

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

Official Report
(Hansard)

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

Vol. LXII No. 58B - 1:30 p.m., Tuesday, June 8, 2010

ISSN 0542-5492

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
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.
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, Hon.	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, Hon.	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.
WIEBE, Matt	Concordia	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, June 8, 2010

The House met at 1:30 p.m.

Madam Clerk (Patricia Chaychuk): It is my duty to inform the House that Mr. Speaker is unavoidably absent. Therefore, in accordance with the statutes, I would ask the honourable Deputy Speaker to please take the Chair.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 222—The Seniors' Rights Act

Mr. Gerald Hawranik (Lac du Bonnet): I move, seconded by the member for Minnedosa (Mrs. Rowat), that Bill 222, The Seniors' Rights Act, be now read a first time.

Motion presented.

Mr. Hawranik: The right to an adequate standard of living is a human right enshrined by the United Nations, and all citizens are entitled to social and economic security. Many seniors live on fixed incomes and many seniors are victims of physical, emotional or financial abuse.

This legislation provides certain rights to every senior in Manitoba, including the right to freedom, independence and individual initiative in planning and managing his or her own life. They also—it also provides for every senior the right to access affordable and appropriate services and programs, the right to be able to remain in his or her community and in his or her home with the support of community-based long-term care services. It also includes the right to a system where long-term care needs are met; the right of access to services that allow aging in place where possible, including the right to transition between various forms of long-term and end-of-care life; and the right to an opportunity to choose a healthy lifestyle, including the right to protection from abuse, neglect and exploitation; and the right to be fully informed of all programs and benefits available to seniors, including the criteria and conditions of the programs and the amount of benefits.

So I'd urge all members to support this bill.

Madam Deputy Speaker (Marilyn Brick): Is it the pleasure of the House to adopt the motion? *[Agreed]*

PETITIONS

Multiple Myeloma Treatments

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

These are the reasons for this petition:

Health Canada has approved the use of Revlimid for patients with multiple myeloma, a rare, progressive and fatal blood cancer.

Revlimid is a vital new treatment that must be accessible to all patients in Manitoba for this life-threatening cancer of the blood cells.

Multiple myeloma is treatable, and new, innovative therapies like Revlimid can extend survival and enhance quality of life for the estimated 2,100 Canadians diagnosed annually.

The provinces of Ontario, Québec, British Columbia, Saskatchewan and Alberta have already listed this drug on their respective pharmacare formularies.

We petition the Legislative Assembly of Manitoba as follows:

That the provincial government consider immediately providing Revlimid as a choice to patients with multiple myeloma and their health-care providers in Manitoba through public funding.

This is signed by S. Jones, A. Jones, D. Grove and many, many others.

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

Bipole III

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

This is the background to the petition:

Manitoba Hydro has been forced by the NDP government to construct its next high-voltage direct transmission line, Bipole III, down the west side of Manitoba, a decision for which the NDP government has not been able to provide any logical justification.

Since this will cost Manitoba ratepayers at least \$640 million more than an east-side route, and given that the Province of Manitoba is facing its largest deficit on record, the burden of this extra cost could not come at a worse time.

Between 2002 and 2009 electricity rates increased by 16 percent, and Manitoba Hydro has filed a request for further rate increases totalling 6 percent over the next two years.

A western Bipole III route will invariably lead to more rate increases.

In addition to being cheaper, an east-side route would be hundreds of kilometres shorter and would be more reliable than a west-side route.

West-side residents have not been adequately consulted and have identified serious concerns with the proposed line.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider proceeding with the cheaper, shorter and more logical east-side route, subject to necessary regulatory approvals, to save ratepayers hundreds of millions of dollars during these challenging economic times.

This petition is signed by D. Buchanan, M. Russell, K. Braun and many, many other fine Manitobans.

Mr. Leonard Derkach (Russell): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Manitoba Hydro has been forced by the NDP government to construct its next high-voltage direct transmission line, Bipole III, down the west side of Manitoba, a decision for which the NDP government has not been able to provide any logical justification.

Since this will cost Manitoba ratepayers at least \$640 million more than an east-side route, and given that the Province of Manitoba is facing its largest deficit on record, the burden of this extra cost could not come at a worse time.

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In addition to being cheaper, an east-side route would be hundreds of kilometres shorter and would be more reliable than a west-side route.

West-side residents have not been adequately consulted and have identified serious concerns with the proposed line.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider proceeding with the cheaper, shorter and more logical east-side route, subject to necessary regulatory approvals, to save ratepayers hundreds of millions of dollars during these challenging economic times.

And this petition, Madam Deputy Speaker, is signed by W. Bauereiss, J. Bauereiss, J. Jackson and many, many other fine Manitobans.

Blumenort Christian Preschool

Mr. Kelvin Goertzen (Steinbach): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background for the petition is as follows:

The community of Blumenort, Manitoba is quickly growing and changing. Several new developments are in the process of being constructed and many young families are moving into the region.

Blumenort families are looking for early child-care education, nursery school, only have one option in the community, the Blumenort Christian Preschool.

Research suggests that nursery school gives children ages three to five several advantages by providing school readiness and interactive play with other children in a structured, caring and clean environment.

Blumenort Christian Preschool is currently without government support and will be unable to continue offering quality nursery school programming without that provincial support.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Family Services to consider working with the Blumenort Christian Preschool to ensure that affordable nursery school options remain in the Blumenort Community.

And, Madam Deputy Speaker, this petition is signed by R. Nerbas, M. Bueckert, R. Penner and many, many others.

PTH 15–Traffic Signals

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

These are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

*(13:40)

This is signed by G. Williams, R. Brade, D. Charles and many, many, many other Manitobans.

Multiple Myeloma Treatments

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

Health Canada has approved the use of Revlimid for patients with multiple myeloma, a rare, progressive and fatal blood cancer.

Revlimid is a vital new treatment that must be accessible to all patients in Manitoba for this life-threatening cancer of the blood cells.

Multiple myeloma is treatable, and new, innovative therapies like Revlimid can extend survival and enhance quality of life for the estimated 2,100 Canadians diagnosed annually.

The provinces of Ontario, Québec, British Columbia, Saskatchewan and Alberta have already listed this drug on their respective pharmacare formularies.

We petition the Legislative Assembly of Manitoba as follows:

That the provincial government consider immediately providing Revlimid as a choice to patients with multiple myeloma and their health-care providers in Manitoba through public funding.

This petition is signed by T.D. Love, R.J. Jenkyns, D.W. Smith and many others.

Medical Clinic in Weston and Brooklands Area

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

The background to this petition is as follows:

Community-based medical clinics provide a valuable health-care service.

The closure of the Westbrook Medical Clinic has left both Weston and Brooklands without a community-based medical clinic.

We petition the Legislative Assembly as follows:

To urge the provincial government to consider how important it is to have a medical clinic located in the Weston-Brooklands area.

Madam Deputy Speaker, this is signed by H. Anderson, C. Macalino, L. Papas and many, many other fine Manitobans.

Thank you, Madam Deputy Speaker.

COMMITTEE REPORTS

Standing Committee on Private Bills First Report

Mr. Rob Altemeyer (Chairperson): I wish to present the First Report of the Standing Committee on Private Bills.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Private Bills presents the following as its First Report. Meetings—

Some Honourable Members: Dispense.

Madam Deputy Speaker: Dispense? Dispense.

Your Standing Committee on Private Bills presents the following as its First Report.

Meetings

Your Committee met on June 7, 2010 at 11:30 a.m.

Matters under Consideration

- *Bill (No. 223) – The Jon Sigurdsson Day Act/Loi sur le jour de Jon Sigurdsson*
- *Bill (No. 300) – An Act to amend An Act to incorporate The Portage District General Hospital Foundation/Loi modifiant la Loi constituant en corporation la Fondation de l'Hôpital général du district Portage*
- *Bill (No. 301) – The Salvation Army William and Catherine Booth College Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le Collège William et Catherine Booth de l'Armée du Salut*
- *Bill (No. 302) – The Southwood Golf and Country Club Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le « Southwood Golf and Country Club »*

Committee Membership

- *Mr. ALTEMEYER*
- *Hon. Mr. BJORNSON*
- *Ms. BRAUN*
- *Ms. BRICK*
- *Mr. EICHLER*
- *Mr. FAURSCHOU*
- *Mr. JHA*
- *Mr. MAGUIRE*
- *Mr. MARTINDALE*
- *Mr. NEVAKSHONOFF*
- *Mr. PEDERSEN*

Your Committee elected Mr. ALTEMEYER as the Chairperson.

Your Committee elected Mr. JHA as the Vice-Chairperson.

Motions

Your Committee agreed to the following motions:

- *That this committee recommends that the fees paid with respect to Bill (No. 301) – The Salvation Army William and Catherine Booth College Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le Collège William et Catherine Booth de l'Armée du Salut, be refunded, less the cost of printing.*
- *That this committee recommends that the fees paid with respect to Bill (No. 300) – An Act to Amend an Act to Incorporate the Portage District General Hospital Foundation/Loi modifiant la Loi constituant en corporation la Fondation de l'Hôpital général du district Portage, be refunded, less the cost of printing.*

Public Presentations

Your Committee heard the following presentation on Bill (No. 301) – The Salvation Army William and Catherine Booth College Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le Collège William et Catherine Booth de l'Armée du Salut:

Ray Taylor, Counsel for Salvation Army William and Catherine Booth College

Your Committee heard the following presentation on Bill (No. 302) – The Southwood Golf and Country Club Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le « Southwood Golf and Country Club »:

Tom Dooley, Southwood Golf & Country Club

Written Submissions

Your Committee received the following written submission on Bill (No. 300) – An Act to amend An Act to incorporate The Portage District General Hospital Foundation/Loi modifiant la Loi constituant en corporation la Fondation de l'Hôpital général du district Portage:

Murray Graham, Portage District General Foundation

Bills Considered and Reported

- *Bill (No. 223) – The Jon Sigurdsson Day Act/Loi sur le jour de Jon Sigurdsson*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 300) – An Act to amend An Act to incorporate The Portage District General Hospital Foundation/Loi modifiant la Loi constituant en corporation la Fondation de l'Hôpital général du district Portage*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 301) – The Salvation Army William and Catherine Booth College Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le Collège William et Catherine Booth de l'Armée du Salut*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 302) – The Southwood Golf and Country Club Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le « Southwood Golf and Country Club »*

Your Committee agreed to report this Bill without amendment.

Mr. Altemeyer: Madam Deputy Speaker, I move, seconded by the honourable member for Radisson (Mr. Jha), that report of the committee be received.

Motion agreed to.

Introduction of Guests

Madam Deputy Speaker: Prior to oral questions, may I direct the attention of honourable members to the gallery where we have with us 35 students in grade 9 from Morden Collegiate under the direction of Mr. Royce Hollier, and these students are the guests of the honourable member for Pembina (Mr. Dyck).

Also in the public gallery, we have 20 grade 11 students from Springs Christian Academy under the direction of Mr. Brad Dowler. This group is located in the constituency of the honourable First Minister.

And also in the public gallery, we have with us today 40 grade 9 students from General Wolfe School who are under the direction Mr. Matthew Craig and Mr. Carlos Mota. This group is located in the constituency of the honourable Minister of Justice (Mr. Swan).

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

ORAL QUESTIONS

Foreign Trade (China)

Meeting with Manitoba's Representative

Mr. Hugh McFadyen (Leader of the Official Opposition): We have raised concerns in this House about the lack of participation by the province of Manitoba in the New West Partnership. We have concerns, Madam Deputy Speaker, about the future of the province, our ability to attract jobs and investment, and concerns about the fact that the three provinces to the west of us are integrating their economies in ways that may leave Manitoba left behind. In response to those questions, the government indicated that we had a foreign representative in China.

And I want to ask the Premier whether it's his view that that foreign representative ought to be available to meet and speak with Manitobans about Manitoba's trading activity in China.

Hon. Greg Selinger (Premier): We do have a representative in China, Madam Deputy Speaker. He's been there for over 20 years. He's a native Manitoban. He does come back to Manitoba at least once every eight months or so, and he does meet extensively with business interests in Manitoba in terms of their desire to expand markets and opportunities in China. And I'm sure he would be available to meet with anybody that wanted to pursue economic opportunities in China.

Mr. McFadyen: Madam Deputy Speaker, the—it's a very significant responsibility that that individual has. They should be available to meet with all Manitobans who have an interest in jobs and the future of our economy and in trade.

And that's why I want to ask the Premier why it is that when our critic, the member for Brandon West (Mr. Borotsik), asked the minister for an opportunity to meet with the trade representative, the minister replied, no.

Mr. Selinger: As I've just said, Madam Deputy Speaker, if there's anybody that wishes to meet with our representative when he's in town, which is at least approximately once every eight months, I'm sure we could make suitable arrangements to allow that to happen. And if the member has a member of his caucus that would like to meet with our foreign

trade representative, I invite him to work with us and we'll see what we can do to arrange that.

Mr. McFadyen: And I appreciate the Premier's response, and would ask the Premier if he would be very clear in calling his minister to taking him to task for this tinpot style of trying to deny opportunities for Manitobans who have an interest in Chinese trade, trying to deny them the opportunity to even have dialogue with Manitoba's trade representative, who's paid by Manitoba taxpayers, Madam Deputy Speaker, and should be available to meet with elected members of the Assembly.

Will he take his minister to task?

Mr. Selinger: What I will do, Madam Deputy Speaker, as I've already answered, I've said if there's a legitimate interest to meet with our trade representative about expanding economic opportunities in China, we will make those arrangements for him.

And I'm pleased to say that this trade representative has been there for many years. He has an extensive range of contacts both in Hong Kong as well as in Beijing, where he now resides. He meets with local businesses in Manitoba on a regular basis. He is doing extensive work with them on opportunities in China. We have some excellent companies in this province which are producing goods and services which are in demand in China, and they are looking to expand their opportunities there.

And, as I said, again, if the member has somebody in his caucus that'd like to meet with the trade representative, I'm sure something can be worked out in such a way that we can further the economic growth prospects for all Manitobans.

Foreign Trade (China)

Meeting with Manitoba's Representative

Mr. Rick Borotsik (Brandon West): Well, Madam Deputy Speaker, it seems I should have gone to the Premier first with a request to meet with Mr. Walker. As a matter of fact, I had asked the Minister of Entrepreneurship, Training and Trade (Mr. Bjornson) if he wouldn't mind if I had a 15-minute meeting with Mr. Walker, and it seemed that the minister was so insecure in his ability of his portfolio that he refused. As a matter of fact, the letter I received was: Regarding your request for a meeting with Mr. Richard Walker, Manitoba's foreign representative in China, as we have discussed previously, if you have any questions or if you would like information about

our trade activities in China, I would be pleased to provide you with information.

But he did refuse—he did refuse—a meeting. He refused a meeting with Mr. Walker.

Now that the minister has heard his Premier, will he now set up that meeting with—

Madam Deputy Speaker: Order.

