee medal for service to Canada in 2002, and was appointed to the National Research Council governing council in 2003. In the Brandon community, he has always been a good friend and a thoughtful man of ideas. Together with his wife Mary, he has made a mark on Brandon and the province over the past decade.

On behalf of the people of the province of Manitoba, I ask the House to join with me in congratulating Dr. Visentin on a distinguished career and to wish both he and his wife all the very best in retirement.

**Mr. Speaker:** Grievances.

**ORDERS OF THE DAY  
(Continued)**

**GOVERNMENT BUSINESS**

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I wonder if you might call the following bills for second reading: Bill 15, Bill 18, Bill 29, Bills 15, 18, 29, 20, 21, 6, 19, 23 and 24. And I'd also like to indicate that at 4:30, I'd like to have you re-assess—I'd like to re-assess the status of order in the House at that time.

**Mr. Speaker:** Are you asking for me to interrupt the House at 4:30 to re-assess to see where we're at?

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

**Mr. Speaker:** Okay, good.

\* (14:40)

**Mr. Chomiak:** Yes, Mr. Speaker, just, I'm sorry to—just in conversations, I'm wondering if we could make a slight change to that order, and start with 18 first, rather than 15. So it would be as I've laid out, except it'll be 18, 15, 29, 20, 21, 6, 19, 23, 24. Thank you.

**Mr. Speaker:** Okay. So the order of business for orders of the day, it would be second readings, and we'll do Bill 18, 15, 29, 20, 21, 6, 19, 23 and 24, and at 4:30 I will be interrupting the business of the House to see if—what the per—procedure will be at that time. Okay.

**DEBATE ON SECOND READINGS****Bill 18—The Regulated Health Professions Act**

**Mr. Speaker:** So right now, I'm going to be calling Bill No. 18. Bill 18, The Regulated Health Professions Act, standing in the name of the honourable Member for Charleswood.

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, I'm pleased to rise today to put a few words on the record about Bill 18, The Regulated Health Professions Act.

We support this bill in principle. It's not perfect, but, overall, this is legislation that's been a long time coming and that will bring Manitoba into step with other jurisdictions that have undergone similar legislative changes.

We understand that this bill is the product of a long process of amalgamating, modernizing and clarifying the existing 21 different pieces of legislation that govern 22 regulated health professions in Manitoba. Bill 18 proposes to replace these statutes, many of which are currently inconsistent and outdated, with one umbrella act. Many provincial reports dating back to the late 1970s have recommended umbrella health professions legislation. Many other jurisdictions are also examining this issue or have already made the shift to a common legislative framework to regulate all health professions. B.C., Ontario and Alberta have already moved to umbrella health professions legislation.

Bill 18 covers a lot of ground. It includes a reserved acts approach intended to ensure that only qualified health-care professionals perform certain tasks, an updated and consistent complaints and discipline process, public reporting and Web site requirements, the establishment of regulatory bodies or colleges to oversee each regulated health profession, removing barriers to interdisciplinary practice. So, for example, different health professions can practise together more easily, a process by which unregulated health professions can formally apply to become a self-regulated profession and to provide consistent accountability between the regulatory bodies and the government.

With Bill 18, we have to ensure that it's achieved its objective of protecting the public, which is the most important part of this whole initiative. Key provisions of the proposed legislation include: a reserved act approach, part two. Bill 18 regulates only those activities that pose a threat or possible

harm to the public if they are not performed competently. Bill 18 restricts these certain acts to certain practitioners. This approach replaces the existing framework, which consists of exclusive scopes of practice whereby different health professions are only allowed to perform certain procedures. The reserved act approach is a similar model to that used in Ontario, Alberta and B.C.

The governance model, part three: Bill 18 dictates that all regulated health professions are governed by a college, the duty of which is to protect the public interest. Each college is governed by a council. The bill provides one-third of the council to be public representatives. The public representatives will be appointed by the minister, unless the minister permits the regulatory body to appoint one or more of them itself. I know that some of the regulated health professions I've spoken to would like assurances that they will be permitted to appoint a significant number. There is also a provision requiring open and public council meetings.

Registration, part four of the bill: registering members of a regulated health profession is one of the primary tasks of each professions' college. The bill provides for consistent registration processes for all regulated health professions, and appeal provision for applicants who are refused registration. The appeal provisions include an internal review process and an appeal to court.

In the case of a public health emergency, requirements for registration and practice certificates may be waived, a provision that already exists in all regulated health profession statutes. Membership in the college is divided into regulated members who are qualified to be full practising members of a health profession and regulated associate members who may or may not be practising.

Business arrangements, part 5: Members of the same or different regulated health professions and any other health-care provider may practise in association with one another, and, Mr. Speaker, this, I think, is a particularly important part of the bill, because as we move forward in health care, these are the types of innovations that are going to be absolutely essential in moving forward in the delivery of health care in the future. And whether we're looking at collaborative education or collaborative practice and all of these professions working together in a collaborative manner, I think what the outcome of that will be is better health care,

and I think better relationships between health-care professionals as well. New provisions regarding practice in association are intended to minimize barriers that prevent practitioners from working together.

Bill 18 contains requirements that incorporated professionals remain accountable to the public and their professional associations.

Part 8 of the legislation, professional conduct: The bill sets out a process to deal with complaints made about members of a regulated health profession. This is about protecting the public in the event that they feel a health-care professional has not done their job properly. Each profession must have a separate complaints investigation committee and an inquiry committee. Complaints investigation committees must have one-third public representation. The processes for making a complaint, investigating the complaint and making a decision regarding a complaint are all laid out in the legislation. If a person whom a complaint has been made against does not co-operate with an investigation, the college may apply for a court order.

The complaints committee may decide on a number of disciplinary measures including suspending or cancelling the member's registration or certificate of practice, censuring the member and requiring the member to take counselling or receive treatment. The member can appeal the committee's decision to the college's council. A health-care professional whose certificate of practice has been suspended or had conditions placed on it may appeal to the council, but if they fail to comply with the decision, there is further action that may be taken. Bill 18 requires the findings of an investigation to be made available to the public, including the name of the investigated member, but it does allow the college to edit the decision, to protect the privacy of the complainant or any witnesses without deleting the investigated member's name.

Practice requirements, part 7 and duties of colleges, part 9: The college—the council of each college is required to develop and regulate its members according to standards of practice, a code of ethics, practice directions governing that profession and a continuing competency program. A council may collect information to create and make available to the public individual practice profiles of members. This is something that the College of Physicians and Surgeons already does on its

Web site, and I know that's something the public likes, to be able to go on-line and see where their doctor went to school, what he or she specialized in, how long he or she has been practising, et cetera.

All regulated health professionals will be required to report another member who has a physical or mental condition that affects their ability to practise. This is consistent with current practice and is certainly an important aspect of protecting patients for patients' safety.

Bill 18 requires the council for a profession to consult with both the Minister of Health and the Minister of Advanced Education and consider their comments before approving or removing approval for a program of study. Now, I know that some health-care professionals are concerned because government—and sometimes this government, especially, tends to move very slowly. The regulated health professions I've spoken to have no problem consulting with the ministers, but they think some kind of time frame should be placed on this section so that the ministers don't delay new programs of study.

\*(14:50)

Every college must submit an annual report to the minister within four months of the end of the fiscal year, which must include membership statistics, complaints and discipline statistics, financial reports and other information. Each college must also have a Web site that must include the college's annual report, their regulations, bylaws, standards of practice and other information as well. This is a good thing to include because, while most of the regulated health professionals already have well-established Web sites, they vary widely in terms of what they include, and this is something that should probably be consistent among regulated health professions.

Part 10 is the Health Professions Advisory Council component of the legislation. Bill 18 establishes an independent advisory council to provide advice to the minister on matters related to this act, such as the regulation of new professions, the designation of reserved acts, entry to practice requirements and health human resources planning. Similar bodies exist in Ontario and in Alberta.

The council will consist of three to seven members appointed by Cabinet, each appointed for a maximum three-year term. Under Bill 18, a person

cannot be appointed as a member of the advisory council if he or she is a civil servant or a member of the college of a regulated health profession or its council. This, too, is an area that has been brought to my attention by some health-care professionals, and they are somewhat concerned about it. They argue that if the mandate of the advisory council is to provide advice regarding regulated health professions, then regulated health professions, according to them, should be allowed to sit on the council.

Bill 18 contains a number of other important provisions regarding regulatory powers and some provisions specific to physicians and pharmacists.

So, while we think there are some improvements that can be made to this bill, we support the intent and the principle of the bill and look forward to discussing it further in committee. I note, too, Mr. Speaker, that there are certainly a significant number of health-care professions that are registered to present at committee, so I think it will be an interesting evening to hear from them. I think concerns will certainly be brought forward as well as, I think, acknowledgement that this is a significant piece of legislation that has taken a considerable amount of time by our Legislative Counsel and a lot of the health-care professions as well, and it is, I think, a significant piece of legislation that is going to be good to see implemented in Manitoba.

So we look forward to committee and to what people have to say, and at this time I would just like to end by acknowledging the tremendous amount of good work that is happening in our health-care system by all of these professions and even the ones that, at this point in time, are not involved in being regulated but wish to be, and I would just like to say that with all the challenges in health care, and, again last night, I was approached by a nurse as I was out and about in the community, who are feeling quite stressed about various aspects of what's happening in our health-care system. I have to congratulate all of them for their tenacity and for their hard work and for their superb commitment to quality patient care and patient safety because a lot of them are going above and beyond what we expect of our professions, and I really think that they are all really holding the health-care system together in some extremely challenging times.

So I look forward to this bill being debated in and commented on in committee. Thank you.

**Mr. Speaker:** Is the House ready for the question? No.

**Mr. Gerald Hawranik (Official Opposition House Leader):** Mr. Speaker, I move, seconded by the member from Turtle Mountain, that debate be adjourned.

**Mr. Speaker:** Okay. It's been moved by the honourable Member for Lac du Bonnet (Mr. Hawranik), seconded by the honourable Member for Turtle Mountain (Mr. Cullen), that debate be adjourned. Agreed? Agreed and so ordered.

#### **Bill 15—The Victims' Bill of Rights Amendment Act**

**Mr. Speaker:** We'll now move on to Bill No. 15, the victims' rights—The Victims' Bill of Rights Amendment Act, standing in the name of the honourable Member for Turtle Mountain.

What's 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 Turtle Mountain?

**Some Honourable Members:** Yes.

**Mr. Speaker:** Yes?

**Some Honourable Members:** Yes.

**Mr. Speaker:** Okay, it's been agreed to?

**An Honourable Member:** Agreed.

**Mr. Speaker:** Okay, it'll remain standing in the name of the honourable Member for Turtle Mountain.

And the honourable Member for Steinbach, to speak?

**Mr. Kelvin Goertzen (Steinbach):** Yes, Mr. Speaker. Thank you very much, pleasure to stand in the House this afternoon to just put a few words on the record regarding Bill 15, the amendment to the victims' rights act.

And, certainly, all of us in this Chamber have had the opportunity to meet with those who've been the victims of crime or the families of those who've been victims of crime, and we all recognize the indelible mark it leaves on those individuals in many different ways. Obviously, in some ways, individuals who are victims of crime, those who survive the crime that they were a victim of, live forever with a sense of a loss of security, sense of a loss of well-being. And, I know from those that I have

talked to, particularly where it involves personal bodily harm, it's something that never completely leaves them. They often have to seek professional help and counselling as a result of, of the victimization they had.