* (13:50)

Hon. Greg Selinger (Premier): Madam Deputy Speaker, I just want to commend the minister for stepping forward and offering to meet with the member from Brandon West. I think that's—yet, given how challenging events can be in the House sometimes, I think it shows a great deal of willingness on the part of the minister to meet with the member from Brandon West.

And I'm sure that they can have a very fruitful conversation on trade relations. And we might even be able to invite the representative to China, who, when he's in town to attend at that meeting, and they can all get together at the same time and discuss economic opportunities in that market of China.

Mr. Borotsik: Well, Madam Deputy—

Madam Deputy Speaker: Order. I just want to remind all honourable members that I do need to be able to hear the questions and the answers.

Mr. Borotsik: As a matter of fact, Madam Deputy Speaker, when I approached the Minister of Entrepreneurship, Training and Trade, I made that very offer, that if he was so insecure, he could actually be at the meeting when I was there with Mr. Walker. He's refused to have Mr. Walker there. As a matter of fact, the minister wants to have a meeting with me and impart information. Well, from my previous meetings with the minister, I can attest to the fact that he knows little about entrepreneurship or trade. Meeting with him would provide very few, if any, answers as we can see today.

Madam Deputy Speaker, I would like to ask the minister: Is he now, with the direction of his Premier, going to set up a meeting with myself and Mr. Walker so we can discuss the issues that are outstanding right now with trade with China?

Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade): Certainly, when I talked to the member opposite about the meeting—when I talked to the members opposite about the possibility of a meeting, I did say to the member that I would

find out what the individual schedule was like, because I believe it's in his best interests to work with the businesses that have business interests in China and businesses that would like to expand their business interests in China, other than the member from Brandon East. But that being said, perhaps the member—of Brandon West—pardon me—perhaps—that being said, perhaps the Brandon from West is looking for some options after October 4th of 2011 for a business investment in China.

Mr. Borotsik: Well, Madam Deputy Speaker, the arrogance of the minister—the more arrogant the minister, the harder the fall. Perhaps the minister of Entrepreneurship and Trade can talk to his one and only contract employee about just how hard that fall is.

Madam Deputy Speaker, the irony is that the department is advertising on its Web site for meetings to be set up with Mr. Richard Walker. If I apply on that Web site, with the Premier's direction, will the Minister of Entrepreneurship, Training and Trade make sure that I get 15 minutes with Mr. Walker to talk about the New West Partnership, to talk about CentrePort, to talk about the necessity here of Manitoba to have a presence in China? Will he set up that meeting?

Mr. Selinger: You know, the letter that the minister forwarded to the opposition critic indicates very clearly, if you would like information about our trade activities in China, I would be pleased to provide you with the information. There's an open offer to provide information. We just followed up in the House with an offer to meet with them. Would the member officer—would the member opposite just take advantage of the opportunity, and let's move forward in Manitoba here?

Social Assistance Benefits Incarceration Policy

Mrs. Bonnie Mitchelson (River East): And I'd like to ask the Minister of Family Services whether he believes that welfare recipients should continue to receive payments when they are in jail.

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): Yes, Madam Deputy Speaker, it's my understanding that, in fact, those welfare payments cease when people are in prison.

Mrs. Mitchelson: Madam Deputy Speaker, but I have a letter from the mayor of Leaf Rapids who asserts that an individual from his community is in

jail and she still is receiving welfare cheques. Will he look into the mayor's allegations?

Mr. Mackintosh: Well, Madam Deputy Speaker, there will be a factual question that will have to be addressed, and that is whether the welfare payments are continuing for other members of the family, for the children, for example. That's an issue that we can look at, but if the member wants to bring that information forward, we certainly will look into it.

And we can also assure the members of this House that if there is an overpayment here, we're not going to do what the Leader of the Opposition (Mr. McFadyen) urges us to do; we are not going to forgive that overpayment.

Mrs. Mitchelson: But the mayor indicates that the individual's children have been taken into care in— with the Child and Family Services agency. And according to the information we received—and I'll table the letter from the mayor—the minister's department was informed that the mother was incarcerated, but she continues to receive her welfare cheques.

Is it this minister's policy to ensure that welfare payments continue even when a person is in jail and their children are in the care of Child and Family Services and his department has been notified? Is it still his policy to continue the payment?

Mr. Mackintosh: The policy, Madam Deputy Speaker, is as stated, and if there are recoveries to pursue then we will certainly do that. That is why our recoveries for overpayments have doubled in the last 10 years as a result of the investigations and the information.

Addictions Treatment Program Wait Times

Mrs. Leanne Rowat (Minnedosa): This NDP government's record on addictions is dismal. We already know that people addicted to OxyContin are dying while waiting for treatment, but Manitobans seeking treatment for alcohol and drug addiction are suffering too. Wait times for addiction treatment at AFM are through the roof.

Can the Minister of Healthy Living (Mr. Rondeau) explain why women seeking community-based day treatment at AFM in Winnipeg face a wait time of more than 300 days?

Hon. Kerri Irvin-Ross (Acting Minister of Healthy Living, Youth and Seniors): Addictions

has been a priority for this government for a number of years.

We have continued to increase the funding for all addictions agencies. The 2010 budget alone increases the AFM budget by 9.4 percent, and while we're increasing the funding for the addictions agencies, we're also developing a stronger system, a system that improves access for all Manitobans. We built the new facility in Thompson. We ensured that the AFM was opened over the summer after the—it was closed. We've also ensured that it's open during all holidays.

And as we work together with our community partners, we provide prevention, intervention services, in-patient and out-patient services, and we'll continue to strengthen that system as we move forward.

Mrs. Rowat: One year ago, the wait time for women's day treatment was 14 days; today, it's 300 days. How is that a priority with this government, Madam Deputy Speaker?

Today, women are waiting 28 days just for an initial assessment and then another 300 days to get into a treatment program. That's almost a year, Madam Deputy Speaker. The wait time for treatment is 21 times longer than it was a year ago. Meanwhile, the Behavioural Health Foundation is trying to expand treatments for women, and this NDP government is actually ignoring their proposal.

Why is it taking longer—why is it that the longer the NDP are in power and the more they say this is a priority, the worse the problem gets, Madam Deputy Speaker?

Ms. Irvin-Ross: We continue to make progress with addictions. We provide services to all Manitobans. We have services across this province. We have made investments to ensure that people have not only access to in-patient services but also to out-patient services, and we have supported community agencies across this province. Behavioural Health Foundation is one of those agencies that provides a good quality service.

We continue to work with all of our partners as we move forward and continue to implement our five-point plan—addiction plan, Breaking the Chains. Thank you.

Mrs. Rowat: I find it rather interesting that this—the former minister of Healthy Living can stand up and actually say that they're making progress. Waiting

14 days last year, 300 days this year, Madam Deputy Speaker? That's not progress. That's not.

Women aren't the only ones facing significant waits. The wait time for treatment at the AFM facility in Thompson has more than doubled than last year. Men and women in Thompson are waiting 77 days for treatment. In Ste. Rose the time is 86 days, and in Brandon people are waiting 46 days. In Winnipeg, the situation is just as bad: A year ago, men had to wait seven days for an assessment, another five to get treatment; today, they wait 28 days for assessment, 35 days to get into a day program.

*(14:00)

Madam Deputy Speaker, I've heard from Manitobans suffering from addictions who fear for their lives and they're forced to wait for treatment. They fear ending up on the street, in the ER or in the justice system, or worse, they may end up dead.

Can the minister indicate why—

Madam Deputy Speaker: Order.

Ms. Irvin-Ross: I'll put some facts on the record for us.

Let's talk about, since 1999, we have increased—increased the supports to addictions by 89 percent—89 percent. And the fact is, they voted against every one of those budgets.

In Budget 2010, we've increased it by 9.4 percent. What did they do? Voted against it. Well, I'm here to tell you that yes, addictions is an issue in our society and we are addressing it. We're addressing it with all of our partners ensuring that all Manitobans have access to education, prevention and treatment services. *[interjection]*

Madam Deputy Speaker: Whoa. Whoa. I have to recognize you. I'm sorry.

Flood-Damaged Farmland Field Seeding Options

Mr. Cliff Graydon (Emerson): This government has increased the deficit and the debt by 10 billion. They're addicted to spending.

Madam Deputy Speaker, due to the excessive rainfall and poor weather conditions throughout Manitoba, farmers have been unable to complete seeding or are faced with reseeding.

Madam Deputy Speaker, can the Minister of Agriculture commit to a timely inspection of fields

that need to be reseeded? Is this work under way already?

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): Madam Deputy Speaker, I want to first of all say to the member for Emerson that I appreciated him accepting our invite the other day to come out and tour last Monday and Tuesday evening to take a look at some of the water that has piled up on farmers' fields and talk to some of the farmers themselves as to what kind of impact that's going to have. I appreciated the advice and the input of the member for Emerson on that.

And yes, on the one tour that we did, we had Mr. Neil Hamilton from MASC, who was able to answer a lot of the questions along the way, and we appreciate that advice as well.

And in every region of our province, MASC and MAFRI people are working with the farm community to assess the damage that has been done and try to get a read on just what that impact on the farm community is.

Mr. Graydon: The seeding deadline is fast approaching in order for crops to be covered by crop insurance. Producers hard hit by excess moisture conditions are looking for—looking at different strategies to get the crop in the ground.

Madam Deputy Speaker, will the minister follow the lead of the agricultural minister in Saskatchewan and exceed—and extend the seeding deadline? And will non-traditional seeding methods be covered?

Mr. Struthers: I appreciate that suggestion coming from across the way.

I know the Saskatchewan approach is somewhat different than what Manitoba has done. In Manitoba we moved away from the approach that Saskatchewan has where you set up a deadline early in the season and then take on requests to extend. We've built into our everyday programming, through MASC, I think in a very innovative way, a program that gets us past having to take in requests. We schedule in the program the deadlines—*[interjection]* And as the member from Ste. Rose knows, if you extend that deadline too far, you end up in problems at the other end trying to get your crop off in time. So we don't want to set farmers up for failure as the member for Ste. Rose (Mr. Briese) seems to want to do, Madam Deputy Speaker.

Mr. Graydon: Madam Deputy Speaker, I would take it that the answer is no; that the minister's not

concerned about whether the farmers get seeding or not.

Madam Deputy Speaker, Manitoba farmers are faced with a grim reality that their fields, that won't be seeded, then they expect to get the returns from the safety net programs. The agricultural minister, under the direction of the Finance Minister, was ordered to cut 10 percent and save 10 percent and find another 10 percent. So he cut the safety net programs.

Madam Deputy Speaker, will the minister now admit that he'd made a mistake. Will he return the safety net programs to their original funding level to ensure producers hit by excess moisture won't be penalized due to this government's inability to manage its books?

Mr. Struthers: You know, yesterday the—yesterday our First Minister referenced the jealousy of members across the way. This is another example. They had lots of time to bring forward something like excess moisture insurance but never did it, Madam Deputy Speaker. We did on this side of the House. We're glad we did that and farmers are glad we did that as well.

I want to reiterate to the member for Emerson that our—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order.

Mr. Struthers: Thank you, Madam Deputy Speaker.

I'm not interested in revisionist history of members across the way. I'm—what I'm interested in—what I'm—unlike members opposite, I'm interested in working with the farmer to make sure our programs work as best as we can for the farmers themselves, Madam Deputy Speaker.

Our staff in every region of our province is working with the farm community to assess the amount of water and the amount of damage that has been done. The timing of this rain couldn't have been much worse in terms of reseeding, right up against the end of May, but we've tried to—

Madam Deputy Speaker: Order.

Flood-Damaged Farmland Field Seeding Options

Mr. Leonard Derkach (Russell): Well, Madam Deputy Speaker, over this past weekend I had the opportunity to visit some of the farmers in the area

who have not seeded their crops yet. It's not a matter of reseeded; it's a matter of seeding their crops for the first time.

Madam Deputy Speaker, about 30 percent of the crop in at least western Manitoba has not been put into the ground. Farmers are wondering whether they should continue to try to seed the crop through unconventional ways like floater seeding, or whether they should abandon seeding this year and collect their \$50.

I'm asking the Minister of Agriculture whether or not he will be able to stand up for the farmers of western Manitoba and, indeed, in all of Manitoba, and extend the seeding deadline so that farmers will be protected in the fall when, Madam Deputy Speaker, they go to take off their crops.

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): Well, I want to be clear. I understand the point that the member for Russell is making, and I take his suggestion of the 30 percent in his area that may not have been seeded for the first time, but I want him to know that Manitoba farmers have seeded close to 95 percent of the province when this rainstorm hit the other day.

Madam Deputy Speaker, every MAFRI office, including in our area of the Parkland, are there and available. MASC people in all of these offices are available to speak on a one-to-one with the farmers so that they can make good decisions in terms of what their options are.

As I said in the previous question, we've tried to design our program so that we don't get into the debate over whether you extend the deadline or not. We want to build it into the program—

Madam Deputy Speaker: Order.

Mr. Derkach: Well, Madam Deputy Speaker, this is an issue of policy. This is not an issue where administrative staff can go out and make decisions on the ground. This is a decision that the minister is responsible for, as the minister in Saskatchewan was responsible for.

Madam Deputy Speaker, we need a policy decision from this minister as to whether or not the June 10th deadline will be extended by either five days or 10 days to allow those farmers to put their crop in the ground and have the assurance that their crop will be covered by the Manitoba Crop Insurance insurance program.

Mr. Struthers: Well, Madam Deputy Speaker, I want to be clear that we have made the improvements to the Crop Insurance program so that we don't have to, like we had to years ago, debate whether we need to extend deadlines, have those sorts of discussions.

We want to be in a position where farmers can sit down across the table from people in Crop Insurance and make good decisions knowing that we don't have to get into debate about extending deadlines. We build that into our program so that that's taken care of before we get into the Saskatchewan model they talk about, which I think just takes up time for farmers and prevents them from making some real decisions out on their land.

Mr. Derkach: Well, Madam Deputy Speaker, what the minister says makes absolutely no sense because there is a deadline for seeding and that is June the 10th. Now, if that deadline does not change, that means any farmer who seeds after the 10th of June will not have coverage under the current Crop Insurance program.

* (14:10)

I'm asking this minister whether or not he's prepared to adjust that time line so that, indeed, farmers will be covered if they seed after June the 10th.

Mr. Struthers: And, Madam Deputy Speaker, I want to reiterate to the member for Russell that whether they're his constituents who are making decisions out on the farm or whether they're mine or whether they're anybody else's in this Legislature, those farmers need every benefit of the doubt and they need every opportunity to sit down with our staff and work with them to make good decisions in terms of seeding and making our program fit, as much as you can, the natural cycle that you have to respect when it comes to seeding.

Madam Deputy Speaker, I think that's the best way to proceed on behalf and with farmers in Manitoba.

Child and Family Services Agencies Client Fatality Investigation Reports

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, the death of Phoenix Sinclair still has not been fully investigated, even after this government promised four years ago that an inquiry would happen.

We know that there is very little good that can come from the violent death of a child, but we can certainly honour these children by not having their cases languish with no conclusion and no recommendations made, and we can save other children by learning from what happened in these instances.

But, Madam Deputy Speaker, under this government we have a backlog of more than 150 reports on child deaths waiting to be written. The backlog is now severely compromising the ability to improve Child and Family Services.

I ask the Premier (Mr. Selinger): Why are there more than 150 reports which are still outstanding?

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): Well, Madam Deputy Speaker, the independent members, I believe, have representation on LAMC, and that is a matter that I understand has been, for many, many years, before LAMC, and I understand that LAMC has, in fact, responded with additional resources. And, in fact, as I recall, the Office of the Children's Advocate has had, I think, a 700 percent increase in resources in just the last number of years.

Mr. Gerrard: Madam Deputy Speaker, the government and the minister are sadly full of excuses. There are catastrophic problems in Child and Family Services which need urgent attention. When investigations are delayed, and reports delayed, and recommendations not disseminated to front-line staff, it speaks to a breakdown in the way that the government is managing things.

It is very sad when these children have died. It is made worse when the government is incompetent so that follow-up investigations are not completed promptly.

Why is this government failing to manage the investigations into the deaths of children under their care? Is this government delaying reporting on these cases until after the next election? Why has the Premier let things get to this state?

Madam Deputy Speaker: Order.

Mr. Mackintosh: Well, the allegation that elections have something to do with the review of child deaths I think is profoundly disturbing from a member who has politicized and made partisan, Madam Deputy Speaker, over and over again.

As a result of the insights of the—of my predecessor in the department, outside reviews were

ordered into not just the tragic death of Phoenix Sinclair but the whole system. Madam Deputy Speaker, as a result of those reviews, an overhaul was launched called Changes for Children. So the member should really just understand the overhaul and what is taking place in child welfare, and including all the budget measures and the growth of foster families and the investment in resources. He's out of touch.

Child and Family Services Agencies Resources

Mr. Kevin Lamoureux (Inkster): Yes, Madam Deputy Speaker, if there's anyone out of touch with the children in this province, it's the Minister responsible for Family Services, a minister that continues to harbour the idea of that the best way to protect the children is to protect the public from knowing the truth as to what this government is actually doing in Child and Family Services. And, as one expert in the province of Manitoba has said, that it's a state of chaos in the province of Manitoba, and I will say it loud because what you're doing to the children of our province is absolutely and totally disgusting.

Madam Deputy Speaker, over 8,600 children are under provincial care because of this minister's incompetence. That is a record high in the province of Manitoba.

My question to the Premier is: What is he doing to resolve the issues that are facing the children in the province of Manitoba today?

And if anyone should resign, it should be the member from Kildonan, quite frankly.

Hon. Greg Selinger (Premier): Madam Deputy Speaker, there has been a dramatic increase in resources to Child and Family Services. The Legislative Assembly Management committee has given additional resources to the office of the Children's Advocate. We have put money in place in the last two budgets for prevention programming in order to move beyond the cases coming into the system to provide supports at the community level that will enable families and children to stay together in a healthy lifestyle.

We've brought in the first legislation in this province for a healthy child, and we have the first provincial legislation anywhere in the country that has a Cabinet committee working on Healthy Child matters and a special budget for that and the

first-ever deputy minister dedicated to Healthy Child's initiatives in this province.

To do those things that will help young children and families to get off to a healthy start, we've made these commitments—

Madam Deputy Speaker: Order.

Student Success Initiative Funding

Ms. Erna Braun (Rossmere): Madam Deputy Speaker, as a former high school teacher, I certainly know the importance of high school graduation to our youth. Graduation gives students the tools they need to become active participants in society, whether they're starting a job, learning a trade or going to college or university. Between 2001 and 2009, Manitoba's graduation rate has increased from 72.4 percent to 80.9 percent.

Can the Minister of Education please inform this House of a pilot project which she announced this morning that will support students by helping them stay in school and graduate?

Hon. Nancy Allan (Minister of Education): I was very pleased this morning to be at the Elmwood High School. I joined the MLA for Concordia (Mr. Wiebe) and the chair of the Winnipeg School Division board of directors, Jackie Sneesby, to announce our latest investment in our public education system.

I am pleased to announce that we have a \$600,000 investment, and it's a Student Success initiative. It's a pilot program that will be launched in three school divisions: Winnipeg School Division, Kelsey School Division and Lakeshore School Division. And this funding will provide student coach-teacher-coaches to work with students to encourage them to stay in school in the middle years, to transition to high school and then transition to post-secondary education—

Madam Deputy Speaker: Order.

Manitoba Hydro Bipole III Landowner Consultations

Mr. Blaine Pedersen (Carman): Madam Deputy Speaker, I've had five written questions on the Order Paper since mid-April in regards to landowner issues and Bipole III. These questions remain on the Order Paper, and yet the landowners in my constituency have some very legitimate concerns.

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order. I'm going to ask for the co-operation of all honourable members. I do need to hear the questions, I do need to hear the answers, so that I can make a ruling if that's necessary.

Mr. Pedersen: Landowners in my constituency have some very legitimate concerns as to how they could be affected by Bipole III.

When will the Minister responsible for Hydro see fit to provide a written response to these questions as posted on the Order Paper for my constituents?

Hon. Rosann Wowchuk (Minister charged with the administration of The Manitoba Hydro Act): Madam Deputy Speaker, the member knows full well that the—Manitoba Hydro is doing consultation.

There are three routes that they are looking at. Very shortly, there will be a route selected and those people that are affected by the route will be contacted by Manitoba Hydro, and that's—and there will be discussions as to how the compensation will take place for those people who are affected. But we need to have the route selected, and Manitoba Hydro is working on that.

Mr. Pedersen: Madam Deputy Speaker, landowners in my constituency have been receiving letters from Manitoba Hydro asking for permission to enter their properties to conduct environmental field studies, and I'll table a document that's as to these letters. Landowners have not had their questions answered, and yet they're being asked to provide access to their land by—from Manitoba Hydro.

* (14:20)

Doesn't the minister think landowners deserve more information before this project goes any further?

Ms. Wowchuk: As I had indicated to the member in my last question, Madam Deputy Speaker, Manitoba is in the process of selecting a route. And just as the member indicates in his letter, Manitoba Hydro has sent information out to individuals and they will continue to work with them. As the route is selected, they will also talk about the level of compensation that will be offered.

Manitoba Hydro has a formula. It's based on the value of the land. And, Madam Deputy Speaker, I

would ask the member opposite to have a little bit of patience. Manitoba Hydro is doing their job. They are talking to producers and they will continue to do that, and very shortly we will have a route selected.

Mr. Pedersen: These letters have only gone out to a very small portion of my constituents on one particular possible route for this. There is three possible routes through my constituency. Why is it they're only doing this on one? Have they already decided only they're not telling us? Don't our landowners have a right to know?

My constituents have real concerns to which today they've remained either unanswered, subject to rumours or have received conflicting information. This major project has serious implications for landowners in my constituency and they have the right to have their concerns addressed well ahead of public information meetings.

When will the minister provide written answers to these landowners?

These landowners have indicated to me that they are unwilling to allow Manitoba Hydro access to their properties and are certainly in no hurry to enter into any negotiations with—on Bipole III.

Ms. Wowchuk: I hope that when the member opposite is talking to the producers in his area, he talks about the importance of this line for reliability of supply for Manitobans. I hope he is talking to his constituents about the \$20 billion of sales we have over the next 20 years and that we need a line, Madam Deputy Speaker, to bring that line to—for reliability—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order. Once again, I'm going to ask for the co-operation of all honourable members so that we can have questions and answers go forward.

Ms. Wowchuk: Thank you, Madam Deputy Speaker, but we really know where the member opposite is. He's stated his case very clearly. He doesn't want northern development. He doesn't want the generation to continue. They want to mothball this project just like they did the others when they were in power. We will—

Madam Deputy Speaker: Order.

Weather-Damaged Farmland Financial Compensation Programs

Mr. Larry Maguire (Arthur-Virden): Well, Madam Deputy Speaker, let me give the Minister of Agriculture a lesson in revisionist policy that he was talking about earlier.

Once again, rural Manitobans have been neglected by this NDP government. In '08 and '09 the Manitoba NDP weren't able to work with the other prairie governments or the federal government to provide relief for severely—for severe weather conditions in southwest Manitoba in spite of a nearly record '08 drought in that region, Madam Deputy Speaker.

Recently, the federal and prairie neighbouring governments announced support for just such a disastrous condition in Saskatchewan, Alberta. Now I know I've asked questions about—to the minister for these drought-stricken people in southwest Manitoba before.

So my question today to the minister is: Why was he not involved in developing a plan for our farmers with the other levels of government, or is his relationship in his—with his government—between these governments, so bad, that these governments are just—

Madam Deputy Speaker: Order.

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): Clearly, Madam Deputy Speaker, I should have invited the member for Arthur-Virden to come out with the member from Emerson and I last week. Then he could've seen first-hand the amount of water we're dealing with out there at the same time that my colleagues are announcing a drought plan.

Madam Deputy Speaker, I don't want to trivialize what my colleagues in Alberta and Saskatchewan and Canada were up against in terms of the drought, the actual drought that has been affecting those parts of our country. I think they work very hard and very well to put forward a plan that was very much necessary for that part of the country.

That doesn't add up to what we have—what we face here this year. Everyone knows how much water we've taken on—

Madam Deputy Speaker: Order. Time for oral questions has expired.

Grievances—[interjection] Oh, sorry, private members' statements. I just don't want to forget grievances. I always forget it, so I don't want to forget it.

MEMBERS' STATEMENTS

Pickseed Canada

Mr. Cliff Graydon (Emerson): As the world turns its focus on South Africa for the 2010 FIFA World Cup, the world will also be turning its eyes on Manitoba. Well, at least a product from Manitoba. Although being played in South Africa, the world's biggest sporting event will unfold on grass developed here in Manitoba.

The tournament's 13 stadiums have been seeded with Pickseed Canada's SR4600 Perennial Ryegrass. It was produced by growers in Beausejour, Ste. Anne, Starbuck and in the Red River Valley.

Madam Deputy Speaker, FIFA's general secretary, Jerome Valcke, described the grass in one word: perfect. The ryegrass developed can withstand the rigors of high-powered soccer. The grass is blended to two types of ryegrass from Manitoba, two types of Kentucky blue grass from the United States. The final blend is made up of 85 percent ryegrass and 15 percent bluegrass.

Pickseed shipped an estimated 165,000 pounds of grass to South Africa last fall to ensure that the stadiums would be ready in time for the tournament.

In addition to supplying grass for the World Cup, Pickseed supplies grass to Augusta National Golf Club, Toronto's BMO Field, Kansas City's Arrowhead Stadium and dozens of golf courses, and Miami Sun Life Stadium.

I would like to congratulate Pickseed Canada and all its growers on achieving success in the—on the world's highest stage. This is just another example of Manitoba's agricultural sector being at a cutting edge of international research and development.

Madam Deputy Speaker, will Canada—while Canada may not be sending a team to this world tournament, Canada will still be playing an important role in the world's biggest sporting event.

Thank you, Madam Deputy Speaker.

University College of the North Expansion

Mr. Frank Whitehead (The Pas): Madam Deputy Speaker, I rise today to express my support for the

government announcement yesterday of further investment in University College of the North. Fifteen million dollars were awarded to undertake renovations to the existing campus and add a new library and child-care facility.

The library, to be named after my late friend and colleague Oscar Lathlin, is of particular significance. The 13,500-square-foot library expansion will meet university accreditation levels as a research and teaching library. It will serve UCN's two main campuses, as well as 12 regional centres across the north. As Oscar's daughter, Amanda, said yesterday, Oscar was a believer that everyone should have access to a higher education without having to leave their community, and he truly felt an education leads to a healthy community. This project would make Oscar proud.

In addition to the library, a 24-unit on-campus housing unit will be built. A new 6,500-square-foot child-care facility, which will eventually be able to accommodate up to 75 children, will also be pursued. A 4,500-square-foot redeveloped students' service centre will provide a one-stop shop for student services, such as enrolment, program information, counselling and guidance. Students will be able to relax and exchange ideas in the new lounge. Further, an Aboriginal centre will offer culturally appropriate assistance, and administrative offices will be centralized.

Madam Deputy Speaker, UCN remains a pillar of our government's strategy to foster an innovative work force in an inclusive and intellectually fulfilling environment.

In closing, I would note that, in reference to the library, it is fitting that a building be named for Oscar Lathlin, will further the nourishment and development of our province's northern communities. There is no goal towards which he worked harder. Thank you.

* (14:30)

Dr. Ihor and Helen Mayba

Mrs. Bonnie Mitchelson (River East): It's with great pleasure that I rise today to honour two distinguished members of Manitoba's Ukrainian community.

On May 24th, my leader and I had the opportunity to attend the Ukrainian Professional and Business Club of Winnipeg's annual general dinner meeting, where Dr. Ihor and Mrs. Helen Mayba were

recognized for their support and promotion of the social, economic and cultural interests of Ukrainian Canadians, as well as their dedication to our province and country.

Dr. Ihor Mayba has been a leading orthopedic surgeon in Manitoba. At the age of 79, he still sees patients today at the Bone and Joint department of the Manitoba Clinic. He has served in the Royal Canadian Army Medical Corps Reserves and the Royal Canadian Air Force Reserve. This year, the Ukrainian Professional Business Club of Winnipeg presented Dr. Mayba with an honorary life membership recognizing 50 years of service to the club, including serving as president, treasurer, on the membership committee, program committee and editor of the *Club Bulletin*.

His wife, Helen Mayba, was also recognized for her dedication to our community. She received the club's Distinguished Service Award for her role as secretary for the club in addition to her 28 years of service as a school trustee for the River East School Division.

Her impact on our children's education went beyond her role as a trustee, as she served on a number of community advisory boards, being a tireless advocate for the music—for music and the arts. She has served as a board member of the Winnipeg Music Festival and the East Kildonan-Transcona library advisory committee.

I have known the Maybas personally for many years, and their dedication to the Ukrainian community and to the broader community is inspirational and exemplary.

Madam Deputy Speaker, I invite all members of this Assembly to join me in congratulating and thanking Dr. Ihor Mayba and Helen Mayba for their many years of dedicated service. Thank you.

176 Royal Canadian Air Cadets Squadron

Ms. Erin Selby (Southdale): Madam Deputy Speaker, last week I had the honour of serving as the ceremonial reviewing officer at the 176th Royal Canadian Air Cadet Squadron's annual review.

As members may know, the 176th Squadron of the Royal Canadian Air Cadets was formed, with so many others, in response to the need for service people in World War II. As Canada adjusted back to peacetime, the 176th Squadron began to emphasize civic responsibility, in addition to technical training,

thus maintaining relevance in the booming post-war community.

Today, the squadron, based out of the Louis Riel Arts and Technology Centre, is a hive of youth leadership and community engagement. Though their focus centres, as it always has, on the Southdale-St. Vital-St. Boniface area, the cadets also participate in a number of city and province-wide groups in events including the Manitoba Air Cadets Flight for Life in support of the Children's Hospital Foundation.