I think, too often, when we look at the price of crime, we look at it as purely a monetary figure, because that's what we can grasp, that's what we can touch and that's what we cling on to. It's easy to measure—easier to measure, Mr. Speaker, whether it's the loss of, of valuables because of a vandalism or for, for some other monetary crime, it's, it's a lot easier to calculate the cost of that. Much more difficult to define and much more difficult to, to see is the emotional cost and the cost and the impact that is left on individuals as they proceed with the rest of their lives, and, of course, there are many who are victims of crime, unfortunately, who don't survive the act is perpetrated against them.

And so we have to be mindful always when we think of, of victims' rights and the actions that we must take in this Legislature to, to support victims, that it's one of the more important things that we can do. Much too often there is an inordinate amount of focus on the, those who are committing the crime itself, and that's important, of course, as they go through the judicial system as we try to prevent crime, but I think sometimes there is a little too much focus on those individuals and not the ones who became victimized.

And, in fact, when you talk to victims of crime, one of the things they'll almost always tell you, one of the first things they'll tell you is that their experience with the judicial system left them with the feeling that they had very few rights in this system and that all the rights were slanted and all the rights were weighted into the court of the individual who was accused and, perhaps, ultimately, convicted of committing the crime. And that's one of the greatest frustrations with victims of crime and, I think, generally, with the public, that there isn't the sort of rights inherent in the system to those who have paid the price through the victimization of crime as there is with those who have committed the crime.

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

This particular piece of legislation is—finds its roots in tragedy, and I know it comes from the recommendation from Justice Salhany on the, the inquiry into the tragic death of Crystal Taman. And,

as I've spoken in the House before, one can only hope that there is some good that can come from a tragedy by changes that can help to prevent similar instances from happening that we can learn and support those who remain and that there can be something of a legacy as a result of legislation. In that particular case, we all know that Mrs. Taman was killed as a result of a, an individual who was seen to be drinking and driving, and we have seen through that proceeding that there were some holes, some gaps in the current victims' rights act, and at least these two recommendations come from the recommendations from Justice Salhany.

One of them relates to the information that can be provided to the family of victims, currently, as I understand it, under the legislation, an individual spouse who might be entitled to information so long, of course, as they aren't one of the accused in a crime, but that doesn't extend—those same rights don't extend to the individual's parents or to their children, and that has been seen as being something of a gap in the legislation, that we need to ensure that those with close relational proximity to the actual victim have the rights and the ability to access information about the court case and the access information about how it's proceeding through the, the judicial system. That is important, and I think that all Manitobans would agree with that, and I think that it was a well-thought-out recommendation from the justice on this particular issue.

\* (15:00)

Also within the act, I understand it contains a, a change, maybe a clarification in terms of the rights of the victims to have their views heard on how the prosecution is going to proceed, and so it's going to in—include the word seriously that in—the prosecution, Crown, must now take seriously the recommendations or concerns of the family who are left behind in a tragic situation where a victim has, has been killed in one fashion or the another through an act of crime, and that, I think, makes a lot of sense. It empowers the, the individuals to be able to know that they have the right to have input and that input must be taken seriously.

I do know that there's a distinction, though, between having the right to have input into a situation as a victim, and having the right to direct how a prosecutor is going to act as a victim. There's no statutory right, no right in policy, obviously, for victims to direct how a prosecution is going to proceed. But this clarifies, I think, within the act, the

exact rights that victims have and it's an important clarification and one that I think was good to be brought forward from Justice Salhany.

I know in talking with victims that there's many other frustrations that they have within the system that didn't get captured under this bill, whether it's the ability of organizations generally to bring forward victim impact statements, whether it's the ability to get real timely access to information on the proceedings of a court or when an individual's being released who may have been the person convicted in a, in a crime that related to, to this particular family or family members.

There are still those ongoing frustrations, and while the government sometimes likes to trumpet the fact that they believe that the legislation that exists in Manitoba is leading edge, that doesn't always correspond with the comments that I hear, not only from individual victims but from those who might be organized to advocate on behalf of victims more generally. And so that's a concern and I, I know that not every change that needs to be made could be encapsulated perhaps within this bill, that this bill has a specific function, but it doesn't mean that more couldn't have been done, and it doesn't mean that we couldn't look more closely at other ways to improve the rights of victims in the, in the system.

And that rebalancing of rights, I think, would go a long way towards restoring some of the lost confidence in the justice system that we have in Manitoba today. Much too often I hear from individuals who have become so frustrated with the justice system that they, in some ways, have just lost hope. They don't believe that it's ever going to represent the needs of the victims and, in fact, put punishment on the prosecutors, and this shows up in, in many different ways.

You know, I was having some discussions with individuals who were considering joining the Citizens on Patrol Program, the COPP program, and I know the member from Brandon East mentions, mentions the program and the merits of it and I agree. I think that there are, in fact, merits to that program. But the frustration that these citizens had with me is they said, well, we don't mind donating our time, but what are we doing it for because, you know, we're gonna just go and maybe identify individuals who are suspicious and have them referenced off to, to the RCMP or to a municipal police force, and then they're just going to be back on

the street in a day or two and it's just a revolving cycle.

It's not that they weren't willing to do their part. It's not that these individual citizens weren't willing to get involved in the Citizens on Patrol Program, it's just that they didn't believe that if they would get involved with the system that the system itself would do its job, that it wouldn't fulfil its part, that wouldn't do its mandate. And so that's just one example of, of how there's a negative consequence of, of a, an overall reputation of the justice system that isn't strong. That people will say, well, there's really no real role for me to—reason for me to get involved because, even if I do, these individuals are not going to have any strong consequence put upon them, and so we need to remember that. We need to continue to look at that and to, and to show that there's going to be changes to the system overall.

One of the things that I've often encouraged the government to look at is to get involved at a much earlier stage and to ensure that there are meaningful but measured consequences for every act of crime. I know that this is something that my, my friend from, from Inkster has spoken about, too, and in this, in this regard, we speak in one accord, that there needs to be measured but real consequences for every crime.

And I remember the example that a police officer brought to me one time about this, this, this particular notion. She said, you know, the challenge that we have is that if an individual goes out and shoplifts, the statistics will show us that you only get caught shoplifting one in 50 times, so you have to, on average, shoplift 50 times before you get caught once. And then the first time you get caught, you're more likely to get some sort of a, a sanction from the police officer that you come into contact with. Being a first offence, the police officer might give you, through their discretion, a warning, a warning from the police officer and then the individual goes on their way and then they'd have to shoplift another 50 times before they'd get caught a second time.

And if the police off—officer then decides to lay a charge, it's more than likely that they'll get somehow diverted out of the system, probably through a Crown caution, where the Crown simply writes a letter or a note to the guardian or the parent of, of the individual who was shoplifting to say that so-and-so was caught shoplifting, we're not going to lay a charge.

And then, maybe the third time that an individual—if they continued on the pattern—got caught shoplifting—this would be the 150th time now, by statistics, that they were shoplifting—the 150th time, they'd probably get some sort of—certainly if they were in the criminal ju—or the youth justice system—get some sort of a diversion out of the system into an alternative measure of some sort.

It's maybe only the fourth time that an individual shoplifting that there's any sort of meaningful sanction; perhaps something that has to do with restitution. But that's 200 times, statistically, that an individual has to shoplift before there's any meaningful sanction. It's very difficult for me as a MLA or somebody who wants to talk about the justice system to go and to say to somebody that crime doesn't pay when they might know that they can shoplift 200 times, on average, before getting caught, before there's any sort of sanction. Very, very difficult to try to get the message across that crime doesn't pay.

And so there needs to be meaningful but measured consequences at every level. At the first stage, when an in—individual is caught shoplifting, instead of simply getting that warning at the store, there might, you know, be some sort of a weekend course or something that, that an individual would go to where they would learn about the, the consequences for a crime, they, they would learn about the economic cost of shoplifting and recognize that, in fact, there will be more severe consequences as crimes proceed. And then that has to be followed up and that actually has to happen.

But, without those consequences in place, without that building up, that staging of consequences, you get a very different sort of result, you know, and we talk about auto thieves or others who are committing higher end crimes that youth might be involved in, it's very unlikely and rarely happens that in—a person who's caught in a major auto theft case, that that's the first time that they've ever committed a crime. Usually, they've been involved with a number of other different pieces of criminal activity, smaller activity like shoplifting, and they've sort of progressed, they've sort of graduated to that higher level of crime, but they had no consequences at the very early stage of that crime and so they learnt that there was no consequences within the system.

And it's not all about the Youth Criminal Justice Act. There's many different things that the

government can do to ensure that there are real consequences, meaningful but measured consequences for all levels of crime, instead of trying to opt out and doing things that are much less significant and really send the opposite sort of message that we want to be sending to young people. And I think that that's the failure that this government has had in, in looking at youth crime.

\* (15:10)

Also, you know, we don't have any real indication of how successful these programs are. When you ask the Minister of Justice (Mr. Chomiak) about programs like the Spotlight program and say, well, what sort of prog—what sort of progress has there been? There's no overall progress on the overall numbers, but, even when you look individually at the program itself and say, how many of these individuals who've gone through this Spotlight program haven't re-offended, he doesn't know the answer. All he will say is that he recognizes that even if people re-offend, there might be success because they might be—might not be offending as often as they had offended before the program. Well, that's not really, I don't think, what people would consider to be a success. They consider a successful program to be where somebody goes through it, and then, at the end of it, they're changing their ways; they're doing something completely different from the criminal activity that they were involved in to begin with. To say that somebody who's gone through a program like Spotlight—I'll use this as an example, but it can be any program—if they'd committed 100 crimes in the year before and they only commit 95 crimes the year after they come out of the program, through the minister's rationale, that might be considered a success, but it surely isn't by anybody else's measure. And that individual hasn't made a meaningful change to the way they conduct themselves.

And so, when we look at the confidence of the justice system, justice system overall, Madam Deputy Speaker, we need to be mindful that people are watching and that there are consequences. And if people lose the confidence of the justice system, it ripples through in many other ways, whether they're not going to be involved in programs like the COPP program or perhaps not even reporting crimes.

You know, there's so many individuals who've just decided to stop reporting crimes because they don't think that the individual's ever going to be caught for the crime or even if they are caught for the

crime, that anything's going to happen to them. And so you might have people reporting crimes simply for insurance reasons because they need to do it, to put in an insurance claim. But, if they're not doing it for that reason, they may not be reporting it at all.

And what that does, of course, is you get these, these statistics that will come out, that will indicate or leave the impression that crime is going down. But what's really going down is reported crime, not actual crime. And it leaves a very false impression, I think, with individuals, that the community's getting safer when, in fact, what may be happening, is that the, the ability or the willingness to report crime has changed and that's very concerning.

You know, the Winnipeg police department has done these sorts of victimization surveys in the past where they simply phone at random, like a—any other telephone survey, phone at random a thousand or 2,000 people and ask them if they've been a victim of crime in the last year. And they would get various different results from that. And they tabulate that and ask them which crimes they've been victimized in, and then they publish that. And they find that there's a great disparity between the number of crimes that are being reported statistically and those that people are saying that they've been victimized of. And the difference, that gap, is the people who aren't reporting crime. And the reason so many of them aren't reporting crime is because they don't think there's any point. It's not worth doing it, nobody's going to get caught. Even if they get caught, nothing's going to happen to them, so why am I even going to report this crime. And that's a danger. That's something we should be concerned about.

In fact, I've challenged this government in the past to look at victimization surveys. To use that as a tool. Not as the only tool, it's not a panacea by any means, but to do a victimization survey a year or two, or one or two a year, would give a clearer indication what the true measure of crime is. They could truly find out what sort of criminal activity is happening and then you need that to, first of all, get a sense of how significant your problem is. Because if you don't know where you're starting, if you don't know how significant your problem is, how are you going to know where to go from there, Madam Chairperson.