For its part, the annual ceremonial review is the summit of the cadets' training year. The ceremony marks the achievement of the cadets in the past year and recognizes individual cadets who have shown particular skill and dedication to specific areas of training.

I was proud to help in the handing out of awards which followed a parade. As a reviewing officer, I had the privilege and responsibility of inspecting the cadets during the parade. Speeches and a performance by the cadets band followed, and a drill exercise concluded the evening's formality.

Following the review, I had the pleasure of viewing displays created by the cadets explaining military training and theory, and at the event's reception I was able to chat with the cadets, their families and the staff. I was deeply impressed by the discipline, intelligence and dedication exhibited by the entire organization.

In closing, I would like to thank the 176th Royal Canadian Air Cadet Squadron for inviting me to participate in the review. It was a very special to be part—it was very special to be part of the tradition of such a noble and important institution.

Thank you, Madam Deputy Speaker.

Provincial Nominee Program

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, during the late '90s, former Prime Minister Jean Chrétien brought in a national program known as the Provincial Nominee Program. This is a program which was ultimately adopted here in the province of Manitoba in the late '90s by former Premier Gary Filmon.

Madam Deputy Speaker, this program has been of great value to the province of Manitoba over the last numbers of years. In essence, it is due to this particular program that Manitoba has been

able to achieve record-high numbers in terms of immigration to our wonderful province.

And I think that we need to took—take a look at the Provincial Nominee Program as a program that has a great future in our province and would encourage all individuals to become that much more familiar with the benefits of the promotion of the Provincial Nominee Program and looking in terms of how immigration has benefited our province over the years and to the way in which we might be able to expand our role in being able to accommodate immigrants to our province.

Ultimately, at the end of the day, when we look forward to continued, ongoing growth of the province of Manitoba, that, obviously, the immigrant community is going to be one of those communities that is going to be a critical factor for the future prosperity of our province. And, for that reason, just want to stand up today and share with members what I believe is a program that has great value, continues to have great value and is something in which all of us should take a sense of pride in and to promote the program throughout the world.

Thank you, Madam Deputy Speaker.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

House Business

Hon. Bill Blaikie (Government House Leader): Madam Deputy Speaker, pursuant to rule 31(8), I am announcing that the private member's resolution to be considered next Tuesday will be the one put forward by the honourable member for Rossmere (Ms. Braun). The title of the resolution is Seniors and Pharmacare.

And, as for the business of the House today, we'll proceed to second reading of bills beginning with Bill 16 and then Bill 22, 34 and 35.

Madam Deputy Speaker: It has been announced that the private member's resolution to be considered next Tuesday will be the one put forward by the honourable member for Rossmere on Seniors and Pharmacare, and also it has been announced that we will be proceeding to second readings of Bill 16, Bill 22, Bill 34 and Bill 35.

SECOND READINGS

Bill 16—The Order of Manitoba Amendment Act

Hon. Greg Selinger (Premier): Yes, Madam Deputy Speaker, I move, seconded by the—
[interjection]

Madam Deputy Speaker: To proceed with second reading of Bill 16, The Order of Manitoba Amendment Act.

Mr. Selinger: I move, seconded by the Minister of Aboriginal and Northern Affairs (Mr. Robinson), that Bill 16, The Order of Manitoba Amendment Act; Loi modifiant la Loi sur l'Ordre du Manitoba, be now read a second time and be referred to a committee of this House. Thank you.

Motion presented.

Mr. Selinger: Established in 1999, the Order of Manitoba is the province's highest honour, recognizing individuals who have demonstrated excellence in public life. Be it artists, elders, community leaders, health-care professionals, educators, advocates for women, youth, Aboriginal communities or the environment, the Order of Manitoba confers both recognition and congratulations on those who have sought to make the lives of Manitobans better.

Currently, 12 people are granted the award each year by the Chancellor of the Order, the Lieutenant-Governor of Manitoba. Selections are made on the—on an annual basis by an advisory council comprising the Chief Justice of Manitoba, the Clerk of the Executive Council, a president of one of the Manitoba's three universities and up to four people appointed by the provincial Cabinet for a term of three years.

The proposed amendment to The Order of Manitoba Act allows that in the 2011, the presidents of le Collège universitaire de Saint-Boniface and the University College of the North will become part of the two-year university rotational cycle. The amendment to the act also allows the government the option of increasing the number of members on the advisory council to six. The intention of this amendment is to broaden the scope of experience and representation on the advisory council, thereby ensuring the range—that the range of candidates considered for the Order of Manitoba is as inclusive and informed as possible.

The amended act also allows greater flexibility for the Order of Manitoba Advisory Council to increase the number of potential recipients during years of special provincial and/or national significance. The advisory council has heard a number of remarks that too few people are recognized for their contributions to the province. This amendment to the act will help to ensure that Manitobans who deserve to be recognized for their achievements are recognized.

This amendment to the act is about recognizing those amongst us who have dedicated their lives to improving this province and the lives of people who live here. I hope all members support the—this amended act so that we can together strengthen what has become a proud Manitoba tradition.

* (14:40)

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I want to speak briefly to this amendment to the Order of Manitoba. First of all, I want to recognize the fact that Peter Liba, when he was the Lieutenant-Governor, played a significant role in starting the Order of Manitoba. I want to say right up front that this has been an important development, recognizing Manitobans in a significant way, having it done in a standard fashion on or about July the 15th every year. And I think that all parties, I expect, would agree that the Order of Manitoba, the way it's been conducted and the fact that you have a panel of judges, that you have a number of people awarded the Order each year, but not a huge number so that there is some particular selection and merit in terms of people who are receiving this order. Certainly, if you dilute this too far, then it becomes a—ineffective as an Order, as a major recognition.

I—we will agree with this expansion of the Order of Manitoba. We want to continue to watch and make sure that the judgment is made well each year, that the—those who are involved in looking at the nominations are chosen because of their experience, their credibility, their diverse background and their ability to provide wisdom in the choice of people who will be members of the Order of Manitoba.

So we're in favour of this. I believe that the Premier (Mr. Selinger) should look at the possibility, if there's a major event, of recognizing organizations and not just individuals, but have one person coming there, as is often does, often the chair of a board of an organization—like the United Way, perhaps—rather

than recognizing a—individuals when you've got a major event and a lot of people.

So that, I think, is an option that the minister should look at, but I would suggest that we don't deviate too far from the protocol that was established initially. It has worked well over the last number of years and I think it should be continued. Thank you.

Mr. Gerald Hawranik (Lac du Bonnet): Madam Deputy Speaker, I move, seconded by the member from Turtle Mountain, that debate be adjourned.

Madam Deputy Speaker: It has been moved by the honourable member for Lac du Bonnet, and seconded by the honourable member for Turtle Mountain (Mr. Cullen), that the debate be now adjourned. Agreed? [*Agreed*]

Bill 22—The Credit Unions and Caisses Populaires Amendment Act

Madam Deputy Speaker: We'll now move on to Bill 22, The Credit Unions and Caisses Populaires Amendment Act.

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): Madam Deputy Speaker, I move, seconded by the Minister of Housing and Community Development (Ms. Irvin-Ross), that Bill 22, The Credit Unions and Caisses Populaires Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Mackintosh: Madam Deputy Speaker, Bill 22 amends the act to, No. 1, allow for the further consolidation of the caisse populaire system; No. 2, to allow for the amalgamation of the two deposit guarantee funds; and (3) to enable Credit Union Central of Manitoba to join with other centrals.

The four Manitoba caisses populaires voted to merge on September 1 of 2010, and also expect to amalgamate with their central. With this consolidation there's an opportunity to reduce overall risk to the credit union and caisse populaire systems by allowing the two deposit guarantee corporations to merge.

This bill will also protect the use of the French language for Manitoba caisses populaires when dealing with their members and regulatory agencies.

Credit Union Central of Manitoba has been considering an interprovincial central with the centrals in Saskatchewan and Alberta. The bill provides the authority for this type of initiative to proceed and requires approvals by member credit unions, by the minister and by the registrar.

Madam Deputy Speaker, the proposed amendments will also allow a credit union, a *caisse populaire*, to continue outside of Manitoba and allow a credit union from outside of Manitoba to continue in Manitoba. These continuous provisions will provide the necessary flexibility for our credit unions and *caisses populaires* to grow and eventually operate interprovincially. Regulatory approval and reciprocal agreements will be required.

This bill will also allow our credit union or *caisse populaire* to purchase an interest in loans originating from other lenders within limits and under conditions to be set out in regulation. This will assist in diversifying risk.

The proposed amendments will clarify the rules about members' access to the members' register. These changes will balance the rights of members and credit unions and *caisses populaires* and will follow the same process used when a member raises an issue at a members' meeting. With these changes, a member will have to state the reason for requesting the register and there will be an increase in the maximum fine for misuse of the register.

This bill will complement an existing regulation that improves disclosure by requiring a credit union and *caisse populaire*, to give its members four months notice when closing a branch or relocating a branch beyond 500 metres.

The bill will also increase penalties for offences in the act.

The legislation currently allows for directors to participate in meetings by electronic means, but it does not make the same provision for members. This was a matter raised by the opposition critic. We intend to introduce an amendment, with his support I'm sure, to the bill in committee, which will allow a regulation to be passed to allow members to participate in annual or general members' meetings or special members' meetings by electronic means. And I thank the member for Portage la Prairie (Mr. Faurichou) for his insights and suggestion.

Madam Deputy Speaker, many of the amendments are enabling and will give credit unions and *caisses populaires* and the Central greater

flexibility to structure their affairs. The changes will respect the evolution of the credit unions and *caisse populaire* systems while maintaining co-operative and democratic principles.

All significant system changes will be subject to regulatory review and approval.

It is very important to the *caisse populaire* system that the bill receives royal assent before September 1st. The consolidation of the *caisse populaire* system is complex and has been in the planning stage for over one year. The planned merger date of September 1 would ensure favourable tax efficiencies, accounting treatment and allow for business opportunities. A delay would result in operational challenges and unnecessary costs to the *caisse populaire* system.

Madam Deputy Speaker, with these comments, I am pleased to recommend this bill for consideration. Thank you.

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I want to put a few words on the record with regard to Bill 22.

We are certainly looking forward to having a discussion with presenters, and I presume there will be presenters at the committee stage representing the *caisse populaire* and the credit unions in Manitoba.

We are inclined to support this, but we do so with some caution. I remember in the 1990s when the banks proposed to the federal government to allow them to merger-to merge, and the banks came all enthusiastic about why this was a tremendously good idea, and, at that time, it was particularly Paul Martin who said, hold on a minute; this is not such a good idea. We want to make sure that financial institutions are well regulated. And, in fact, those decisions turned out to be tremendously important when we had the economic downturn and was the reason why Canada and Canadian banks didn't get into the same trouble as banks did in the United States, in England, in Iceland, in many other countries around the world.

And, so, we need to look very carefully at this. I don't believe that this is in the same league, as it were. I don't believe that this has the same ramifications, but I think that it is important that when we're dealing with financial institutions which are vital and tremendously important for people in Manitoba that we, as governments, look very carefully at the regulations which oversee these financial institutions. And we have the opportunity,

as I've indicated, to ask probing questions of representatives at the and we have the opportunity, as I've indicated, to ask probing questions of representatives at the caisses populaires and the credit unions in Manitoba at the time of the committee stage and we have the advice of people who are ready to look very carefully at these recommendations.

*(14:50)

Now, the—one of the recommendations is for the bringing together of the two deposit guarantee corporations. I am hoping that this is not because one of the deposit guarantee corporations is threatened in some way because there are credit unions or caisses populaires in some difficulty.

Certainly, the Manitoba's economy has been in pretty good shape over all. It's not been as severely affected as other provinces and, on that basis, one would anticipate that there is not a problem here, but I think it's very important that we look carefully at this and that we ask the question of the government that they're not hiding some inside knowledge that they might have, that there are some problems, some financial problems which could create problems for one but not the other of the deposit guarantee corporations.

I don't anticipate that's the case, but I raise this because I think that we were in this Chamber—I would think, seven, eight, nine, 10 years ago—when the government brought forward amendments to the legislation dealing with the Crocus Investment Fund and it turned out subsequently that the government had inside knowledge which was at the Cabinet table that the Crocus Investment Fund was in trouble, and so that they were trying to bring forward changes which would cover up or disguise or try to deal with the situation, but, in fact, those changes got a lot more people into a lot more trouble and Manitobans ended up losing many, many millions of dollars as a result of what happened with the Crocus Investment Fund.

So what I'm saying, Madam Deputy Speaker, and I think all members should be cognizant of, is that we have to be very careful and look at this with due diligence, all of us, and make sure that, you know, when it comes to committee stage, that we're able to ask those critical questions, we're able to have some assurance that there aren't some underlying problems that could be, you know, the reason for this. We hope that, in fact, what is happening is the credit unions and caisses populaires are doing very

well in this province and that this is an opportunity, and it is not reflective of some underlying problem that we are not aware of at the moment.

Certainly, I have no indication that there is any underlying problem, but I raise that just because of the previous history and because of the recent recession and the problems that have come up with the banking system in other jurisdictions.

With regard to the situation about members being able to participate by electronic means, I would hope that the government will make sure that, as they bring this forward, there's an adequate discussion and coverage of what that means. Does it mean that members can vote by a text message? If that is what we are referring to, then, you know, one wants to make sure, or have some assurance that the members who are going to be voting are fully informed on the issue and so that—you know, I am all for—I am an advocate for making sure that people are able to participate by electronic means.

If this means having some video link so that you can see what is happening so that people can know and have the background of exactly what the situation is and then vote, then I think that's—that is really good. But I want some assurance that we're not just going to say, participate by electronic means, without having any discussion about just what that means, because I think that, you know, members would agree that just being able to vote by text message is not the full solution, that you want to make sure that people who are voting are actually going to be able to addressing the issues, listening to the issues, and participate in a meaningful way because they have access by a video conference or some other fashion to what's happening at the meeting.

So I would be strongly in supportive of this, but I'd just like to make sure that the framework for it is put in place in the right way so that it's a positive development.

Mr. Kevin Lamoureux (Inkster): I do have a number of things that I would like to share with the Chamber in regards to Bill 22. And I think there is a great deal of value to the legislation that's being brought before us.

I have an immense amount of respect for the efforts of credit unions over the years in the province of Manitoba, and the wonderful, positive impact that they've actually had in our province. And I think when we take a look at the legislation, and it does go

a long way in changing in which our credit unions will, in fact, be operating going into the future. And I think that, in most part, that the support for the legislation is there. It's—we'd like to see it move to the committee stage, and I suspect that in time that it will.

It was interesting when the minister introduced the bill, and I listened to his comments, Madam Deputy Speaker, and one of his things that he had indicated is that this bill has to receive royal assent no later than September 1. And the reason for that is because of other aspects that need to be taken into consideration that the stakeholders have. And, you know, it's interesting—the member from Portage la Prairie, I know, had approached me and had expressed concerns that we have in regards to the bill. And that is, ultimately, that we would like to be able to see the bill pass and in an appropriate time frame, so that we are not causing other issues related to complications to the credit unions as a direct result of the government not necessarily being able to manage the affairs of the House. And I think that that is a concern.

You know, I've never been a big fan of a minister that comes to the Chamber and says, well, here is the deadline, and I am giving second reading to it today. And then he kind of puts the onus of responsibility onto the opposition saying, well, now, it's up to the opposition. Well, I think that ministers of the Crown and government members and the—this particular minister, the member from St. Johns, is no rookie here. He understands; he's been in opposition. He might have forgotten those days, Madam Deputy Speaker, but he was in opposition once. And I suspect there's a good chance he could be in opposition again, okay. And I would have looked to have seen it, ultimately, dealt with in a quicker fashion. I recognize the value of credit unions. We want to see credit unions move forward in the province of Manitoba. We see the merit within the legislation, and it's glad to see it being debated today.

Thank you, Madam Deputy Speaker.

Mr. Cliff Graydon (Emerson): Madam Deputy Speaker, I move, second by the member for Carman (Mr. Pedersen), that we adjourn debate on Bill 22.

Madam Deputy Speaker: It has been moved by the honourable member for Emerson, and seconded by the honourable member for Carman, that the debate now be adjourned. Agreed? *[Agreed]*

**Bill 34—The Consumer Protection
Amendment Act (Negative Option
Marketing and Enhanced Remedies)**

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): I move, seconded by the Minister of Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies), be now read a second time and be referred to a committee of this House.

Motion presented.

* (15:00)

Mr. Mackintosh: The government believes that strong consumer protection is good both for consumers and good for business. Consumers want the confidence in knowing they'll be treated fairly and honestly when they buy goods and services, while businesses want fair and reasonable rules that create a level and dynamic playing field.

We are indeed fortunate in Manitoba to have a marketplace where the vast majority of businesses operate with integrity and honesty. This bill is part of a long-term plan to ensure that Manitoba continues to have an economy that respects consumers and allows honest businesses to thrive. This bill is part of the multiyear five-year strategy for stronger consumer protection called Let's Make a Better Deal.

Madam Deputy Speaker, the existing offence provisions in The Consumer Protection Act provide for separate, maximum penalties for individuals and for corporations, and also differentiates between first and subsequent offences. Currently, the maximum penalty is \$50,000 for an individual and \$100,000 for a corporation. The amendments in the bill set out a maximum monetary fine of \$300,000 that can be applied to a natural person or a corporation. This amendment will apply to any offence in the act.

These provisions will provide the court with greater flexibility and will result in fairer penalties. For example, under the current legislation, the very small incorporated business will be subject—would be subject to the same range of consequences as a large, multinational corporation. Depending on the nature and degree of the offence, the court may wish to treat the small business more like an individual than a large company. In other cases, the actions of the small business may be so egregious as to warrant a major fine. This bill provides the court with a better

opportunity to take all relevant factors into consideration in setting a penalty.

The bill also allows a court to take into consideration a situation where the defendant has obtained a significant financial windfall as a result of their non-compliant actions. In such cases, the court can issue a penalty that is three times the amount of the ill-gotten gain, even if it is higher than \$300,000. Similar provisions can be found in very few other jurisdictions, but we did look at Alberta and British Columbia, which do have similar approaches, which we support here.

The bill also considers a very important issue of restitution to the victim of the breach. Amendments in the bill strengthen the existing restitution provisions by requiring the court to consider the issue of compensation where there has been a loss suffered by a consumer, and either the victim or the prosecutor has made a request for reparation to the consumer. The purpose of such a measure is to ensure that the people who have actually suffered financial damage have a better opportunity to recover their loss.

Fair transactions are fundamental to a healthy and dynamic marketplace. The bill recognizes that one of the most unfair situations occurs when a consumer is expected to pay for a good or service that they didn't ask for. The new part 21 of the act, negative option marketing, clearly prohibits this type of unfair transaction. There are notable examples of this type of questionable marketing scheme. Members may recall an attempt, some years ago, to use negative option marketing to sign up consumers for cable television services. The problem has occurred in other types of transactions. Consumers have complained that they entered into fixed-term contracts for services such as one season of lawn care, only to come home one day, the following spring, to find that their lawn was treated without their consent and they were expected to pay for this unrequested service. Others have complained about having a fixed-term contract for one year at a health club, only to find that their credit card or bank account continue to be debited in a second year without their consent.

We've looked at how other jurisdictions have addressed this issue and have found that many other provinces have similar prohibitions in place. Other jurisdictions are revisiting the issue to address emerging and evolving problems. For example, negative option marketing is now a growing concern

with respect to Internet transactions. Last year, a major credit card issuer reported that 29 percent of U.S. consumers felt they had been taken advantage of by negative option marketing on the Internet. In many of these cases, consumers provided their credit card information to cover shipping and handling costs for a, quote, free, unquote, product or service or to pay the fee for a, quote, low trial, close quote, offer for goods or services such as software or health supplies. In these negative option arrangements, consumers have found their credit card continued to be billed, even though they did not knowingly enter into the contract.

The bill recognizes that there are legitimate and mutually beneficial situations in which a consumer and a business may agree to the periodic supply of goods and services without the need to obtain the consumer's consent before each and every delivery. These types of transactions are permitted.

Additionally, the bill recognizes that during the course of such an arrangement there may be non-significant changes in the goods or services. For example the contract may provide for a regular supply of fruit. One month the consumer may receive oranges and the next month they may get apples. This would not be a material change. It would not be considered to be negative option marketing as long as the consumer agreed to the regular supply of fruit. However, if the change is significant, then the transaction may be a form of negative option marketing. In this example, if one month a consumer received a plant rather than a basket of fruit, the amended legislation would say that a prohibited practice has occurred.

The bill also recognizes that not only must the consumer agree in advance to the supply of a good or service, the communication at the time of the agreement must occur in a form and in the language that is clear, prominent and understandable. This speaks to the fundamental concept in contracts that there must be a meeting of the minds and that both parties have to understand the terms of their agreement.

The bill sets out remedies to assist consumers who have been taken advantage of by these prohibited schemes. Consumers who have paid for goods or services provided by negative option marketing will have up to a year to demand a refund from the supplier. Once the request is made, the supplier must provide the refund within 30 days.

Non-compliant suppliers may also be subject to the offence penalties in the act.

Provisions in the bill establish that the prohibition against negative option marketing applies if either the supplier or the consumer is located in Manitoba or if the goods or services are received in or supplied from out of province. This will help to clarify the question of jurisdictional authority.

Our government looks forward to the next five years of stronger consumer protection in our province. We know that fair rules are good for consumers, they're good for business, and this bill will play an important role by continuing to encourage consumer confidence and to create more opportunities for honest businesses to flourish.

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I want to talk briefly on this bill. First of all, I want to indicate our strong support for the government's initiative in terms of prohibiting negative option marketing when a supplier provides a customer with goods or services that the customer didn't ask for and—where the supplier requires the customer to pay for the goods and services unless the consumer informs the supplier that they didn't want them.

This is a provision which is needed in Manitoba. I think it's significant that negative option billing was outlawed in Ontario in July of 2005, and in other jurisdictions measures have been taken to end negative option billing.

This is—negative option billing is essentially a scam and it is important that consumers in this province are protected, as they now are in other jurisdictions, from people who engage in this practice of negative option billing.

The second point that I wanted to make is that in this, where it deals with greater offences and penalties, we are in agreement with this, that the size of the penalty should fit the nature—or the size of the fine should fit the nature of the offence, that the fine would be not more than 300,000 or three times greater than the amount obtained by the defendant and so that there is a proportionality here in terms of the proportion—the fine and the size of the fraudulent—or the offence that was committed.

We also believe that it is important to provide restitution or compensation to a person who has, you know, been victimized, and we believe that that is important, that that be considered.

* (15:10)

There are a number of circumstances where when we are dealing with fines, that a proportion of the fine can be used to compensate the victim. And I would suggest that the government might also look at this option because it has been useful and effective in a number of circumstances in—particularly in other jurisdictions. I don't know if we have any significant examples of its use here in Manitoba, but, certainly, it has been used in this approach in other jurisdictions, and it would be my view that we should consider this option, and that might be something that the minister might look at in terms of an amendment.

Mr. Rob Altemeyer, Acting Speaker, in the Chair

Lastly, I want to talk briefly about the importance in particular of protecting seniors and others who can be more likely to be victimized for a variety of reasons: seniors, because of the way that the brain works sometimes as you age; others, people, for example, with fetal alcohol spectrum disorder, that it is important that those who are vulnerable are particularly protected.

So I would suggest to the minister that there be particular consideration to be given to emphasis or, you know, a higher fine or measures like that where the victim of this is somebody who is a vulnerable person in some way that is being taken advantage of. And, with those few remarks, thank you.

Mr. Cliff Graydon (Emerson): Mr. Acting Speaker, and I move, seconded by the member from Turtle Mountain, that debate be adjourned on Bill 34.

The Acting Speaker (Mr. Altemeyer): It has been moved that debate on Bill 34 now be adjourned—*[interjection]* Sorry. Who was the second? Turtle Mountain? Thank you very much.

It has been moved that debate on Bill 34 has been—it has been moved by the member for Emerson, seconded by the member for Turtle Mountain (Mr. Cullen), that debate on Bill 34 now be adjourned.

Is there agreement? *[Agreed]*

Bill 35—The Condominium Amendment Act (Phased Condominium Development)

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): I move, seconded by the Minister of Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 35,

The Condominium Amendment Act (Phased Condominium Development), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Mackintosh: Condominiums are a popular form of housing for retired people, for first-time home buyers and people wanting a more carefree lifestyle that condominium living can provide. Manitoba's condominium legislation, currently in force, needs to be modernized, and as part of the recently announced Let's Make a Better Deal five-year consumer protection strategy we are working on a wide range of improvements to the act for a future session in addition to the bill currently before the House.

This bill will address issues that have been raised regarding phased condominium developments. A phased development is one where the buildings and amenities are built in stages rather than all at the same time. Concerns have been raised about the lack of disclosure about future phases and about the cumbersome process for registering declaration amendments for phases. Consumers buying units in a phased condo development want to know that the subsequent phases will not negatively affect the investment they have made, and will not negatively affect their enjoyment of the condo complex.

The proposed amendments will require developers to provide unit owners with detailed descriptions of future phases, including such details as the number of floors, approximate dimensions and location of each building, the approximate number of units in each building and a description of the conceptual design and general style of each phase. In addition, developers will be required to state a date when each phase will be completed, and if no date is stated, the completion date will be deemed to be six years from the date the declaration for the complex is registered.

Developers will be able to construct a phase that differs from what unit owners had been told but only if the differences are not of a material nature or with the consent of unit holders—or unit owners holding 80 percent of the voting rights.

Where control of the complex has not been turned over to unit owners, the 80 percent vote will apply only to unit owners other than the developer. Developers wanting assurance that contemplated material changes will be accepted by unit owners can seek unit owners' consent to the changes before construction.

Developers believing that unit owner consent is being withheld unreasonably will be able to apply to the court for an order that the change—the changes are not material. Similarly, developers will be able to change the completion date of a phase by obtaining unit owner consent or a court order.

Under the proposed amendments, the developer cannot consent on the unit owner's behalf. Currently, the right to consent is often transferred to developers through a power of attorney. Where a developer constructs a phase that is materially different from what has been disclosed, unit owners can go to court and seek several remedies. These can include compensation for any detrimental effects resulting from the changes and an order that transfers ownership of any unit owned by the developer in the complex to the condo corporation.

The proposed amendments will streamline the current cumbersome process for amending a declaration to create units and common elements in a phase. Developers will be able to proceed to register an amendment without consent where there have been—where there have not been any material changes from what had been disclosed.

The amendments will deem the common elements of the phase to be merged with those of existing phases, and will deem unit owner percentage shares of the common interest to be unchanged, except where unit owner consent to a change has been obtained.

This will further streamline the amendment process by avoiding the various instrument discharges, re-registrations and other time-consuming and costly steps required with the existing process.

The amendments will apply not only to new phase complexes, but also to the development of a phase in an existing complex.

I am pleased to recommend this bill for consideration.

Mr. Kevin Lamoureux (Inkster): Mr. Acting Speaker, Bill 35 is a bill in general that—I should say in principle—that will protect the consumer and as such, we believe that, ultimately, it's a bill that's worthy of support.

When an individual purchases or acquires a condo, it's one of the greatest expenses that they will incur in a lifetime, quite often, Mr. Acting Speaker, and what the—what this bill obligates, ultimately,

management groups and builders, individuals that are promoting condominiums is to ultimately release more information and behave in such a manner in which it is fair and more equitable to the consumer, as the consumer, ultimately, in this type of a situation becomes a shareholder in a complex and, ultimately, through condo boards has more of a strong say in terms of state of ownership and the long-term development and management of that particular project.

And we want to emphasize the importance of the condo owner and ensuring that those rights and the—that those rights are being protected and responsibilities of the developers are, in fact, being monitored and, where possible, that the consumers' rights are being protected as to what is being proposed to being done actually does get done in a timely fashion.

With those few words, we're prepared to see the bill, ultimately, go to committee. Thank you.

Mr. Cliff Graydon (Emerson): Mr. Acting Speaker, and I move, seconded by the member from Ste. Rose, that debate on Bill 35 be adjourned.

The Acting Speaker (Mr. Altemeyer): It has been moved by the honourable member for Emerson, seconded by the honourable member for Ste. Rose (Mr. Briese), that debate on Bill 35, The Condominium Amendment Act (Phased Condominium Development), now be adjourned.

Is there agreement? *[Agreed]*

* (15:20)

House Business

The Acting Speaker (Mr. Altemeyer): On further House business, the honourable Minister for Innovation, Energy and Mines.

Hon. Dave Chomiak (Deputy Government House Leader): Mr. Acting Speaker, could you please call Bills 6, 23, 9 and 10, in that order, please?

The Acting Speaker (Mr. Altemeyer): For the record, we will now be dealing with Bill 6, 9, 23 and 10, in that order?

Mr. Chomiak: Yes, 6, 23, 9 and 10.

The Acting Speaker (Mr. Altemeyer): Thank you. Bill 6, 23, 9 and 10, in that order.

Bill 6—The Manitoba Association of School Trustees Amendment Act

The Acting Speaker (Mr. Altemeyer): We'll now call Bill 6, The Manitoba Association of School Trustees Amendment Act.

Hon. Nancy Allan (Minister of Education): I move, seconded by the Minister of Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 23, The—oh—I move Bill 6—sorry—seconded by the Minister of Entrepreneurship, Training and Trade, that Bill 6, The Manitoba Association of School Trustees Amendment Act; Loi modifiant la Loi sur l'Association des commissaires d'écoles du Manitoba, be now read a second time and be referred to a committee of this House.

The Acting Speaker (Mr. Altemeyer): It has been moved by the honourable Minister for Education, seconded by the honourable Minister for Entrepreneurship, Training and Trade, that Bill 6, The Manitoba Association of School Trustees Amendment Act; Loi modifiant la Loi sur l'Association des commissaires d'écoles du Manitoba, be now read a second time and be referred to a committee of this House.