So, you know, Bill 15, on the victimization side is a good step. I mean, it's a measured step as a result of the judicial inquiry. It's a measure of step as a result of the recommendations coming out from

Justice Salhany, and that's good and that's nothing wrong with that.

Unfortunately, it seems that when we talk about victims' rights and when we talk about any sort of measures on crime, the government is just simply reactionary; they're reacting to something that's happened. In this case, they're reacting to the inquiry and the recommendations that have come from that. They need to react to the recommendations, but sometimes it would be nice if there was proactive approach, if it wasn't just waiting for something bad to happen and then responding from that particular bad action. So I would encourage the government to look more proactively at crime. And there's so many good examples, you know.

I like to hear—I enjoy hearing, actually, the members opposite talk about their success of the Safer Neighbourhoods legislation. And I know that they rarely, if ever, put in any of their news releases that this was legislation that was created by the Conservative government in 1999. *[interjection]*

Well, and the, the now, the minister, the minister of industry recognized it. He hasn't put it on the record yet, but he, in his comments across the floor, he recognizes, in fact, that it was the former Conservative government who brought forward this now very successful piece of legislation, which has been copied across Canada. I recognize that there are differences in terms of how the application comes forward between the government's bill and between the former Conservative government's bill, which wasn't able to be proclaimed because of the 1999 election.

And, you know, there's a debate about which one would have worked better, whether or not there would have been any difference in how they operated, but that's okay. I have no problem, frankly, with the new procedure of application. I don't have a, a difficulty with there being a director in the, in the program and them taking the lead on prosecutions. There's some merit to that.

But the point is that this—that the plan, that the unique idea of being able to use property, to be able to use property sanctions against what it would normally be considered criminal activity, was one that came from the Conservative government in, in the late 1990s, and one that's now been copied across Canada because it was innovative and it was successful, and it's one that we're very, very proud of. And we're even glad that the government has adopted it and, and tried to claim it as its own. That's

fine. They've tried to sort of say that they, they were the ones who brought this legislation forward and, in fact, they're, they're the ones who have maintained it and that's, that's okay too. I'm not saying that they shouldn't have maintained it; they should have, and I'm glad that they have found such great success out of the Conservative legislation of the 1990s.

But what they haven't done on their own—but what they haven't done on their own is proactively try to also find other creative measures to impact criminal life and the criminal justice system. They've just decided to marry themselves to the one Conservative idea, and say that was our only success, but don't want to be proactive and look for their own ideas. And I think that that's regrettable, and it's unfortunate and it's one of the reasons that our, our crime rate in Manitoba and in Winnipeg has grown and grown and grown. The level of violence has grown and grown and grown, and it's not just in the city of Winnipeg. We can look beyond the city of Winnipeg in the community that I represent, the great city of Steinbach, and the surrounding areas, the R.M. of Hanover and the town of Niverville. There's been an increase in violence, as well, and we're hearing the reports now of a, a very serious violence act. Well, there's been—there's been crime, of course, in the past, and property crime; I think that's something that no community has been immune to. But when it reaches a level of violence that, unfortunately, we're starting to see in some of these other communities, we know that it's a, it's a, it's spreading, that it, that it's growing and that those who are committing these violence act, those who are behind the violent acts are reaching out into these different communities.

So much of that activity comes from gang activity, which had really flourished under this particular government, as it's let the street gang problem grow and grow and grow. And we know that early in their, in their, under their watch and their mandate, the organized crime element came into, into Manitoba and it spawned a lot of street gangs, you know, a lot of, of young people being involved in gangs, regrettably, and the life that it brought them into. And there are so many different ways that you could approach the, the, the effect of gangs and try to reduce gang activity in the province, and some of that, of course, is through enforcement. But there's other means and other measures on the other side. You need to really have both. They both need to be targeted.

Former Chief Jack Ewatski for the City of Winnipeg often pointed to the fact that 80 percent of crime in Winnipeg was related to the drug trade. That, meaning that either individuals were doing crime to get money for drugs or they were doing crime while they on drugs, and that was part of the reason that that criminal activity was happening. And so we need to look at the drug problem in relation to the gang problem. There are so many different areas of the justice system that need to be responded to.

But, of course, when it comes to Bill 15, we are glad that these two amendments have come forward. We're know that there is many, many others that need to happen to give victims of crime the assurance that they are an equal and an important player—equal and important partner in the justice system and, certainly, members from our party will be bringing forward those suggestions, and we look forward to them being accepted by all members of the House.

So, with those few words, Mr.—Madam Deputy Speaker, I look forward to hearing from others, perhaps in committee or at some other time on this particular bill and this particular piece of legislation. Thank you very much.

\* (15:20)

**Mr. Kevin Lamoureux (Inkster):** Madam Deputy Speaker, I too just wanted to share some thoughts in regards to Bill 15 with members and just to briefly comment on the bill itself and some of the things that the member from Steinbach has made reference to.

One of the interesting parts of the bill is the expansion in terms of who the victim actually is, or ensuring that information is provided to the appropriate people about the circumstances and some of the things that might have taken place where, in, far too often, the victim ends up becoming deceased. And I think of it, it's positive to see that parents and children will now be able to have better access to, to information regarding victims of deceased individuals, and by doing that, I think that we're allowing others to become more of a participant in, in the, in the process and at the same time, providing better justice. You know, a parent or a child of, of a victim where the person has died as a result of the, the crime, I believe, should have the right to have a better understanding of actually what has taken place. And I think in part this is something that the bill is attempting to do.

One of the things that did come across my mind is the rights of, of a sibling. Quite often, you will have children that decide, for whatever reasons, not to, to have children as they grow up and as a, as a result, you could find situations where there are only siblings, in terms of family members, that would have the—where the siblings would be able to have the ability to have access to that sort of information, Madam Deputy Speaker, and I think that there's, there's some merit for that. I'm not too sure in terms of the rationale that was used in just saying parents and children being able to have access. I do believe that there is merit to being able to say, why not siblings because I do believe, especially in today's society that you will find that there are numerous situations where the relationship between siblings is so strong and, unfortunately, there is a victim and that victim passes away as a result of the crime and there is no parent and there is no children, yet you have a sibling that is so close to the individual in question. So I don't know why it is that siblings would have been excluded from it and maybe there will be some sort of a comment provided, whether it's from the minister, or comments provided at the committee—committee stage.

We recognize that whenever there's a crime there is a victim, and we want to do what we can to ensure that the victim's rights are, in fact, being protected to the best of our abilities. That's why we have different associations that, that are out there to try to be there in a support way, in a supporting fashion. That's why we have different stakeholders that are articulating as to why it is that we have to give attention to the victims. But quite often, more often than we would like to think, the victims are, in fact, the forgotten individuals, as the perpetrator, the one that has caused the issue in the first place, seems to be let out in different ways. And that's where I want to pick up on the point that the member from Steinbach brought up in terms of the issue of shoplifting.

And I want to do that one because it's an issue in which there are victims, even in petty crimes, as many would list them, of shoplifting—and I've made reference to the Minister of Justice (Mr. Chomiak) in the past as myself being a chair of a justice committee. And I can tell you, you know, during, during the early '90s, we'd have, let's say, 40, 50 cases and, out of those 40, 50 cases, a vast majority of them, a vast majority, would, in fact, have been the petty-type crimes, the shopli—where was—train of thought, Mr. Spe—Mr. Speaker.

So you have these, they have these petty crimes and we would deal with at least a good majority of them as a justice committee. And that's what they were: petty crimes. They were shoplifting. It was, you know, little Johnny who went to Zellers and liked a CD and put it in his pocket and then had, had walked out. And, back in the '90s, our justice committee was actually dealing with those types of cases, and it likely made up a good percentage and, if you factor in all the petty crimes and made it up, a, a majority of the cases.

And, today, when I had left—because I no longer am a member of the Justice, the justice committee. Actually, I had stepped down as chair just, just last year—I can tell members that the number of cases to our justice committee has diminished dramatically. We had our—the jurisdictional area that we were responsible for virtually doubled, yet the number of cases that we were dealing with were probably cut back somewhere 50 to 70 percent, depending, depending on the year and the year that you were drawing comparison to, but there is no doubt, but there is no doubt, Madam De—Speaker, it was a significant change. Now, you ask, well, has, has the crime really gone down? Because you would think that, if you were si—a member of the justice committee, you would think, well, crime is actually gone down because we're not dealing with nowhere near the same number of, of, of young offenders.

In reality, Madam Deputy Speaker, what's happened is, is that there's less consequences given to crimes that are, in fact, being still committed. You see, the number—the amount of shoplifting, I don't believe for a moment, has gone down whatsoever. The number of all these other types of petty crimes that have been taking place haven't really gone down, but there is nowhere near the same amount of consequences being given out.

So we're not saying that, you know, the heavy arm of the law has to come out—or come down, I should say—on every little crime that comes, that is committed, but we are saying that when there is a crime that is committed, that there needs, needs to be a consequence to that crime, no matter how small that crime is.

So, for example—and I'll give a real example—you have a situation where a, a young offender would steal a CD from Zellers. In the '90s when that would occur, that young offender would come in many ways before a justice committee like the one in which I was involved in, Madam Deputy Speaker.

Members that lived in the community—usually range of, let's say, one to four, possibly five people that lived in the community—would then sit down with that young offender and the guardians of that one offender—in vast majority of the case, it was the parents—and we would ask and review what actually took place, and little Johnny—for the lack of a better name—would tell us, here's what happened. And we would talk to, to little Johnny about it and, at the end of the day, we might say, what we want you to do—and these are some of the things that we would have come up with—would have been anything from essays, I remember posters, community service, depending in terms of the sense of remorse and, if we felt what little Johnny was actually thinking and the circumstances that got little Johnny to pick up that music CD. So, whether it was a music CD or a lipstick or whatever it is that was being shoplifted, people that were committing the crime knew that something—that there was going to be a consequence to that action.

As I say, when, when I had stepped down as the chair of the justice committee, those type of cases we never got. We never, never really received any of those cases, and that happened, you know, virtually at the turn of the century. That's when we stopped seeing those cases coming before the justice committees.

\* (15:30)

The crimes are still happening, Madam Deputy Speaker. Well, some could say, well, it's the Young Offenders Act, or it's the changes that we've done at the, at the national level.

You know, you know, Madam Deputy Speaker, our justice committee, at one point, was designated as a pilot project to deal with young offenders under the age of 12. And what enabled us to do that? It wasn't Ottawa. It was the Province of Manitoba and the Attorney General working with the justice committee and the City of Winnipeg police department—

**An Honourable Member:** Turnabout.

**Mr. Lamoureux:** —and that's similar to a turnabout. Exactly. Right? And they were able to, as a pilot project, attempt to make it work. Now did it work as well as we would hoping? No, it didn't work as well as we were hoping. We were hoping to be able to, to see more cases and try to be more involved in some of those ca—situations where our young kids are falling a little bit outside of the law, believing if we

catch them at an earlier age, that we're going to be able to have more of, of a positive impact.

But, Madam Deputy Speaker, what ends up happening is the government of the day, for whatever reasons, chooses to just leave the issue. And, as a result, we're seeing fewer and fewer consequences to those individuals that are committing those types of, of crimes.

And I said at the beginning, you know, we're talking about the rights of the victims. Well, even if there is no one that's advocating, if there—you know, if the victim, him or herself, doesn't necessarily want to see justice, just wants to see the issue disappear. From a societal point of view, we need to ensure that there is a, a consequence. But there are many victims that are out there, and a victim does not have to be a individual person, Madam Dep—Deputy Speaker. You know, victims come in many different forms.