Ms. Allan: I am pleased to speak to second reading of Bill 6, The Manitoba Association of School Trustees Amendment Act. At its 2009 convention, the Manitoba Association of School Trustees passed a resolution changing the association's name to the Manitoba School Boards Association. The resolution was made to bring the association's title in line with similar organizations in other provinces as well as its national organization.

In addition to this change of name, this bill will also amend the act to better reflect the executive structure of the association and formalize the association's practice of reporting to its membership on an annual basis its audited financial statements.

With respect to the first matter, the association's executive structure utilizes a dual vice-president model to ensure balanced representation from both urban and rural areas. One vice-president represents school divisions which have more than 6,000 pupils and a second vice-president represents school divisions which have fewer than 6,000 pupils.

The amendments contained in the bill formalize the association's commitment to this representative executive structure. As for the second, the Manitoba School Boards Association is committed to ensuring transparency in its financial reporting. Because the

association is not accountable to its member school boards for their expenditure decisions, audited financial statements are prepared annually for review at the annual convention. The proposed amendments formalize this practice of reporting in an open forum on an annual basis.

The amendments being proposed have been put forward at the request of the Manitoba School Boards Association. MSBA is a valued educational partner, and I am pleased to be able to support their request through this bill.

Thank you very much, Mr. Acting Speaker.

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Acting Speaker, we stand in support of Bill 6 in recognizing the important role that the Manitoba Association of School Trustees, after this bill to be passed, will be known as the Manitoba School Boards Association, has contributed over the last number of years to the education of our children and the management, ultimately, of the—of our schools.

This, as an organization, is a major stakeholder that has made representation to representatives from all political parties. I know my own leader has had the opportunity to meet with members of the school association boards, he's also had the opportunity to be at the annual events over the years. We recognize that this is something that they have requested the Manitoba Legislature act on and we applaud their desire to have more continuity through the different provinces, and especially appreciate the fact that they have a strong desire to show more transparency. And I think there is more and more today a public demand for transparency in the use of tax dollars and here is an example where you have an association that has recognized the importance of just showing transparency to its stakeholders.

And, with those few words, Mr. Acting Speaker, we're prepared to see the bill pass. Thank you.

Mr. Cliff Cullen (Turtle Mountain): It is indeed a pleasure to speak to this particular bill today. I certainly want to acknowledge the minister for bringing this legislation forward and certainly, on this side of the House, we recognize that there's a desire to get this particular legislation passed and we certainly support this legislation.

It is a relatively straightforward piece of legislation that we know the school trustees are looking for. I know the minister did talk about the resolution was actually passed at their annual meeting last year. And certainly having the

opportunity to meet face to face with the—with representatives of the board, we recognize that they are certainly want to see this particular legislation pass. And we certainly, as opposition members, are not going to be standing in the way of holding up this particular legislation, and we, too, would like to see this legislation pass.

I do want to put a few comments on the record, though, in terms of the important role that school boards and trustees play in the education of our youth here in the province of Manitoba. I think, as the minister alluded to, they are a very important partner in terms of delivering education here in the province of Manitoba. And when we as parents send our children to school or send them on the bus each morning, we are certainly concerned about their safety and that's one of the, I think, one of the paramount issues that school trustees should be addressing is the safety of our children and I think a lot of the trustees certainly take that role very importantly. They take that role to the highest degree, and there's a lot of areas that they have to deal with and certainly the safety of our youth is very important.

When we talk about our children going to school, obviously, parents are quite passionate about how their children are dealt with in school, safety issues, and they do become quite passionate and they, I know, sometimes the elected officials, the elected trustees, like many elected officials around the province do hear from your constituents and from time to time. And school trustees certainly do hear complaints from their constituents from time to time as well.

And I just do want to offer, my hat's off to all those that let their name stand for elected office and actually as the House—many in the House would know that we are going to be coming up for school board elections this fall as well in conjunction with the municipal and civic elections that'll be in later on in October. So my—certainly my hat's off to those people that are thinking about letting their name stand as a trustee for school divisions because they do have a very important role to play in terms of educating our youth.

Obviously, there's many challenges in this day and age and it probably hasn't changed over the years, but there's always the challenges with providing quality education at the same time balancing the financial side of the ledger. And there's no doubt that's where the Province plays an

important role too in terms of working with school boards in providing the financial wherewithal to develop a good quality education.

* (15:30)

So it certainly is paramount that the Province of Manitoba and the government of Manitoba has a good working relationship with the school boards across the province and obviously, the new Manitoba School Boards Association organization will play an important role in terms of the dialogue as we go forward here in the province of Manitoba.

And we know the other thing that has happened here, which provides school boards and school trustees a lot of challenges, is the fact that we as a government, or the government of the day, continues to develop programs and tries to implement programs within the school system. And each time you add a program to the school system there's always repercussions down the line. And, you know, a lot of the programs that the government wants to implement, or the department wants to implement, are certainly worthy programs. The problem, Mr. Acting Speaker, is sometimes in the implementation of those particular programs.

You know, first of all, you need resources to implement those particular programs, and resources, you know, quite often are financial resources. Sometimes it's a time resource that the school board or the school division has to work with in terms of implementing new programs. So I'm just, I guess, throwing the caution out to the department—a lot of the concepts and the programs that are probably in the best interests of our students, but there comes with, those come with a repercussion in terms of the implementation. So we have to have a plan and a strategy in terms of how we're going to implement those programs, because the delivery comes down to the school boards, and, in fact, the school trustees, to make those tough decisions in terms of how they're going to allocate their relatively limited resources.

In this past year, and just in the last couple of weeks, we know a lot of people around the province are getting their tax bills in the mail. And obviously a big component of that tax bill is the education component. And we're hearing from, certainly a number of Manitobans across the province, that they're getting their tax notices in the mail, and they're seeing their land assessments and building assessments, in some cases, have increased quite dramatically. And, as a result, some members of the province, some people across the province, are

finding that their tax bill has increased quite dramatically as well. And I know there's a desire on behalf of, you know, most school divisions and most trustees, not to increase the tax burden to their ratepayers within reason, you know, as much as possible.

So, you know, we're seeing different levels in terms of the tax increases across the province. It's just unfortunate that, of course, with the assessment coming into play, one person's assessment might have gone up higher than another person's assessment. And it's causing, certainly, a substantial increase in terms of their property taxes and, of course, their corresponding education taxes that they have to pay. So we certainly are hearing from some of those members, people that are seeing the increased tax bills.

And I know the Province is trying to do its best in terms of assisting school boards in terms of their tax incentive grants, that they're made available to a number of jurisdictions across the province. But again, not all school boards and school trustees could still balance the books in terms of using just the tax incentive grant. So as a result, they've been, they've had to go out and raise some more revenue through the tax side of the issue, and that's where we hear from Manitobans around the province.

So there is tough decisions to, having to be made out there by school trustees and school boards—in a time, too, when we're seeing at least in rural Manitoba in some areas, a decline in numbers of students in some of the schools, it makes it very challenging. And we're seeing more and more multigrades going into classrooms as well, and it becomes a challenge for the teachers.

And also, I think, as the teachers' workplace report pointed out, we're integrating our special needs children into the classroom. And I think most people would agree that that's probably the way to go, but with that policy decision comes extra pressure on the system to make it all work. And that's the information that we're getting back from the Manitoba Teachers' Society through their study that, you know, we're trying to get everybody into the classroom, but, at the end of the day, there's a lot more pressure and a lot more work associated with having those students in the classroom.

Ms. Marilyn Brick, Deputy Speaker, in the Chair

So that's where the, you know, the Province, I think, should be stepping up to the plate in terms of

providing the financial resources which would, in turn, provide the personnel in the classroom to assist with some of those special needs areas that are required. And that would, hopefully, help free up some time for the teachers to deal with, you know, the rest of the children in that particular classroom.

I know my wife, for example, who has taught grade 5 and 6 combined for the last few years now, has had up to four and five education assistants in her room. So you can imagine some of the extra work that's required to make sure everybody's working on the same page and working to the same ends.

So when it comes to the budget, the school trustees, as we're talking about in this particular legislation, they have to wrestle with the needs of the students and also within their budgetary constraints. So it does become a—quite a challenge as far as the school trustees and the boards are concerned.

And I know, over the last couple of years, too, we—at least in some of the divisions in western Manitoba—we've gone through an amalgamation process. And the school divisions have done this on a voluntary basis trying to move forward. They think that there would be some advantages in going forward in terms of the amalgamation. So it's happened in more than one occasion. And what the school trustees are telling me is that it becomes a lot of work for them as school trustees as well, because they're trying to amalgamate two and sometimes a third school division together. So you have boards with different priorities and different goals, different objectives, and you're trying to pull those together to make one united front with the goal, of course, to benefit the children at the end of the day.

But what happens when you go through that process is that you as a trustee and as a board become focussed on the amalgamation process, and sometimes you take your eye off the ball a little bit. You're so focussed on the amalgamation process and making the bureaucratic changeover that you sometimes lose views in terms of educating our children.

So that's something, I think, that—I know the minister and I have talked about a little bit in Estimates, that that's a role, I think, for the government to take to task as well. If there's school boards—and looking to amalgamate I would think the onus would be on the Province through the department to help facilitate that amalgamation. And

I think what would happen, then, you would see the school trustees being able to focus again back on the basics, the education for the children in—within that particular division. So that's something that I wanted to point out to the minister.

In terms of this bill, there's a couple of items I wanted to talk specifically about. You know, as far as the name change is concerned, it sounds like a pretty straightforward amendment to this particular legislation, and, obviously, we're—I think we're going to have consent in terms of moving that bill forward.

Some of the positive things here, as well, they—the bill talks about transparency, and it's pretty clear the new association, the new board, want to be up front and they want to be clear with their respective members on the board and the—all the people that the association represents. And I certainly think that's a very good item that people should—it should be—nice to have it enshrined in legislation. It's not something that probably has to be enshrined in legislation, but, you know, maybe through the by-law process they would have that included in there. I know the association will probably—will have to make amendments to their by-laws as well once this particular legislation has passed.

* (15:40)

But this—the concept, Madam Deputy Speaker, of transparency is one that we view as very important, very important in democracy. And it is something that we think the current government could also, should also be having a pretty hard look at in terms of being transparent to all Manitobans. And, you know, we have a government that wants to put this particular notion in legislation. I guess the proof is in the pudding. We would like to see this government be more transparent in many ways with respect to some of the actions that they're carrying out.

I know, on this side of the House, we're, from time to time, we're looking for information from the government. Sometimes they provide that information, sometimes they reject the notion of supplying that information, and then, the third option for them is to say, well, we can supply you that information, but it's going to cost X amount of dollars, which, in reality, is quite prohibitive for us to come up with those kind of funds to provide the information that many taxpayers are looking for. So I certainly applaud the principle of transparency in this particular piece of legislation.

The other interesting amendment I saw in this particular legislation too, was a little restructuring at the board in terms of their co-presidents moving forward, and, also, in terms of their selection of the vice-presidents. And, in this particular legislation, the two vice-presidents, one will be from a school division which has 6,000 or more pupils enrolled, the other vice-president will be from a school district with fewer than 6,000 people or students enrolled. And I think, you know, that will probably provide a pretty good balance to the new association in terms of views from both the larger and the smaller school divisions. And, obviously, there's a difference in terms of larger school divisions and smaller school divisions across the province. So, hopefully, this amendment here will provide a positive incentive for the board and their delegations going forward.

I guess, just in closing, Madam Deputy Speaker, I just wanted to say that we certainly are in support of this particular legislation. We certainly recognize that school boards play an important role here in the province of Manitoba. We would suggest that they will probably continue to play a very important role in the province of Manitoba. They will be involved in making many tough decisions in the future. Obviously, the taxation issue being just one of the issues, but they will have a lot of important decisions to make in the future. Certainly, we look forward to continuing our discussions with the school boards across the province and look forward to working with them to enhance the education field here in Manitoba.

So, with that, thank you very much, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is—I'm sorry.

Mr. Gerald Hawranik (Lac du Bonnet): I move, seconded by the member from Pembina, that debate be adjourned.

Madam Deputy Speaker: It has been moved by the honourable member for Lac du Bonnet, seconded by the honourable member for Pembina (Mr. Dyck), that debate be adjourned. Agreed? [*Agreed*]

House Business

Hon. Dave Chomiak (Deputy Government House Leader): Regarding House business, Madam Deputy

Speaker, we're just going to change the order so that the next two bills the government would like to call would be 9 and 10. In other words, we're not bringing forwarding 23 at this point. So if you—if the House would be prepared to deal with Bills 9 and 10.

Madam Deputy Speaker: It has been announced that the House will be dealing with Bills 9 and 10 and not Bill 23.

Bill 9—The Electricians' Licence Amendment Act

Madam Deputy Speaker: At this point, I am going to call Bill 9, The Electricians' Licence Amendment Act.

Hon. Jennifer Howard (Minister of Labour and Immigration): I move, seconded by the Minister for Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 9, The Electricians' Licence Amendment Act; Loi modifiant la Loi sur le permis d'électricien, be now read a second time and be referred to a committee of this House.

Motion presented.

Ms. Howard: Madam Deputy Speaker, I just want to say, on all our behalf, we think you're doing a fine job, and you've been thrust into duty and you've certainly risen to the challenge. And I know when Mr. Speaker is back he'll be very proud to have had you in his chair.

The Labour Mobility Act came into effect in Manitoba on June 11th, 2009. This act underlines Manitoba's commitment to full labour mobility in Canada. It ensures that all Manitoba regulatory authorities are compliant with the obligations of chapter 7, Labour Mobility, under the Agreement on Internal Trade.

While The Labour Mobility Act ensures compliance without having to make any consequential amendments to statutes governing specific occupations on an interim basis, changes to Manitoba legislation are required to ensure long-term compliance. The Department of Entrepreneurship, Training and Trade indicates that where a department maintains a provision in statute that governs the regulation of an occupation, the provision must be amended to ensure long-term compliance with the Agreement on Internal Trade.

Madam Deputy Speaker, the objective of this bill is to make all of the necessary changes directly in the statute governing the regulation of occupations so that the notwithstanding clause of The Labour Mobility Act is no longer necessary.

The Department of Labour and Immigration has consulted with the Department of Entrepreneurship, Training and Trade and the Department of Justice on this issue. While The Electricians' Licence Act currently provides for reciprocity of licensing in the case of journeyed electricians by issue of temporary licences, it does not provide for similar reciprocity for other more limited licences issued under The Electricians' Licence Act such as those, for example, issued a video data technicians.

Bill 9 will allow for the issuance of a licence to an individual who is certified to perform electrical work in another jurisdiction when the individual applies to be licensed to perform that electrical work in Manitoba. Therefore, Madam Deputy Speaker, I would like to recommend this bill to the House and hope for a full support to move it on to committee stage. Thank you very much.

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I want to put a few words on the record with regard to this Bill 9, The Electricians' Licence Amendment Act.

I want to, first of all, mention that electricians play a very, very important role in Manitoba in ensuring that where there is wiring done, for example, that it is done safely, reducing the number of—the potential for fires, et cetera. And I think that we've had too many fires in the last year, and it's a credit to the good work of electricians that we don't, in fact, have more fires triggered by electricity and shorts and things like that. So I want to say very complimentary words to electricians and the work that they do and keeping us safe and reducing problems with fires.

The second thing that I want to talk about is the intent of this bill, which is to provide for better reciprocity with other provinces. And we're certainly in favour of that, bringing us into a level of harmonization with other provinces and making it easier for electricians and people working in this area to move back and forth from one province to another. It's very important, Manitoba, that we be able to have people working from other jurisdictions if we have severe shortfalls. And when it's other areas that have shortfalls, and we have excesses, then it's important that our people can have opportunities elsewhere.

* (15:50)

At the moment, it—the way our economy is going, we're seeing a fair number of people coming

from elsewhere, and the better that we can facilitate this, we're certainly on board with efforts that will allow us to do more, to work more closely with other jurisdictions.

And, indeed, I will say a word about the New West Partnership which currently exists with British Columbia, Alberta and Saskatchewan, and indicate our view that Manitoba should be a part of this partnership, that we should doing what we can to work together with other provinces, and being a western province, that we're working, in particular, with provinces in western Canada to the betterment of all. Clearly, where we can work together, there is strengths from that working together. Where we can work together, there are opportunities for our business people, for skilled workers who are from Manitoba, and we'd like to make sure that we maximize those opportunities and take advantage of those opportunities as we build our province of Manitoba into the future. Thank you.

Mr. Peter Dyck (Pembina): And I, too, want to put a few comments on the record regarding The Electricians' Licence Amendment Act.

And, certainly, it's something that we have indicated, at this side of the House, for a number of years, that we'd like to see mobility within provinces. We'd like to see a free trade within the provinces, and I know that, over the years, we've been talking aggressively about having free trade north and south, but you're thinking of the U.S. border, and I know that we continue to work aggressively at trying to make that better. However, the mobility that we see within provinces, whether they be to the west or to the east of us, is something that we have always been approving of and saying that, you know, we need to be able to work within our Confederation in a better way. And so this does certainly address a part of that.

Now, I want to thank the minister, as well, for the briefing that we had in regards to Bill 9, the electricians' licence act, and how this does try to integrate and to allow the mobility between the provinces in Canada.

I guess the one concern that I would like to indicate here is a fact, in fact, I have several concerns, but one of them is the fact that we lost out when the—we—the new western partnership agreement, or TILMA, was put in place. We had an opportunity, as a province, to be a part of western Canada, and I know that, presently, we've got electricians who are coming from western Canada coming to Manitoba. They have the opportunity to

go west as well, but we have opened it up now through this bill that the minister, through her department, can issue the licence so that they can come and work out here.

But the opportunities that we had, as a Province, to work together with the western provinces in order to be able to establish a form of continuity that would allow this mobility to take place, is something that I believe that we missed out on. It's not only specific to the electricians' act; it's also in other areas where we could work collectively. And I believe, and I believe very strongly that as provinces gather together and work in harmony with each other, that this is something that certainly helps us as a province in Manitoba.

I'm very positive about the opportunities that we have out here, and I believe that we need to take every opportunity that is out there in order to make this possible. And so, in this case, when we deal with the electricians' act and the opportunities that we had through TILMA or the New West Partnership and this agreement, that we could allow free movement, whether it's in goods and services, capital, labour or other agreements; labour mobility, we've lost out on that.

And I know that, on this side of the House, we have addressed that concern numerous times, and we're just sorry that we missed on that opportunity. On the other hand, I would indicate, though, that the premiers from the western provinces indicated that they felt that this province—and I agree with that—that we are—we almost seem to be proud of the fact that we are a have-not province, rather than aggressively become a have province. It appears, from listening to the members across the way, that we are happy to be a have-not province, and we stand there with our hands out and say, you know, could you give us a little bit more, please? And we've got the opportunity to get out there, as entrepreneurs in this province, to get out there and aggressively work at it.

Now, Madam Deputy Speaker, I want to go a little further at—*[interjection]* Well, I hear some of the members on the NDP side just talking—trying—chirping from their seats, and I think, after I have finished speaking, they would have an opportunity to get up and to refute some of the things I am saying.

But, again, this is something that we see taking place. The area that I represent, the Pembina constituency, are very concerned about that because, again, we are a fast-growing area. In fact, we're the fastest growing area in rural Manitoba, and so,

consequently, we see the need for some of the agreements that could have been made with the western provinces in order to continue to facilitate the growth that we would experience within southern Manitoba.

When I met with the minister I also indicated, though, that—at that time there were two bills, and I don't want to talk about Bill 4 today because I know that that will be coming up later. But I just found it interesting that Bill 4 and Bill 9 were put in at the same time.

Now, Bill 9 allows for mobility of the electricians from within province to province. As I met with electricians and employers within my area and within the province, they indicated that they agreed with the bill the way it was, however, they did have some concerns, and that's why I'm going to tie this together with Bill 4.

Bill 9 allows for the mobility of electricians from one province to another, and come to Manitoba, but that doesn't necessarily indicate that the electricians coming would know of the codes that we have within the province of Manitoba. They could be qualified, and they are qualified electricians, and I would like to indicate that I believe that the department who's going to be issuing these licences would be aware of the fact that they've got their credentials that show that they are licensed, that they can practise here, but do they know the codes within the province? That was one concern that was expressed to me as I met with the electricians in the province, with the employers.

Now, if I take that to Bill 4, which is the safe—yeah, safety and health amendment act—Workplace Safety and Health Amendment Act—there—what's happened—what's taken place on that bill is where they have increased the fines to the employers from \$150,000 to \$250,000 if there's offence, and for the repeat offenders, it's from \$300,000 to \$500,000. The people that I met with, their concern was, now you've given the electrician, you've given him the licence to practise in Manitoba, but he doesn't necessarily meet or know the codes. So he does something in violation of the codes. There is an accident. And, believe you me, I—the employers that I talked to, the electricians that I talked to, the last thing that they want is an accident. I mean, they just don't want to have an accident at the workplace or anywhere else, but especially the workplace.

So now you've got this bill coming in place and the electricians are not familiar with the codes. There

is an accident. Now, the violation, the fine can be increased from \$150,000 to \$250,000, and it could be simply because they don't know the codes that are out there. So, it is a concern that I have expressed to the minister, to the department, and I hope that they will look at that as they go forward with Bill 9.

And just talking about some of the areas of safety and what can lead to this mobility, we had an opportunity to tour the Versatile factory last week, and I was absolutely impressed with the one wall that they had as we went into the factory. But on the wall, you had a calendar for each month of the year, and on each one of the days was a circle, and it was either green or there was a yellow on there, and this was their safety record. And so they went on to tell us how extremely safety conscious they are.

* (16:00)

Now, in the—I believe it was something like six months, they had two little yellow dots on their calendar, and so I asked them what those yellow dots meant and, in fact, whether, you know, what kind of a safety violation or what had happened during that time, and the answer that I received was very interesting. It was—well, actually, there was nothing major that happened, but, because they had used a Band-Aid, they had actually marked that as a yellow on their calendar. So, you know, you and I, I think we cut ourselves occasionally, we use a Band-Aid, and I don't think we go and circle the calendars at home and say, well, we had some sort of a mishap. But the company is very conscious of the fact that they want to have safety and that they continue to look at safety—of ways to make things safe—more safe within their factory, and so this was something that he continued to express to us, the fact that we need to make sure that the workplace is a safe place. It is a safe environment for the people to work in.

Madam Deputy Speaker, I just want to just talk a little further about this bill in the fact that again I believe that we have lost the opportunity here to have agreements with the western provinces. They got together, the three of them, and I know that the NDP have indicated occasionally that, yes, they met with the Cabinet in Saskatchewan, but that, in my opinion, is totally different from having a western accord where the provinces would work together and would be able to harmonize so many of these kinds of issues.

And this could be one of those that could have been harmonized where not only would you have the electricians and the certificates that they carry with

them and allow that to be mobile within the provinces, but they would also be able to address and harmonize the codes that they have, so that if someone comes here from British Columbia—or it could be vice versa—but if they come here from British Columbia and they are electricians within Manitoba that they would know what the codes are here and certainly they would be able to then receive their licence.

Another thing, because I, again, represent an area within the province that has a lot of immigrants, it has been an issue for us and for myself especially over the years that we've got very talented people coming—immigrants coming to Manitoba. In our case, in southern Manitoba, they're arriving here from, generally speaking, Germany, but they're very qualified people in order to be able to enter the trades in the province of Manitoba, and yet for so long we—and there was—there would be varying professions within the province, but indicated so clearly that they needed to actually go back to school, and if it was a three- or a four-year course that they were taking, that they would have to start right over, they would have to start from the beginning and take these courses in order to be able to get their certification within the province of Manitoba.

My contention always was that they just need to challenge the exam. If they had their certificates and they had the qualifications in Germany and they came out here with the qualifications that were needed, if they knew what the content was, what our requirements were, they should be able to challenge these exams. If they could meet the requirements out here, then we would give them the ability to be able to practise out here and to practise within the professions that they have. And I can cite examples of where we had people come here from overseas, who, as I indicated before, were well qualified. They were trained; they knew their professions backwards and forwards; but they came out here and could not practise the profession that they trained in.

So I know that we are making progress. It's very slow, I would indicate. Some professions are better than others, but where they are allowing the people to challenge the exams, and, again, I would submit to you, Madam Deputy Speaker, that if they know what the requirements are out here—coming back to the electricians' act, if they know what the codes are out here, if they know what they need to do, that we should then allow them and give them the certification and give them the ability and the opportunity to practise out here, because, after all,

that's what we need in this province. We need the highly skilled, the educated people to come here.

And I don't want to speak for anyone else here, and I know that there's a number of people who over the next whatever 10, 15 years will not be in this Chamber here anymore and that it's for the reason that they will probably be retiring. The same thing we have in other professions in the province of Manitoba; we have people retiring. The baby boomers are retiring from the professions that they were in. And so we need and we welcome the people coming from Germany or wherever it is immigrating to Manitoba to fill those vacancies that are out here.

And so, Madam Deputy Speaker, I just want to indicate that while we have some concerns with this bill, one being, again, as I've indicated, the fact that we missed an opportunity to be a part of the New West Partnership or to sign on to TILMA. We missed that opportunity. I believe we're moving in the right direction here by giving that—this opportunity for mobility for the people from other provinces in Canada to move to Manitoba, and, under the minister's direction, to be able to give them the certification that they need in this province in order to be electricians out here.

So, with those few comments, Madam Deputy Speaker, I'm going to allow some of my other colleagues to make a few comments. Thank you very much.

Mr. Cliff Cullen (Turtle Mountain): And I welcome the opportunity to follow up on my colleague from Pembina, his words of advice to the government on Bill 9. And, you know, as the House knows, The Electricians' Licence Amendment Act, it certainly is a very, very brief, short act. And I want to just expand on what my colleague from Pembina was saying.

You know, we have this bill here, a two-page bill, that basically acts as a one-off for electricians. Now, I understand we have legislation in place already that deals with welders. I assume this particular legislation will now deal with electricians. But, my concern is, what about all those other trades out there? Like, are we going to have to, each year, bring forward a particular bill dealing with every other journeyman in whatever capacity it may be?

For instance, Madam Deputy Speaker, my son is currently enrolled at Red River, and he's taking his first level for his journeyman in carpentry. So I'm kind of wondering what's going to happen if he—once

he completes his course. He's a journeyman here in Manitoba. Is he going to have the opportunity to travel to Saskatchewan or Alberta or British Columbia to use his trade out there? And what are the ramifications going to be if he has been, you know, educated here in Manitoba? The question I have is: What kind of roadblocks will he face in other jurisdictions? And I hope the minister can address this.

I know this particular bill really looks at tradespeople, electricians in particular, that are going to be coming to Manitoba. And I'll get into the process part of it, too, a little later on in my words here—address. But we've got a bit of a double standard going here. Like, we're selecting electricians only and electricians that are coming to Manitoba, and I'm wondering what kind of opportunities our electricians that are educated here in Manitoba have if they want to take their trade and go to other jurisdictions.

And, as my colleague from Pembina pointed out, would we, as a province, be better if we would have entered into some kind of an agreement where we could have full mobility between Manitoba and other provincial jurisdictions? And that is really, maybe, an opportunity we have missed. And I would have hoped the Minister of Labour (Ms. Howard) would've had a real discussion with the minister responsible for Entrepreneurship, Training and Trade, because I think there was an opportunity missed for many Manitobans who wanted to take their trade and possibly go to other jurisdictions.

Now, I understand what the minister is trying to do in this particular legislation, but I really believe there's a bigger picture that could have been addressed much easier. Instead of coming up with one particular piece of legislation that addresses only electricians and only electricians coming into Manitoba, I think we had the opportunity to deal with a lot of the other trades so we could have full mobility going back and forth.

*(16:10)

Well, maybe the minister will have a chance later on, if we get to third reading, to explain to me, if we do have actually full mobility going back for all tradespeople, whether they want to come to Manitoba or whether Manitobans want to go to other jurisdictions, and I think that's very important.

And I think that's where TILMA or this New West Partnership, if we would engage in those

particular agreements, you know, we could have had really universal free movement of goods, services, capital and labour. And I think that would—those agreements would improve labour mobility across all professions and not just the one-offs that we have with the welders and electricians. It's unfortunate, we as Manitobans have been left out of those particular agreements with other jurisdictions. And that really leaves us as Manitobans as an island to ourselves.

Madam Deputy Speaker, I do want to talk a little bit about the safety issue here, and, obviously, electricians play an important role here in the province of Manitoba. And we certainly are concerned about the safety issues of electricians working around the province, both past, present and into the future, and, obviously, training is a very important part of that.

But I do want to mention a constituent of mine. It was a very young individual, a fellow by the name of Michael Skanderberg. Michael Skanderberg was an electrician in training, a very young fellow. And, in fact, he was working for a contractor and was, unfortunately, was electrocuted, when they, I believe, they were working at a school. And, unfortunately, Michael Skanderberg lost his life that day.

And it's very important when we hear those kinds of stories. So it's also important that we take time to reflect on when those situations arise that we should be taking safety to the highest degree and offered as the most important here in Manitoba.

And I know after Michael passed away a few years ago, his mother, Cindy, and his father, Bill, they are very, very positive role models in terms of trying to get the safety message out to all Manitobans, and Cindy certainly has travelled the province in advocacy work in terms of the workplace health and safety issues across the province.

And I do want to commend both Cindy and Bill for the work they do in that regard. It certainly is a tragic loss, but they're taking their experiences on the road and they're talking to many Manitobans all across the province. And they are specifically trying to get their message to the young people across Manitoba, recognizing that most young Manitobans will someday enter the workplace, the work field, and that there are safety issues out there, as Michael Skanderberg encountered. And Cindy and Bill want to make sure that those young workers, whether they be in the electrical trade or whatever other trade they want to get into, that there are health issues out there.