Talk to some of those small retail store owners and the impact that shoplifting has, has on those stores, Madam Deputy Speaker. Shoplifting is a very serious issue. Some stores are better able to deal with it than other stores. Those small stores that are very reliant on relatively small amount of traffic coming in, it becomes a very serious problem.

I'm aware of stores that will now lock their doors and only allow a certain number of people into the store because of the fear of shoplifting, Madam Deputy Speaker. So they want to control it during certain times of the day, in particular.

So to summarize, Ms.—Madam Deputy Speaker, it's encouraging to see that the government has brought forward legislation that's going to assist in providing more information and, therefore, more justice for the victims of a crime and that, in part, our justice system is going to have to listen and respect, at the very least, what those victims have to say about a crime that has been perpetuated. And in, in that sense, it's, it's good and we look forward to the bill actually going to the committee. On the other hand, we do want to see the government be more aggressive in dealing with individuals that are committing crimes in which, for all intents and purposes, there is, there is no consequence. Thank you.

**Madam Deputy Speaker:** Stand?

**Some Honourable Members:** Stand.

**Madam Deputy Speaker:** Bill 15 will stand in the name of the Member for Turtle Mountain.

### Bill 29—The Environment Amendment Act

**Madam Deputy Speaker:** And we move on to Bill 29, The Environment Amendment Act, standing in the name of Mrs. Stefanson—of the Member for Tuxedo (Mrs. Stefanson).

**Some Honourable Members:** Stand.

**Mr. Cliff Cullen (Turtle Mountain):** It's certainly a pleasure to talk to—about the environment today. And, in fact, Bill 29, The Environment Amendment Act. And it was certainly a pleasure for me to sit in on the bill briefing with the Member for Tuxedo, who's taken the lead on this particular file in terms of the environment. And I do want to thank the Minister of Conservation (Mr. Struthers) and his staff for providing that briefing for us just a couple of weeks ago.

One thing about the environment, Madam Deputy Speaker, we're living in a changing world, and I think these amendments to The Environment Act that the minister is, is proposing is a reflection of the changes we're seeing in the environment. I think in the most part what this, what this particular legislation does, it serves to, to clean up a few of the things that needed cleaning up in the old act, and probably also reflects on where the, the federal legis—legislation is going at this, at this time as well. So it does, it does clean up the act that way. It cleans up some of the wording and makes it run parallel to what the federal legislation is doing.

Madam Deputy Speaker, just a little history there. Every time I, I see The Environment Act and, and these proposed changes to The Environment Act, it makes me reflect back a number of years on my, on my past experience and some of the work I did in the environmental field. Yes. I guess—yeah back in, back in, let's see here, was the late, '89 I guess it was, there was a corporation formed by the then-minister of environment, Mr. Cummings, and he set up a corporation called the Association for a Clean Rural Environment. And the mandate for that corporation was to look after the, the empty and the used pesticide containers across the province of Manitoba—*[interjection]*

Well, we'll get, we'll get to the full history there for the, for the minister. We—we'll make sure we get the, the record straight for the minister today.

My, my previous work experience I was vol—involved with the local weed control district, and I thought this might be an interesting opportunity to, to work for a, a group that's working on the

environment and, in particular, working on the pesticide container disposal and recycling program in the province. So I was successful in acquiring the position as the project co-ordinator for ACRE and it was quite an interesting time, and it was really my, my first experience in politics and how politics work.

It was an interesting organization in the fact that the board, being appointed by the minister, represented various organizations. So we had the urban municipalities; we had the rural municipalities; we had the department of environment, at the time, represented at the table; we had the keystone agriculture producers who obviously played an important role in pesticide containers and management; and, of course, we had the industry. At the time it was called the Crop Protection Institute of Canada, and obviously at that point in time we had a \$1 checkoff or levy, if you will, to operate the program within the province. And, in fact, this was a, a, a nation-wide task that was undertaken, was to find a positive way to either dispose of or recycle these, these containers.

So, in Manitoba, the, the project developed through ACRE, and we had some funds to work with to, to try to enhance the project. You know, unfortunately, up to that point in time we didn't have a real effective way to deal with empty plastic pesticide containers. In fact, a lot of those containers were collected and, and then just burned, so we were actually not doing a, a lot to protect the environment. So that was the really the impetus for the formation of ACRE.

Of course, at that time, too, we were also dealing with metal containers and the, the local municipalities and weed control districts were doing a pretty good job of, of rinsing those containers, cleaning them out and eventually we found a way to, to recycle them and eventually through the department of environment, in co-operation with the environment department in Alberta, we were able to ship tons of metal containers out to Manito—out to Alberta for recycling. So it proved, it proved very effective and, and during that course of that time, too, the metal containers were basically put out of circulation and we were, we were faced with pretty well 100 percent plastic containers.

\* (15:40)

So the, the challenge came. And what do we do with all this plastic? Can—how do we clean it up and what do we do with it? And, and we looked, as the minister did point out, the minister did point out, we

looked—we did a lot of research in terms of how clean these containers were and how clean the plastic was and what we could do to, to recycle that plastic. And we wanted to make sure that we were putting it into a, a product that was safe not only to the environment, but to the public. And, certainly, that was a challenge because, as you know, we can now analyze plastic down to the parts per billion. So any small piece of residue left had implications for, you know, the environment and the perception of the public. So it became a very interesting discussion in what we did with this plastic. And the minister was right. We did do some experimentation with plastic fence posts, and there was some plastic fence posts made. There was also some plastic curbs, curb stops, made from that particular product as well, which, again, would be out of the hands of the public and probably safe to the environment.

But, you know, as the research went on, we didn't really have a real market for that particular material, but what we did find was a cement kiln in the United States. And, if you realize the operation of a cement kiln, it requires tremendous volume of energy in making cement powder itself. So we found a facility in Missouri, actually, that wanted to incorporate some of this plastic in with the other garbage they were burning. And the secret, the secret the minister will know to clean energy, clean burning is, is to have, have this product incinerated at a high temperature, and that's the beauty of a cement kiln.

This material was mixed with other, other garbage as a fuel source and burned at a very high temperature, and this particular facility was completely monitored so they knew exactly what was leaving the kiln itself. So to us it was a, was a perfect solution. It was a good way for us to recycle that plastic in the form of energy, and, and the cement kiln liked it because plastic had a high energy level. It was a very high temperature when it burns. So it was a, was a win-win situation and, over the course of a number of years, we shipped a lot of plastic down to that cement kiln, and that's, that's where most of the plastic containers went for that—probably a decade. And I'm sure things have changed now. There's probably other recycling initiatives undertaken in that particular waste group.

But, Mr. Speaker—Madam Deputy Speaker, it was certainly an interesting time in the environment. I know Mr. Filmon was certainly proactive in terms of, of promoting industry and promoting the environment. And he understood that you could have industry work and you can protect the environment

at the same time. Both can work hand in hand. In fact, he was very innovative in those si—, in that, in that's, on those developments. In fact, he gave out awards to various companies that were, were taking the initiative to protect the environment and still doing business. In fact, ACRE was a winner of one of those environmental stewardship awards.

So, Madam Deputy Speaker, I think it's, it's an important note for this government to take that industry can work in conjunction with protecting the environment, and, if there's any message we want to leave in terms of this bill going forward, it's that message.

I know the minister and his department are looking at changing the regulations, and he wants to become more proactive in terms of protecting the environment. And I think that's important because the existing legislation did not allow his department to become proactive in terms of pro—protecting the environment. So we certainly, once this bill is passed, we certainly will be watching what his department does in terms of being proactive in protecting the environment.

Madam Deputy Speaker, we know there's also a reference in here to greenhouse gas emissions and, oddly enough, there was a report just came out today, in fact. I don't know if the Minister of Conservation (Mr. Struthers) has had an opportunity to look at it, or the Minister responsible for Science, Technology, Energy and Mines, but it's, it's showing Manitoba as trending upwards in terms of greenhouse gases.

Madam Deputy Speaker, it is with great fanfare that the government introduced Bill 15, the greenhouse gas climate change bill just a year ago, in June. And, obviously, the government wanted to leave Manitobans with the perception that it was working feverishly on the green initiatives it was undertaking and that Manitoba's environment would be protected. Well, the reality is today in this report: greenhouse gas emissions is going up in Manitoba.

Madam Deputy Speaker, as long as the government can leave the perception that things are green in Manitoba, that's fine. The reality here, in black and white, is quite opposite. You know, there, there's always—all kinds of talk about initiatives, but we're interested in, in receiving results here in Manitoba, and, quite frankly, we don't see the results. And this report indicates quite clearly the government has dropped the ball on the greenhouse gas initiative file.

Madam Deputy Speaker, we looking forward to having this particular bill move into committee, and we'll see what Manitobans have to say about the ability of this government to, to manage, manage the environment and manage greenhouses gases in Manitoba.

Thank you very much for that opportunity to speak on Bill 29, Madam Deputy Speaker.

**Mr. Larry Maguire (Arthur-Virden):** I move, seconded by the member from Portage—*[interjection]*

Oh, so we're standing? Okay.

**Madam Deputy Speaker:** Okay. It's standing in the name of the Member for Tuxedo (Mrs. Stefanson).

**Bill 20—The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)**

**Madam Deputy Speaker:** We'll now move on to Bill No. 20, the Manitoba Hydro amendment and public utility board—utilities board—amendment act, standing in the name of Mr. Cullen—or, the Member for Turtle Mountain.

**Mr. Cliff Cullen (Turtle Mountain):** Madam Deputy Speaker, I do want to put a few words on the record today in regard to, to Bill 20, and it is The Manitoba Hydro Amendment and Public Utilities Board Amendment Act.

So this, this particular legislation is brought forward because of issues pertaining to electricity reliability, not only here in Manitoba but across North America. Madam Deputy Speaker, as you're well aware, Manitoba plays an important role in terms of electricity and the transmission of electricity, not only here in Manitoba but across North America, and our grid is an important piece of that puzzle because we do transport electricity to other jurisdictions.

So what has transpired over the years, as a result of the blackouts that incurred back a number of years ago, was the, was the fact that we had to come up with kind of a standards to ensure that electricity and the transmission of electricity was going to be reliable into the future.

And what this particular bill does, it, it speaks directly to the reliability, and generation and transmission reliability, throughout Manitoba and into the United States. And what the bill is actually going to do, Madam Deputy Speaker, it's going to

make changes to two different, two different pieces of legislation.

First of all, it will amend The Manitoba Hydro Act to allow the government and Manitoba Hydro to develop standards for reliability here in the province of Manitoba. You know, clearly, these standards will also impact some of the major industrial corporations here in the province that either rely on Manitoba Hydro and receive Manitoba Hydro or some of the facilities which actually will be generating electricity and then selling to Manitoba Hydro. So we're looking at both ends of the spectrum here in terms of, in terms of Bill 20.

*Mr. Speaker in the Chair*

Now, now clearly, when we develop these reliability standards, there will be, you know, the North American energy reliance corporation will have a, a very prominent role in terms of how standards are developed here in Manitoba.

And the other component that is involved in this particular legislation is the, the Public Utilities Board. Now, the Public Utilities Board will basically act as the judge when it comes to standards and reliability standards. So, in essence, we will have a watchdog based out of the United States, will, will basically keep an eye on what happens in Manitoba in terms of our reliability issues. And then if there is a situation that develops where we—which I don't think will happen very often, but if for some reason Manitoba Hydro or, or one of the corporations involved in, in the transmission here in the province slips up for some reason and there is an issue regarding liability, there will be direction taken from the, the, the federal watchdog, if you will.

\* (15:50)

And then from there, the Public Utilities Board will become involved, and the Public Utilities Board will, will decide whether or not the corporation, whichever corporation it is, is actually made a significant mistake, and they will be able to determine if, if there is, in fact, due course for a fine, and they will establish a fine if that, that situation does arise.

And then from there, it—this particular legislation leaves it open by the Cabinet to, and I'll quote from the legislation, actually: The Lieutenant-Governor-in-Council may make regulations specifying to whom monetary penalties imposed under this section are to be paid.

So that's an interesting article in this particular legislation that leaves a lot of the onus up to the Cabinet to determine where money from fines will be, will be paid and, who it will be paid to, Madam or Mr. Speaker.

Mr. Speaker, when we talk about reliability of the transmission grid here in Manitoba, it is a very important issue, and we have had a very—I think a very reliable grid here established. Obviously, Manitoba Hydro are keeping very close tabs on, on the transmission lines of Manitoba and how things, how things are being developed.

I'm just reading some information actually. There was a quote from Bob Brennan in some of the discussions we had earlier regarding east-side, west-side debate on Bipole III. And the discussion centred around the reliability of transmission of electricity from the north, and this might be a little bit technical, Mr. Speaker, but the engineers talk about the idea of paralleling electricity. And in the, the—under questions, Mr. Brennan indicated, that, you know, a west-side line, obviously being much longer than an east-side line, probably in the area of 400 kilometres, we're going to suffer significant line loss.

But the other thing—the other advantage he indicated by having a—an east-side line, which is shorter, and, in fact, gonna be similar in length to the existing Bipole I and II, by having the lines a similar length, we would be—have the opportunity to what we call parallel electricity. In fact, if we were able to—in worst case again, worst case situation, if we had Bipole I or II go down for a length of time, by using a east-side line, we have the ability to send electricity down the east-side line, in fact, 3,000 megawatts of electricity down the east-side line.

That's very significant, Mr. Speaker, because if we were to use a west-side line, being much longer, we would not have the opportunity to parallel or send as much electricity down the west-side line. In fact, the west-side line would only allow up to 2,000 megawatts of electricity to come down that line. So if we encounter a situation like we did a few years ago where Bipole I and II were down because of a windstorm, we would have the ability to ship a lot more electricity down an east-side line. And that's sometimes in the debate that we're having here over east-west, is something that's quite often overlooked. Not only are we going to be spending an extra \$640 million at least on a west-side line, carving it

through much more boreal forest on the west side, placing it over agricultural land, which probably farmers do not want to have towers going across their land because it has a significant financial impact to producers, but we also take away the ability to push more electricity down an east-side line.

And that has a very, very important impact on Manitoba, and, and the finances of Manitoba Hydro because if we can't generate enough electricity down south, or generate, generate to the southern part of Manitoba and to our export markets, we have to turn around and purchase electricity from someone else, and I can assure you, Mr. Speaker, when we purchase electricity from other jurisdictions, we're paying a fairly substantial premium on that electricity.

So, Mr. Speaker, when we talk about reliability of electricity and the transmission system here in Manitoba, we have to take into account that very important situation of paralleling, 'cause the—not only when we talk about reliability, and I mentioned the windstorm situation, if we have a line that's 400 kilometres longer, it's quite clear that it is not going to be as reliable as a line that's 400 kilometres shorter. It just—it just stands to reason.

Mr. Speaker, we certainly hope that, through Bill 20, we will have some interesting dialogue from Manitobans on electricity and reliability. We do have a lot of faith in Manitoba Hydro in terms of what they're doing, in terms of generating electricity, in terms of their transmission grid. We do think there's lots of opportunities for, for future development of other sources of electricity across the province.

Now, we know, we know that there is one wind farm in Manitoba right now, and it's generating 100 megawatts of electricity. There has been announcement of another 300 megawatts of electricity but, unfortunately, that certainly hasn't come to fruition yet. We haven't exactly sure where that is, where that whole project is at. I'm expecting we'll get some more answers out of a hydro committee next Monday night, and we certainly look forward to having an opportunity to ask both the minister responsible and the CEO for Manitoba Hydro some of those particular issues.

Mr. Speaker, with this other opportunity, and other jurisdictions—I think of Ontario in particular. They have made a real commitment to the feed-in tariff system of doing business, and, in essence, what they're doing over there is that the Province is

subsidizing organizations and private individuals to come up with other types of electricity. So there's some real innovative thinking going on over there in terms of developing other opportunities to generate electricity so that the province isn't relying on, reliant on either nuclear energy or coal-generated electricity. There's certainly other avenues and opportunities for generating electricity by other means.

And we think that the Province of Manitoba should have a look at some of those other opportunities as well. And I think it might be an opportunity for private individuals and corporations to get involved with Manitoba Hydro, get incorporated into the grid and use other avenues to generate electricity. And I'm not suggesting that the Province of Manitoba be there to subsidize those other types of programs, but I think they should have an opportunity to at least be a part of any future developments that might come forward.

And I do think that there is lots of opportunities for research and development in this field, and that's really the role that the Minister responsible for Hydro, the Minister responsible for Science, Technology, Energy and Mines should be taking a lead role on, so that we as Manitobans have different opportunities besides the concept of generating electricity with the use of hydro.

And I think, Mr. Speaker, it's a discussion that we should be having in the province of Manitoba. We are going to be committing serious money to the development of hydro-electric dams in the north, and that's going to put Manitoba Hydro and the province of Manitoba further in debt because of the capital investment that we're going to be undertaking. So it's probably not a bad time to have a real discussion on public policy and how we're going to move public policy forward.

Are we going to continue to be a province that is reliant on hydro-electricity, or are we going to be a province that looks at other opportunities, and other opportunities where we can gauge private enterprise that might want to put up some capital, instead of us as a province continually going to the bank, borrowing money for capital investments.

So Bill 20 might be an opportune time for that, to have that debate on public policy. For instance, the Public Utilities Board is wrestling with the idea of industrial rates right now, and they're wrestling with it because the government of the day has not set up any clear policy on where industrial rates should be. So in—with this lack of direction, lack of a vision

from this government, they're allowing third party, Public Utilities Board, to, to basically establish policy. And I don't know why the government of the day wouldn't want to have an open dialogue about where we're headed, in terms of elec—electric rates here in Manitoba and how we're going to generate electricity and what our sales opportunities look like, whether they be south, east or west.

\* (16:00)

When we look at the province of Saskatchewan, the province of Alberta, they're pretty excited about nuclear energy. You know, if Saskatchewan goes ahead and develop the nuclear energy that they're talking about, obviously, Manitoba Hydro won't have any sales opportunity in Saskatchewan.

**An Honourable Member:** And Alberta.

**Mr. Cullen:** And Alberta, I know they're certainly, really excited. They're very active, very active, in nuclear energy in the north part of Alberta.

So if, Mr. Speaker, we will hope, once this bill moves into to committee, that we'll have some opportunity for discussion on public policy on this whole area, the hydro-electricity and other forms of electricity across the province. So with that I thank you very much for this opportunity.

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I move, seconded by the member from Brandon West, that Bill 20 be adjourned—debate on Bill 20 be adjourned.

**Mr. Speaker:** Moved by the honourable Member for Arthur-Virden, seconded by the honourable Member for Brandon West (Mr. Borotsik), that debate be adjourned. Agreed?

**Some Honourable Members:** Agreed.

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

### **Bill 21—The Labour Mobility Act**

**Mr. Speaker:** I will call Bill No. 21, The Labour Mobility Act, standing in the name of the honourable Member for Carman.

**Mr. Blaine Pedersen (Carman):** Mr. Speaker, and I would certainly like to put a few comments on the record about Bill 21, The Labour Mobility Act, and under this, under this act, this is, brings the province compliant with chapter 7 on the agreement of internal trade, the AIT, as it's referred to, and what it does is under chapter 7 that it in—insures that an individual is certified for an occupation in one

jurisdiction that is certified in, in one jurisdiction is also certified in every other Canadian jurisdiction, and they must recognize that certification.

So, under that, technically, what, what it's, or, perhaps what I should say is, generally, what it's saying is that a nurse is a nurse is a nurse no matter where, but, and as I go back into *Hansard*, and I am back in June 2, 2008, the Premier (Mr. Doer) is talking about Agreement on Internal Trade, and he says: makes more sense to have a Canadian internal trade agreement so a teacher in Ontario can be a teacher in Manitoba, a nurse in Québec can be a nurse in Manitoba, a welder in B.C. can be a welder in Manitoba.

However, under The Labour Mobility Act as it is here, there are legitimate objectives, and one of those legitimate objectives just happens to be a licensed practical nurse, so in spite of being a, a nurse elsewhere, you just might not be able to practise in Manitoba, but I will get into that a little bit more later on.

And just, just so I get it on the record, the Minister of Science, Technology, Energy and Mines (Mr. Rondeau) from May 15 had some rather interesting comments on, on agreement on, or on trade mobility, and he says: It, it was important because what would happen is we would have a teacher in one province who couldn't be a teacher in another. We'd have a Red Seal journeyman in one province that couldn't be a Red Seal, and what we need to do is get rid of all that and move ahead. So I don't know if, if he's thinking of getting rid of the Red Seal Program because, as I understand it, the Red Seal Program is not, is not recognized in Québec. So that will certainly, it could cause, could cause some, some issues coming, moving forward.

But, but there are, under legitimate objectives, and—first of all, Mr. Speaker, I, I, I should say that generally we do support this bill. We are free traders on this side of the House. We do like free trade. Despite the, the abhorrence of the NDP about having free trade, we do support free trade. So this is a step in the right direction, and there are, as I outlined, there are occupations, trades that can have a legitimate objective to, to The Labour Mobility Act under this, under chapter 7, and right now there are three regulatory bodies in Manitoba that have received legitimate objectives to this, to this agreement, and those three right now are lawyers. And the reason for that is because in Québec, they practise civil law as, whereas in the rest of Canada,

English Canada, common law is practised. So there is a reason for that.

Midwives are—have also gained an exemption under this chapter 7 labour mobility, and it's under public security and safety, and some of the other provincial jurisdictions do not train midwives for intubation as they are here in Manitoba, so that was the reason that midwives gained that legitimate objective.

Thirdly, as I pointed out, licensed practical nurses in Manitoba are required to possess knowledge relating to physical assessments, pharmacology, medication, administration and infusion therapy, requirements not found in some other provincial jurisdictions.

And now I understand also that there are other groups who have, who have come forward asking fo—to be given legitimate objection—objective qualification, amongst them is the early childhood educators. They wrote a rather extensive letter to the Minister of Competitiveness, Training and Trade (Mr. Swan), as well as the Premier, and was cc'd to myself as well. And they're saying that Manitoba's training is far and away ahead of every other jurisdiction in Ma—in Canada, and they should al—also ha—receive legitimate objectives. I do not know if the early childhood educators were consulted. I asked for the list of groups consulted from, from Estimates process, and I am still waiting to date for that, for that list. But, but, given how long it took to gather up the, the list of schools having asbestos from the Minister of Education, maybe I'll still be waiting quite a while, so—but I do hope that that list is forthcoming fairly soon.

So the bills—this bill also gives the minister the ability to form advisory panels to help determine whether or not a restriction is within the mandate. And what we're—what we really want to see out of all this is we want to have free trade. We want—in labour mobility, British Columbia and Alberta have brought in a trade agreement between them that's much more extensive. It doesn't cover just labour. It's about goods and services also between them. We, we think that would—we think that's the place they should be. They will certainly push a reluctant government towards free trade within Canada. We have more—we have more obstruction to trade between provinces right now than what we do between Canada and the U.S., and that is something that, that really needs to be rectified, and we hope that this government would get serious about doing that.

Like I said, we've always been in favour of freer trade and increased—this, this is vital to trade. The bill, this bill pays lip service to the Red Seal program, which is your, your qualifications within many trades. But, again, we're concerned because Québec fails to have a Red Seal program. Does this mean now that we're going to lower the standards for trades here in Manitoba? And, it's, it's a concern that another group, the College of Medical Laboratory Technologists of Manitoba have certainly expressed concerns because, again, Québec does not—there is a Canadian standard for the lab technologists, Québec has their own standard, and the Manitoba group is say—is, is telling us that they would like to see everyone write the Canadian standard.

So it will be interesting that down the road we'll see a lab technologist coming out of Québec to, to apply for work in Manitoba, and whether that person can actually be held to writing the Canadian standard before they actually work here in Manitoba.

The—we know that it's—we know that this government is, is anti-trade, so, so we, we have to keep vigilant about this. We want to see more trade between, between our provinces.

It's also interesting when they talk about labour mobility when we have the highest taxes west of Québec, in all of Canada, it will be difficult—it becomes very difficult to encourage workers to come to this province when they know they're going to be taxed at an extremely high rate. There is, there is no incentive.

\* (16:10)

When—if, if labour is truly mobile and it is, to a certain extent, and AIT, it goes a long ways towards there. We have to do more than AIT and labour mobility in order to, in order to encourage people to move to Manitoba to take up a trade or profession because they will look at the bottom line, they will look at their paycheques and they will decide where their best tax advantage is.

And when they look at other provinces, particularly in western Canada, they will—we're afraid that they will just bypass Manitoba because, in spite of, in spite of our, our natural advantages we do have in Manitoba, it's still about the bottom line, and people have to be able to make a decent living in order to be, in order to live.

We also would like to see some more standardization between regulations, or harmonizations, I should say, between, in regulations

in standards between our provinces. We need—there's a lot of work that needs to be done there. This has taken this government a long time to finally come forward on AIT in terms of the labour mobility, so we know that there's a lot more work to be done there.

We think that the—as I said, we, we do support this bill because we think it's, it's a good first step. We would like to see this government become much more proactive on, on other fronts. When you have labour coming here and companies moving here and then, but then you have things like the payroll tax, you have such a low basic personal exemption. And we're talking about tradespeople here, we're not talking about minimum wage jobs. We're talking about good-paying jobs. And they will work for companies and the companies come in and they're paying a payroll tax.

Those are the types of things that we need to work on. This is just one small piece of the puzzle in order to attract people to come here, to work here and to live here and to help this province gain the potential that it really does. And so, with that, with those few comments, I would just like to reiterate again that Bill 21, The Labour Mobility Act, is, is a good first step. Hopefully, this government will become much more proactive and keep moving on. Thank you, Mr. Speaker.

**Mr. Larry Maguire (Arthur-Virden):** I move, seconded by the member from Portage la Prairie, that Bill 21 be adjourned.

**Mr. Speaker:** Okay. It's been moved by the honourable Member for Arthur-Virden, seconded by the honourable Member for Portage la Prairie (Mr. Faurichou), that debate be adjourned. Agreed?

**Some Honourable Members:** Agreed.

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

#### **Bill 6—The East Side Traditional Lands Planning and Special Protected Areas Act**

**Mr. Speaker:** Okay, we'll now call Bill No. 6, the east, East Side Traditional Lands Planning and Special Protected Areas Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

Is it—what is the will of the House? Is it the will of the House for the bill to remain standing in name of the honourable Member for Pembina?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed. It has been agreed to. It will remain standing in the name of the honourable Member for Pembina.

And the honourable Member for Portage la Prairie to speak.

**Mr. David Faurichou (Portage la Prairie):** Thank you very much, Mr. Speaker. It is, indeed, a pleasure for me to rise today and participate in second reading debate of Bill No. 6, the east-side transitional lands planning and special protected areas act.

And, indeed, we on this side of the House do support the government in its efforts to provide for this opportunity to the 16 bands on the east side of Lake Winnipeg. It is vitally important for the consultative process to indeed work.

The government has stated on numerous occasions that they are steeped in the consultative process. However, time and time and time again the groups, organizations and individuals that should be consulted find that they do not have the opportunity to do so. And this particular bill does provide that opportunity, but we on this side are cautiously optimistic that the government is true, will be true to their word and genuine in their, in their efforts to make absolutely certain that all interested parties are consulted in the effort to establish a, a land-use planning on Crown lands on the east side of Lake Winnipeg.

I also want to, to emphasize that, once the preliminary discussions and—are held, and that the land-use planning documents are, are in draft stages, that all interested parties are, once again, allowed to take a, a sober second look at what is being planned for the development of the, of the east side of Lake Winnipeg, because there are other groups and organizations and individuals that do have a vested interest in the Crown lands on the east side of Lake Winnipeg and, indeed, do have property within the area that has, has been designated as, as potential—potentially traditional Aboriginal or First Nations lands. Now, I know that there are various lodge owners and fly-in fishing camps that, that do operate in the area.

In fact, Mr. Speaker, we should perhaps be quite clear as to the enormous area that this bill has potential impact on. The east-side area encompasses over 82,000 square kilometres and is part of the largest ecozone in Canada, known as the boreal shield. A vast expanse of largely undeveloped, continuous boreal forest that stretches about

250 kilo—kilometres east from the shore of Lake Winnipeg to the border of Ontario, and almost 500 kilometres north from near the Winnipeg River to lands traditionally used by the Bunibonibee First Nations.

The biologically healthy and diverse and rich in natural resources, including 3,100 lakes, 11 watersheds, 30 major rivers, which feed Lake Winnipeg. It's also a critical area for spawning and rearing of habitat for the fish stocks of Lake Winnipeg. This area is also a home to important populations of wildlife species, for example, the threatened woodland caribou make this area their home. Moose, bear, marten and wolf also inhabit this area.

So it is vitally important that these areas are, are fully evaluated, and one would hope that everyone keeps in mind that this particular area is under study by UNESCO for a World Heritage Site designation. And we, in this, on this side of the House, are very supportive of, of having that area recognized and for its significance with this designation. With this designation, the ecotourism industry that could, could follow is, and could be, very important to the economic base of the 16 First Nations that reside in this area.

\* (16:20)

I would like to say that there has been a lot of discussion regarding this bill when it was first introduced into the House on December 1, 2008, and that the minister has, indeed, taken opportunity to make sure that the, we, on this side of the House, are understanding of the, the language in the legislation and want to commend the minister for the opportunity to be briefed on the bill on February 10th of this year. The minister was quite emphatic to make certain that we understood that this legislation is, is enabling rather than demanding upon First Nations for their participation and that no First Nation will have a, a veto over, over the, the proceedings and, and that it will be up to the Province to have the final say once all deliberations and discussions are concluded as to the final decision pertaining to the designated land use and the area to which will be encompassed within the land-use designation.

I, I want to sin—say also too that the legislation is important, new, ground-breaking, established to, to the—effectively guide persons in the land-use planning discussions because previously to this only through the parks legislation was this process

available and obviously, the area to which the, to which I refer is, is not yet designated or, or allowed for on to that particular piece of legislation.

I hope that the, the government members on the House will take an opportunity to participate in second reading debate. I have only heard the minister's comments and I'm sure that there are others within the government caucus that would like to express their thoughts on this new ground-breaking legislation and I very much look forward to hearing the commentary from, from members opposite as this bill proceeds through to, to committee. So having participated in this second reading debate, I appreciated, as I said at the outset, the opportunity to do so and very much look forward to members opposite contribution to debate. Thank you.

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

**An Honourable Member:** Question.

**An Honourable Member:** No.

**An Honourable Member:** Adjourn.

**An Honourable Member:** Adjourn debate.

**Mr. Speaker:** That's okay. I was just checking to see if, I was just checking to see if everyone's awake.

**An Honourable Member:** Apparently not.

**Mr. Speaker:** The bill is already standing in the name of the honourable Member for Pembina (Mr. Dyck), so we're okay there.

**Bill 19—The Mortgage Dealers Amendment and Securities Amendment Act**

**Mr. Speaker:** Now I'm gonna call bill, Bill No. 19, The Mortgage Dealers Amendment and Securities Amendment Act, standing in the name of the honourable Member for Emerson (Mr. Graydon).

**Some Honourable Members:** Stand.

**Mr. Speaker:** What is the will of the House, for the bill to remain standing in the name of the honourable Member for Emerson?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed? Okay, that's been agreed to.

The honourable Member for Portage la Prairie, to speak to the bill?

**Mr. David Faurshou (Portage la Prairie):** Yes. Thank you very much, Mr. Speaker. I, I hope your prior comments to my—recognizing myself, you

weren't suggesting that I was putting all honourable members to sleep and—when I was addressing Bill No. 6.

But Bill No. 19 is, indeed, another piece of legislation that, that we on this side of the House do support and are looking forward to, to seeing go on to committee for, for pers—persons interested in making presentation having that opportunity. So it is without—goes out saying that I appreciate the opportunity to participate in debate of Bill No. 19, The Mortgage Dealers Amendment and Securities Amendment Act, before the House in second reading.

Now, Mr., Mr. Speaker, we will, we'll see a significant change in, in this legislation starting right at the title. The title of The Mortgage Dealers Act will, in fact, be changed to the mortgage brokers act under this legislation and, and it will also apply to every person who is, in fact, garnering a remuneration, persons that solicit another person to lend or borrow on a mortgage, also provides information to a lender about someone who wants to obtain a mortgage, also assesses a potential borrower on behalf of a lender or engages in another mortgage-related activity prescribed in the, in the regulation.

So this legislation is, is going to be very encompassing and will, will be very much in keeping with what is taking place in other provinces around Canada. And it also, this legislation, will provide for the respective changes under The Manitoba Securities Act that will provide for changes to The Commodity Futures Act, the mortgage brokers act, The Real Estate Brokers Act and The Securities Act so that the, the legislation is, as I stated once before, very encompassing of, of other acts that this Legislature has previously passed.

I want to recognize that this legislation, indeed, looks at the current, currently sessional economic situation that not only Canada but the world is experiencing and, and wants to increase the amount a claimant can be compensated for and it is increasing the level of compensation from \$100,000 to \$250,000. Now, this bill is relatively new to the House having been introduced on, on April the 20th and has though had a fair, a, a, fairly extensive consultative process and not only persons that are based in, in Manitoba have been consulted but those that have been, been, been in operation with head—with headquarters in other provinces, but operating through branch offices here in, in, in Manitoba.

Currently, there is registered in Manitoba officially about 15 mortgage brokers and they, they do an excessive amount of—an extreme amount of, of business which is related to the realty business in Manitoba and last year more than a billion dollars of business was conducted by, by mortgage brokers here in the province of Manitoba.

And I would like to emphasize to all members that the, the greatest single investment than any one of us will make within our lifetime is, for the most part, our home. And we, when we go looking for a mortgage we want to make absolutely certain that, that we are being dealt with fairly and that the mortgage rates to which we are, are, are going to receive are, are fair and I believe this legislation will provide the structure that—to individuals engaged in the, in this business that we as, as borrowers will have that assurance, that we will be dealing with persons that are—have, are guided by this legislation to make certain that everything to which we are told and ultimately we'll sign on the dotted line for is true and correct.

\* (16:30)

**Mr. Speaker:** Order. As previously agreed, the hour now being 4:30, and when this matter is again before the House, the honourable Member for Portage la Prairie (Mr. Faurichou) will have 24 minutes remaining.

### House Business

**Mr. Speaker:** But now, as previously agreed, we will deal with House business.

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I wonder if you might call for second reading Bill 30, the budget implementation tax statute amendment act.

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

**Mr. Speaker:** 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 Lakeside (Mr. Eichler)?

**Some Honourable Members:** No.

**Mr. Speaker:** Yes?

**Some Honourable Members:** No.

**Mr. Speaker:** Okay. There's agreement in the House for it not to remain standing in the name of the honourable Member for Lakeside. Okay. So it will not remain standing in the name of the honourable Member for Lakeside.

The honourable Member for Arthur-Virden to speak.

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, it's a pleasure to rise in the House to speak to Bill 30, although I wish I didn't have to in this regard. This is not a bill that I believe is going to be sound management for the province of Manitoba, and I just wanted to have the opportunity to say that.

This is a bill that one could speak for days on, Mr. Speaker, but it's an opportunity to have a few words to put on the record here in regards to why this bill is not a sound management practice for the future of Manitoba. And I guess I have to start with saying, you know, you can't trust a New Democrat when they bring forth the budget. Now, and I'll say that loudly again: You can't trust a New Democrat who brings forward a budget that can't even comply with its balanced budget legislation from last year where they wanted to put \$110-million debt on the books to be paid down as the Filmon government did when it brought in its debt reduction, balanced budget taxpayer protection bill back in 1995.

Now, we challenged the government considerably last summer. They know our concerns in regards to the Bill 38 that they brought in to change and take away the taxpayer protection part of that bill and bring in their own balanced budget legislation, which, of course, used—allowed them to use summary budgeting, which is the total of the surpluses of the Crown corporations, to be borrowed against by their government to keep balanced budget. So, in other words, when we've spent more than we've taken in, we can also spend as much as the Crown corporations take in and we're still gonna call that a surplus.

Now, as I've said many times in this House, that's not a surplus in anybody's mind as far as an operating budget goes, and that's why the Filmon government brought in the balanced budget, taxpayer protection and debt reduction bill back in 1995 on the operating side of the budget. We don't have a problem with going to generally accepted accounting practices, GAAP methodology in the province of

Manitoba, Mr. Speaker, but the Crown corporations, prior to now, always run surpluses, and we have seen the NDP raid the Crown corporations, as my colleague from Turtle Mountain has mentioned a number of times and I've had the opportunity to speak in this House before on a number of times.

You know, too, they passed that bill to allow them to take three-quarters of the profits of Manitoba Hydro for three consecutive years in '02, '03 and '04, which the government did, Mr. Speaker, to the tune of \$203 million, and they would have taken more, except there was no profit in Hydro in that third year. Some of my colleagues—or some of the colleagues on the government side of the House might not have been here in those days, but that's what happened. That's what their government did in order—and they—you know, and they used those profits to balance the books then to prevent themselves from being in a deficit position.

So this isn't the first time that we haven't seen—that we've seen a budget come forward by this government that's not truly balanced, Mr. Speaker, because they've taken huge surpluses. They've tried to do it before in other jurisdictions and other operations. They tried to take money out of Manitoba Public Insurance back in the early days of government. When I was first elected, I remember them trying to do that to help improve universities' rooves in some of those facilities. And no one's against the—everyone supports the, the idea of supporting our universities and our educational facilities, but they certainly didn't want to do it out of their premiums from their Autopac insurance, and so that was the government, in their wisdom, rescinded it.

And so we've asked them, in this, in Bill 30, to look at providing at least what they said they would do in the budget, Mr. Speaker. So, when I say that you can't trust a New Democrat to bring forward a bill that will be good, a budget bill that'll be good for Manitobans, I want to say that in Bill 38, again, they committed to paying down \$110-million worth of debt on an annual basis, the same as the Progressive Conservatives did. And the Progressive Conservative government under Gary Filmon brought that in because, over a 30-year plan, they could eliminate the debt of Manitoba. Well, of course, you have to have the good faith that you're not going to overspend in the first place, which this government has technically met the obligations under those previous bills by paying down the debt that was there, the debt payment they were obligated to do

under the bill. But, of course, they ballooned the debt of the province to almost double what it was when I came into government in 1999. And I ran for government because I was certain that the government that we had of that day would provide an excellent opportunity for the future children of Manitoba, for my kids who were still young in those days, for now, for perhaps my grandchildren if it was for the fact that my children haven't seen the brightest future here and have left for, if you want to put it, greener pastures.

But I still believe that there is a tremendous future here in Manitoba. But we've got to have a government that, that brings forward fiscal management in a manner that knows how to set priorities for the province of Manitoba, that won't leave future generations with—burdened with much further debt than what we're seeing today—balloon debt, Mr. Speaker, and not, not just what's being put forward to stimulate the economy, but that which is just fiscally irresponsible to not meet the obligations of a bill that you passed in November of '88. Perhaps if I could be corrected. It could have been as early as October of '88, but it was just six or seven months ago that this government passed its own debt balanced budget legislation, Bill 38, that indicated they would pay down \$110-million worth of debt.

Well, Mr. Speaker, we know that, in spite of the fact that they've received over \$4 billion this year in equalization and transfer payments from Ottawa again—the only provinces in western Canada really receive any kind of transfer payments in that, or equalization payments in that regard—I want to say that this government hasn't been able to meet its own obligations of its Bill 38 that it passed last year in balanced budget legislation, and they were, they weren't shy about it. They just plain came out in the budget and said, well, we're not going to pay \$110-billion worth—or million-dollars worth of debt this year. I stand corrected. That was millions—\$110 million. They're only going to pay 20 for this year.

Well, Mr. Speaker, that was very unacceptable, and part of the reason why this side of the House didn't vote for the budget in the first place. They said that they needed the money for infrastructure development. Well, we've had some of the building—biggest Building Canada Funds come from the federal government that this government has ever seen. They've had the biggest transfer payments and equalization payments that this government has ever seen, and they still needed to take money from the—

from the balanced budget legislation that they were obliged to in order to, they say, put it into infrastructure.

Well, that was March 25th when they brought down the budget, I believe, and, within a few short weeks, they brought through the BITSA bill that we call it, Bill, Bill 30. That is the bill that, just for the general public that may not understand what it is, it's the bill that actually allows the government to implement the things that they said they would do in the budget, financially. But, of course, in this bill, the reason we are so determined that the government should come to its fiscal senses is that instead of \$20 million that they said they would pay back, now they're saying they will pay zero, no debt payments at all. Can't even make a minimum payment on the credit card, Mr. Speaker, when they've got another credit card sitting beside them called fiscal—the, pardon me, the transfers and equalizations, that they don't even have to repay. What household wouldn't like to be able to make the minimum payment on their one credit card and have another credit card where they don't even have to make a payment? And that one's just running up considerably every year.

Mr. Speaker, all good things have to come to an end at some point or another, and I'm assuming that the government will find itself in a fiscal mess even worse than we're in today, and when Manitobans find out how bad this fiscal situation is, they'll oust this government out in no uncertain terms. And I'm hoping that they do it before very long, before the next—in the very next election in 2011 before Manitoba ends up in a much worse dire-straits situation, fiscally, than it is. And I only say that because the economy today—you know, the Premier (Mr. Doer) and the Minister of Finance (Mr. Selinger) put on the face that things are moving along very well in Manitoba. How well would they be moving along if they didn't have \$4 billion in equalizations and transfer payments? Take out the 2 billion. They're each about half of that. Take 2 billion out even, out of Manitoba's economy today, the \$10-billion budget that we have in operations. That's 20 percent. This province wouldn't be churbin' along, chirping along as well as the Premier and the Minister of Finance are saying that it is today if they hadda, had to handle a budget that's 20 percent smaller than what we're faced with.

\* (16:40)

Now, they're saying we don't want to pay any debt for three years now, Mr. Speaker. That takes

them till after the next election, completely irresponsible in regards to the management of the facilities of Manitoba, and I'll say that as well because it's not only this 90 or 110 million that they've taken out of the budget. They've also already taken 110 million out of the rainy day fund, which is what it's for, to be creditable. The rainy day fund is there for times when you're in a crisis or when things aren't going so well, and you could say that across Canada and the world right now that's perhaps where we're at.

But, Mr. Speaker, the fact that they've taken this 110 million out of the rainy day fund is just a, I guess it's just—it was too easy to put their hands on that money at a time when we've received record payments and transfers and equalizations, the 4 billion that I've talked about earlier from federal government. To add to that, they've taken \$265 million in the budget out of Manitoba Hydro for this coming year as well, and that's on top of the, the water revenues that they've received out of the water dividends from Manitoba Hydro, that, when I was first elected, were \$48 million, and I believe they're up over 135 to 40 million dollars now. And I know that they doubled it to over 100 million in the first year that I was elected, so it's been doubled or more every year since 1999, and they still can't balance the books without the surplus, using the surpluses of the Crowns to be borrowed against.

And this is Pawley economics, Mr. Speaker. It's going back to '84 and '88 when the Premier at that time, the Honourable Howard Pawley, used his government to increase the debt from 1.4 billion to 5.2 billion in five short, four short years, and they did it by recapitalizing the debt or the deficit of the province every year, standing up and saying the same thing as being said today. We don't have a deficit. Oh, we don't have a deficit. We've got a surplus because we just moved the deficit into future borrowings, and that's why we're in some of the situation we're in today.

I want to put it on the record that in the Filmon 11 years that budget debt went from 5.2 billion to 5.9 billion, Mr. Speaker. In 11 years, it only increased \$700 million, and those were in very, very tough times, when cutbacks, even the Premier has admitted in this House, cutbacks from federal transfers went down by \$265 million in one of those years alone, 1995, I believe it was. And so, when you look at where that debt went and where the fiscal responsibility went, from 1999 at the \$6-billion mark when I was elected, 5.9 billion today, of being over

21 million if you include Manitoba Hydro's debt, it's a shame that this government hasn't been able to be more responsible in the manner of balancing its books and making priorities on how the dollars are spent.

We all know that there's extra costs in things like health care and our infrastructure is falling apart. The government has not even kept up with that, Mr. Speaker. There's billions of dollars' worth of shortfalls in infrastructure in the province of Manitoba. That's in spite of having some of the biggest transfer payments and equalization that this province has ever seen. It's in spite of the fact that the NDP government has taxed, added PST to things like labour on construction of a home or a business that wasn't there before. It was just on materials under the Progressive Conservative government. That added about 50 percent to it.

It's also the fact that they put PST on lawyers', accountants', and architects' fees, Mr. Speaker, and others, so this government has increased fines. It's increased fees and taxes all over the place, and yet they still can't balance the books. And I give you a prime example is the fact that, while our debt-to-GDP is 23 percent, up a couple of percent, and it is down from where it was in '99, I grant you. It should be with the kind of transfer payments that they've had, but it has gone up this past year. That's fair ball, but compared to who. You know, our neighbours to the west, I believe it's B.C., are 13 percent; Saskatchewan's 6, from what I understand. These are all circumstances and situations that don't put Manitoba in a very competitive position, and I think that's what it's all about.

If our—if we expect our future generations to stay and build in Manitoba we have to put them into a situation where we, at least, allow them to be competitive when they want to set up a business or, or take a job here in this province. We've got a situation where even our personal exemptions are so far behind, are so far behind that we can't keep up, Mr. Speaker. And the government has created a situation where they, the, the \$100 or so that they've been increasing personal exemptions each year doesn't even keep up with inflation and so Manitobans continue to fall farther and farther behind.

So for those reasons, Mr. Speaker, that's why I say you can't trust a New Democrat that brings forward a budget that, that they, that they, well that,

No. 1, won't meet their own obligations in Bill 38 from six months ago, that doesn't meet the budget but they brought forward on March the 25th and doesn't even, and the BITSA bill doesn't even meet those obligations of what they would, said they would do then.

So, you know, I don't know why Manitobans would trust this government with their money, with their hard-earned tax dollars in the future, Mr. Speaker. And so with, with those few words I would like to have others have the opportunity to speak to this bill and I would say that I, certainly why I cannot support this bill in its present form.

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

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 30, The Budget Implementation and Tax Statutes Amendment Act, 2009.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** No.

**An Honourable Member:** Agreed.

#### Voice Vote

**Mr. Speaker:** All those in favour of the motion, say aye.

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Ayes have it.

\* (16:50)

#### Formal Vote

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

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

Order. The question before the House is second reading, Bill No. 30, the budget implementation—tax—and tax statutes amendment act, 2009.

#### Division

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

**Yeas**

*Allan, Altemeyer, Ashton, Bjornson, Blady, Blaikie, Braun, Brick, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Reid, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Whitehead.*

**Nays**

*Borotsik, Briese, Cullen, Driedger, Dyck, Faurschou, Gerrard, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 31, Nays 15.

**Mr. Speaker:** I declare the motion carried.

\* \* \*

**Hon. Dave Chomiak (Government House Leader):** Yes, thank you, Mr. Speaker.

Mr. Speaker, I wonder if I have consent of the House not to see the clock.

**Mr. Speaker:** Does the honourable member have consent to not see the clock? Is there for a certain time or—

**Mr. Chomiak:** I think we can re-assess in about 20 minutes.

**Mr. Speaker:** Okay, so we will not see the clock? Is there agreement?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Okay, there's agreement.

**Mr. Chomiak:** Yes, Mr. Speaker, I wonder if you could call for second reading Bills 3, 5, 11, 12, 13, 15, 17, 18, 21, 29, 19 and 20.

**Mr. Speaker:** Okay. We'll do second readings in bills in this order. We'll start out—we'll do 3, 5, 11, 12, 13, 15, 17, 18, 21, 29, 19 and 20.

**Bill 3—The Forest Amendment Act**

**Mr. Speaker:** Okay. I'm gonna call resumed debate on Bill No. 3, the forest amenmenmac—amendment act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** So is there agreement of the House for the bill not to remain standing in the name of honourable Member for Pembina?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Okay, it's been agreed. So the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** Okay, the question before the House is Bill No. 3, The Forest Amendment Act.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

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

**Mr. Speaker:** I'm going to call number, Bill No. 5, The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles), standing in the name of the honourable Member for Pembina.

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 Pembina?

**Some Honourable Members:** No.

**Mr. Speaker:** No. There's no agreement.

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question to be before the House is Bill No. 5, The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles).

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

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

**Mr. Speaker:** I'm going to call Bill No. 11, The Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act, standing in

the name of the honourable Member for Steinbach (Mr. Goertzen), who has 15 minutes remaining.

Is it the will of the House for the bill to remain standing in the name of the honourable Member for Steinbach?

**Some Honourable Members:** No.

**Mr. Speaker:** No. There's no agreement.

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill No. 11, The Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

#### **Bill 12—The Residential Tenancies Amendment Act**

**Mr. Speaker:** Call Bill No. 12, The Residential Tenancies Amendment Act, standing in the name of the honourable Member for Emerson (Mr. Graydon).

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 Emerson?

**Some Honourable Members:** No.

**Mr. Speaker:** No. There's no agreement. Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill No. 12, The Residential Tenancies Amendment Act.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

#### **Bill 13—The Medical Amendment Act**

**Mr. Speaker:** Bill No. 13, The Medical Amendment Act, standing in the name of the honourable Member for Minnedosa (Mrs. Rowat).

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 Minnedosa?

**Some Honourable Members:** No.

**Mr. Speaker:** No. There's no agreement. Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the second reading of Bill No. 13, The Medical Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

\* (17:00)

#### **Bill 15—The Victims' Bill of Rights Amendment Act**

**Mr. Speaker:** Now call No. 15, The Victims' Bill of Rights Amendment Act, standing in the name of the honourable Member for Turtle Mountain (Mr. Cullen).

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 Turtle Mountain?

**Some Honourable Members:** No.

**Mr. Speaker:** No. There's no agreement. No. Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill No. 15, the victims' rights—Victims' Bill of Rights Amendment Act.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

#### **Bill 17—The Workers Compensation Amendment Act**

**Mr. Speaker:** Call Bill No. 17, The Workers Compensation Amendment Act, standing in the name of the honourable Member for Morris (Mrs. Taillieu) who has eight minutes remaining.

Is the will of the House for the bill to remain standing in the name of the honourable Member for Morris?

**Some Honourable Members:** No.

**Mr. Speaker:** No, there is no agreement. And it's also standing in the name of the honourable Member for Lac du Bonnet (Mr. Hawranik).

Is the will of the House for the bill to remain standing in the name of the honourable Member for, for Lac du Bonnet?

**Some Honourable Members:** No.

**Mr. Speaker:** No, there's no agreement.

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The, the, the question before the House is Bill 17, The Workers Compensation Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

#### **Bill 18—The Regulated Health Professions Act**

**Mr. Speaker:** Bill No. 18, The Regulated Health Professions Act, standing in the name of the honourable Member for Charleswood (Mrs. Driedger). What is the will standing in the name of the honourable Member for Lac du Bonnet (Mr. Hawranik).

Is it the will of the House for the bill to remain standing in the name of the honourable Member for Lac du Bonnet?

**Some Honourable Members:** No.

**Mr. Speaker:** No?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill No. 18, The Regulated Health Professions Act.

Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

#### **Bill 21—The Labour Mobility Act**

**Mr. Speaker:** Move on to Bill No. 21, The Labour Mobility Act, standing in the name of the honourable Member for Carman (Mr. Pedersen).

Okay, it's standing in the name of the honourable Member for Arthur-Virden (Mr. Maguire).

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 Arthur-Virden?

**Some Honourable Members:** No.

**Mr. Speaker:** No? Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill No. 21, The Labour Mobility Act.

Pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

#### **Bill 29—The Environment Amendment Act**

**Mr. Speaker:** I'm going to now call Bill No. 29, The Environment Amendment Act, standing in the name of the honourable Member for Tuxedo (Mrs. Stefanson).

Is it the will of the House for the bill to remain standing in the name of the honourable Member for Tuxedo?

**Some Honourable Members:** No.

**Mr. Speaker:** No? House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill No. 29, The Environment Amendment Act.

The pleasure of the House to adopt the motion, agreed?

**Some Honourable Members:** Agreed.

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

#### **Bill 19—The Mortgage Dealers Amendment and Securities Amendment Act**

**Mr. Speaker:** We will now move on to Bill No. 19, The Mortgage Dealers Amendment and Securities Amendment Act, standing in the name of the honourable Member for Emerson (Mr. Graydon).

Is it the will of the House for the bill to remain standing in the name of the honourable Member for Emerson?

**Some Honourable Members:** No.

**Mr. Speaker:** No? And it's also standing in the name of the honourable Member for Portage la Prairie (Mr. Faurschou).

Is the will of the House for the bill to remain standing in the name of the honourable Member for Portage la Prairie?

**Some Honourable Members:** No.

**Mr. Speaker:** No? Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill No. 19, The Mortgage Dealers Amendment and Securities Amendment Act.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**Bill 20—The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)**

**Mr. Speaker:** Now call Bill No. 20, The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability), standing in the name of the honourable Member for Arthur-Virden (Mr. Maguire).

What is the me—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 Arthur-Virden?

**Some Honourable Members:** No.

**Mr. Speaker:** No, it's been denied? Okay, is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill No. 20, The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability).

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed?

**Some Honourable Members:** Agreed.

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

**House Business**

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I'd like to announce that the Standing Committee on Human Resources will meet on Thursday, June 4th, at 6 p.m. and Friday, June 5th, at 1 p.m. to deal with Bill 30, the budget implementation and tax statutes amendment act. I started from the bottom.

**Mr. Speaker:** Okay. It's been announced that the Standing Committee on Human Resources will meet on Thursday, June 4th, at 6 p.m. and Friday, June 5th, at 1 p.m., to deal with Bill 30, The Budget Implementation and Tax Statutes Amendment Act, 2009.

**Mr. Chomiak:** I'd also like to announce that the Standing Committee on Human Resources will meet on Monday, June 1st, at 6 p.m., and Tuesday, June 2nd, at 7 p.m., to deal with Bill 18, The Regulated Health Professions Act, and Bill 13, The Medical Amendment Act.

**Mr. Speaker:** It's been announced, it's been announced that the Standing Committee on Human Resources will meet on Monday, June the 1st, at 6 p.m., and also June the 2nd, at 7 p.m., to deal with Bill 18, The Regulated Health Professions Act, and also Bill 13, The Medical Amendment Act.

**Mr. Chomiak:** Yes, Mr. Speaker, might I have leave for that committee, the Committee on Human Resources, that normally sits at 6 o'clock to meet at 7 o'clock on Tuesday, June 2nd? Might I have leave of the House?

**Mr. Speaker:** Does the honourable member have leave of the House for the Committee on Human Resources to meet at 7 p.m. instead of 6 p.m. on Tuesday, June the 2nd?

Is there leave?

**Some Honourable Members:** Leave.

**Mr. Speaker:** There is agreement.

**Mr. Chomiak:** Thank you, Mr. Speaker. I'd also like to announce that the Standing Committee on Legislative Affairs will meet on Tuesday, June 2nd, and Wednesday, June 3rd, at 6 p.m., to deal with the following: Bill 12, Bill 19, Bill 5, Bill 17, Bill 21, and Bill 3.

**Mr. Speaker:** Okay. It's been announced that the Standing Committee on Legislative Affairs will meet on Tuesday, June the 2nd, and Wednesday, June the 3rd, at 6 p.m., to deal with the following bills: Bill No. 3, Bill No. 5, Bill No. 12, Bill No. 17, Bill No. 19, and Bill No. 21.

**Mr. Chomiak:** And, Mr. Speaker, I'd also like to announce that the Committee on Human Resources, which is meeting on Wednesday, June 3rd, will also deal with Bills 14, 11 and 15.

**An Honourable Member:** It's not on the list.

**Mr. Chomiak:** It's not? What is 14? Payday, eh?

**An Honourable Member:** Yeah, we haven't done that one yet.

\* (17:10)

**Mr. Chomiak:** I'll withdraw that. It'll be 11 and 15. I'm working from three lists, so forgive me.

**Mr. Speaker:** It's been announced that the Standing Committee on Legislative Affairs, which will meet on Wednesday, June the 3rd, at 6 p.m.—*[interjection]*—oh, Human Resources, I'm sorry—the Committee on, on Human Resources, which will meet on, on Wednesday, June the 3rd, to deal with Bill No. 11 and Bill No. 15.

**Mr. Chomiak:** Thank you, Mr. Speaker. I thank the, I thank the House for its indulgence. My last announcement of the bills that were to go to Human

Resources are actually supposed to go to Legislative Affairs. And, actually, I'm changing that so that Bills 11 and 15 will also go to Human Resources on Monday.

**Mr. Speaker:** 'Kay, so the, the previous announcement for Bill No. 11 and 15 that were—they were, they were to be going to Human Resources on Wednesday has been cancelled. Okay, and now Bill No. 15—or 11 and 15—will go to Human Resources Committee on Monday.

It'll be on Monday, June the 1st.

**Mr. Chomiak:** Thank you, Mr. Speaker. And, finally, Bills 20 and 29 will go to Legislative Affairs Committee at 6 o'clock, on Thursday, June 4th. There's three presenters.

**Mr. Speaker:** It's been announced that the Committee of Legislative Affairs for Thursday, June 4th, 6 p.m., will deal with Bills No. 20 and 29.

\* \* \*

**Mr. Chomiak:** I think we should, perhaps, call it, call it 5 o'clock. The synapses aren't working. Adjourn the House.

**Mr. Speaker:** The hour being—as previously agreed, the hour being past 5 p.m., the House is now adjourned and stands adjourned until Monday, at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 28, 2009

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