And I just want to commend them for their work in that regard in terms of trying to educate the youth around Manitoba.

One concern I have with Bill 9 is the fact that there is going to be some kind of bureaucratic process involved here in terms of having the minister actually issue a licence to someone who comes here into Manitoba. Now, we know what happens in some departments in terms of trying to get licences for different applications or different permits, those types of things. And sometimes those processes take a long and considerable part of time. And there's nothing in this particular legislation which lays out a timetable for having a licence issued by the minister, and it's unfortunate that this particular legislation wouldn't lay out the process to have that happen.

And I don't know if there's going to be regulations. There's no mention of regulations associated with this particular legislation. And those regulations may spell out how these licences will be issued, what type of a time frame may be involved, or, in fact, who, within the department, could actually issue those particular licences.

So I think it is—there's—I commend the government for bringing forward the legislation, but I think it brings forward more questions than answers. And I think there's a lot of questions that have to be answered, you know, before we move this particular legislation through to final passage.

And, you know, certainly, those are some of the important things that I think have to be addressed. You know, obviously, we have to be comfortable with what other jurisdictions are doing in terms of training when it comes to electricians. And, obviously, the safety of electricians, the people that are working with electricians and, you know, all those people that are going to be involved in those particular buildings should come foremost in terms of safety.

So, Madam Deputy Speaker, again, I just want to emphasize that I think this government missed an opportunity for all tradespeople here in the province of Manitoba by not signing on to a TILMA or the New West Agreement so that all tradespeople could have the mobility to move from jurisdiction to jurisdiction. I know the government talks about having caucus meetings with the government in Saskatchewan, but, you know, there's more opportunities out there, and, I think, sometimes, as a government, we're not looking at the big picture in terms of moving this province forward.

So, I would looking forward to hearing what the minister has to say on that, and, hopefully, he will give that some further thought so next time there's an opportunity such as the New West proposal coming forward, that he will be invited to the table and he will be able to partake in the discussions and, hopefully, see the benefit for, not just tradespeople, but all Manitobans across this great province.

Thank you very much, Madam Deputy Speaker.

Mr. Blaine Pedersen (Carman): I move, second by the member for Lakeside (Mr. Eichler), that debate now be adjourned.

Motion agreed to.

Bill 10—The Proceedings Against the Crown Amendment Act

Madam Deputy Speaker: We will now move on to Bill 10, The Proceedings Against the Crown Amendment Act.

Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade): I move, seconded by the Minister of Finance (Mr. Wowchuk), that Bill 10, The Proceedings Against the Crown Amendment Act; Loi modifiant la Loi sur les procédures contre la Couronne, now be read a second time and be referred to a committee of this House.

Motion presented.

Mr. Bjornson: The Proceedings Against the Crown Amendment Act fulfils Manitoba's commitment to fully honour its obligations under the revised dispute resolution chapter of the Agreement on Internal Trade, or the AIT. The Agreement on Internal Trade came into effect in 1995 after being signed by the federal government in all provinces and territories to reduce and eliminate barriers to internal trade.

As a co-lead on internal trade, Manitoba has consistently taken a leadership role in the work with all provinces, territories and the federal government to improve the AIT to eliminate trade barriers and enhance the competitiveness of Canadian business. In 2007, the Council of the Federation adopted a plan to enhance the Agreement on Internal Trade, and one of the key elements of this plan was to develop and enhance a dispute resolution mechanism for government-to-government disputes.

The dispute resolution mechanism was producing sound panel decisions, but the record of ensuring implementation of panel decisions has been very disappointing. Accordingly, premiers called for

improvements to ensure implementation of panel rulings and directed trade ministers to establish provisions allowing for possible monetary penalties of up to \$5 million in the event that a government fails to implement a panel ruling.

The provisions call for individual penalties to reflect the seriousness of the violation and the magnitude of the impact on the market. In addition, the population of the jurisdiction involved is taken into account through a tiered approach to monetary awards, with awards ranging from \$250,000 for the smallest jurisdictions like Yukon, the Northwest Territories, to \$5 million for the largest jurisdictions like Alberta, B.C., Ontario and Québec. And, in Manitoba's case, the maximum potential penalty would be \$1.5 million.

* (16:20)

The revised dispute resolution chapter makes the AIT dispute resolution mechanism for government-to-government disputes more enforceable and effective. In addition to the addition of monetary penalties, other changes include the addition of compliance and appeals processes to ensure fairness and the potential suspension of dispute resolution privileges to provide further incentives to ensure implementation of panel rulings.

The amended chapter was endorsed by all first ministers at their January 16th, 2009 meeting, marking a significant milestone towards strengthening efforts to eliminate internal trade barriers. The new dispute resolution chapter was formally incorporated into the Agreement on Internal Trade under the 10th protocol of amendment, which became effective on October 7th, 2009, upon the signature of all parties.

Under the amended act, in the event that a penalty is assessed against Manitoba in a government-to-government dispute under the Agreement on Internal Trade, this legislation will provide that the panel's order for a monetary penalty may be filed with the Court of Queen's Bench in Manitoba and would be enforceable as an order for the payment of money made by the court against the Crown.

The new provisions in the dispute resolution chapter call for all parties to take steps necessary to ensure that monetary penalties awarded in a government-to-government dispute are enforceable within their jurisdictions within 18 months of October 7, 2009 date of entry into force. Thus, The

Proceedings Against The Crown Amendment Act will fulfil Manitoba's commitment in this regard.

With the introduction of this bill, Manitoba demonstrates its further leadership on internal trade by being one of the first jurisdictions in Canada to act on these requirements under the AIT, and efforts to reduce and eliminate internal trade barriers must be supported by a credible and functional dispute resolution mechanism.

We welcome the new provisions to ensure that panel rulings will now be made enforceable, preventing needless waste of time and resources in pursuing compliance. In keeping with our commitment to honour our obligations under the Agreement on Internal Trade, there have not been any Manitoba measures which have been the subject of any hearing held or a panel report issued under the dispute resolution chapter of the agreement.

We are doing our part to ensure compliance with their obligations, and we expect all other parties to the AIT to do the same. Solutions that are supported by all of the provincial, territorial and federal governments under the AIT will prove more lasting and acceptable than any that might be imposed. This is the approach we bring forward as we make progress on internal trade, and Manitoba has consistently advocated a national approach to improving internal trade that involves the participation of all parties in the agreement.

We seek to build on the efforts of the council—the federation to create an open, efficient and stable economic union that will encourage internal trade and enhance the competitiveness of Canadian businesses. Thank you, Madam Deputy Speaker.

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, it's a pleasure to be able to stand in support of the concept of freer trade amongst provinces.

Madam Deputy Speaker, as many people know, the need for internal trade and expanding opportunities between provinces is something that's been long awaited for and I suspect that this will go a ways in terms of ensuring that there is more liberal trade between the different provinces in Manitoba.

Some suggest the small "l" and, sure, I'm prepared to accept the small "l," but the point is, Madam Deputy Speaker, it provides an opportunity and a better economic forum for freer trade amongst the different provinces, and that it is something in which, ultimately, we believe as a nation that we need to, as much as possible, do the things that are in

the best interest, both economically and socially, between the different provinces.

We see that the bill is before us today. We support the bill in terms of the principle of it and in anticipation that all Manitobans, in fact, all Canadians benefit when legislation of this nature is brought before legislators.

I wanted to thank the minister in terms of providing the information to me personally in his office. I did appreciate the bill briefing. And, with those few words, we're prepared, ultimately, to see the bill go to committee.

Thank you, Madam Deputy Speaker.

Mr. Rick Borotsik (Brandon West): Madam Deputy Speaker, and I just would like to congratulate you in doing a job well done filling in in the breach, as it is, and we do appreciate your efforts in trying to control sometimes a—a sometimes rowdy Legislature, but you're doing a wonderful job.

I would like to put some words on the record with respect to Bill 10, which is The Proceedings Against the Crown Amendment Act dealing with the agreement in internal trade.

Internal trade in Canada is extremely important. We in Manitoba, as we all know, are traders. The economy that we've built here in Manitoba depends quite substantially on being able to ship our goods and services not only throughout Canada but throughout international markets as well, whether it be in the United States, which are a major trading partner, but also European markets as well as now Asian markets were extremely important. But this particular bill deals with the ability to trade within our own domestic markets. And in another place and another House, there were substantial discussions as to how we could remove the trade barriers that were being put up between provinces.

It was much easier, in some cases, to trade goods and services from province to the United States than it was from province to province. There were too many trade barriers that were being thrown up that would disallow provinces to trade with other provinces, which didn't make any sense at all. I mean, we had a domestic market. We had a domestic ability to trade with our neighbours to the east and west, yet it was becoming much more difficult. There were some protectionism, there were some trade barriers that were being thrown up, and it was becoming very difficult. So the federal government of the day certainly looked at the ability or certainly

looked at the opportunity of removing some of those trade barriers, and it has taken a long time to get to where we are, and where we are right now certainly isn't far enough.

The agreement in internal trade is a start, but I can assure members of this House and certainly the Minister of Entrepreneurship, Training and Trade (Mr. Bjornson) that this is not the end all and be all at the present time. The one change in the AIT at the present time that's being discussed in Bill 10 is simply a remedy, an enforcement and a remedy that's being placed in the agreement. And the enforcement and the remedy, as has been mentioned, is on a sliding scale. And, if one of the provinces who has entered into the agreement of the AIT does not fulfil the agreement, then all this piece of legislation does is then allows the courts to be able to rule in favour of the other members of the agreement against the individual province that is not complying with the regulations.

In Manitoba's case, the remedy is a fine of \$1.5 million. And we know how money really doesn't mean much to this government at the best of times, so should Manitoba, in its wisdom, decide not to comply with the template of the agreement, then they'll simply pay \$1.5 million of yours and my taxpayers' money. As I said, they don't really take too much concern as to wasting money. And, if they don't comply because of a labour issue or some other issue, then certainly they would pay the fine and simply go away. In fact, one of the provinces, I believe it's Québec at the present time, is not complying with some of the rules of the AIT and if they do get fined, I'm sure they, along as Manitoba, would simply pay for the fine out of the pockets of Manitoba taxpayers and have a day of it.

The legislation itself deals with trade, as I said, which is extremely important for Manitoba. I think it's about 70 to 80 percent of our total product that we produce here in the province of Manitoba goes someplace else. We cannot possibly use all of the product we produce and consume it domestically in the province of Manitoba, whether it be agricultural product, whether it be manufacturing goods and services, whether it be intellectual properties; it goes someplace else.

And we need trade. We need trade and that's why it's so disappointing that the minister continually stands in this House and says, well, we want to be Pan-Canadian. We want to be a part of a Canadian partnership that's going to deal with trade. And we

look at the AIT and we know that there are serious, serious deficiencies within even that agreement, but all around us, other jurisdictions and other provinces who actually provide true leadership with respect to trade, actually have now decided that not only does it have to be a Pan-Canadian agreement through AIT but they're going to do bilateral agreements as well, Madam Deputy Speaker, because they actually understand what trade is and what it means to their provinces, unlike perhaps, the government of the day who really doesn't matter all that much as to whether we're going to trade or be international or domestic traders.

*(16:30)

So there are provinces on both sides of us who have identified the real benefit of bilateral agreements, and I guess the one that's probably on most people's lips at the present time is the New West Partnership, an agreement that's been entered into by British Columbia, Alberta and Saskatchewan. Those three provinces make up some \$550 billion of GDP. They have a population of about nine million people, and it is, in itself, a fairly strong trading bloc. Now, I did mention, didn't I, that it was B.C., Saskatchewan and Alberta. I didn't mention at that point in time that Manitoba was included in the name of the agreement, New West Partnership. So we have three western Canadian provinces who now consider themselves to be the new west, and Manitoba, being left out, seems to be this little island of discontent in between the New West Partnership and a trade agreement that's been entered into by Québec and Ontario.

Now, Québec and Ontario are a huge trading bloc. I don't know if you're aware of this, but between Québec and Ontario, they make up the majority of the population in Canada. They also have the majority of the manufacturing. They also have the largest consumer bloc in the country. Now, I don't know if you're aware of this, but I had mentioned it's a Québec-Ontario trading bloc. Manitoba wasn't a part of that either, nor were they even invited to be part of that because, quite frankly, Québec and Ontario really didn't see much opportunity by extending that welcome to Manitoba in the trading arrangements that Québec and Ontario were developing.

But, I should also tell you, just as an aside, Québec and Ontario were probably two of the provinces that had the most difficulty in making arrangements for trade between the two provinces.

There were labour issues; there was trade issues. If you recall, even a simple thing like margarine in Québec, they wouldn't allow margarine to be coloured and be imported from Ontario into Québec, which, by the way, Ontario produces the margarine. And so there was a non-tariff trade barrier that was thrown up between those two provinces. And they have come to arrangements between those two trading provinces to get rid of those non-tariff trade barriers so that they could be much more mobile with not only professionals but also trade. And, as I mentioned, we have this other trading bloc on the west coast, with B.C., Alberta and Saskatchewan, who have done the same thing.

And the—who was it? John Donne: No man is an island unto himself. Well, Manitoba doesn't subscribe to that. They believe that Manitoba is an island unto himself, but the minister can stand and he can say, but we're Pan-Canadian. We're going to make sure that right from Newfoundland to British Columbia, we're going to be part of this arrangement. But everybody else is kind of leaving us in the dust at the same time.

Now, that's not to say that Manitoba couldn't enter into a trade arrangement with the Maritime provinces, which might not be a bad thing, quite frankly, because we compete with the Maritime provinces in just about everything we do at the present time. They and us have the lowest weekly wages. They and us have the highest taxes. They and us, basically, are equal in all ways, shapes and forms. So maybe we could enter into a trade agreement with the Maritime provinces and Manitoba. Distance might be an issue. Getting through Ontario and Québec might be an issue, but that doesn't seem to bother this government. They want to be Pan-Canadian.

Now, the New West Partnership, and even the words, even the name itself, Madam Deputy Speaker, really should be an embarrassment to this government. When we have a New West Partnership, I've always considered Manitoba to be a part of the West. Unfortunately, that doesn't seem to be the case any more. We don't seem to be a part of the West. Yes, we are in the Eastern Conference of the CFL, but it doesn't seem that we're part of the east either. But the Minister of Entrepreneurship, Training and Trade (Mr. Bjornson) goes blindly and merrily on his way, just simply saying, we're going to do it on our own.

Now, we can do it on our own if, in fact, we didn't depend on the federal government for 40 percent of our total budget. If we were, in fact, self-sufficient and self-supporting, I would suggest maybe we go blindly and merrily on our own, but when you're dependent on the federal government for almost 40 percent of your total budget, it seems there is a dependency there that you can't really forget about. And I don't suspect that there's any time soon that this government ever really wants to be a self-sufficient province. They want that handout. In fact, one of the, I think it was one of the leadership candidates—I can't remember who it was. I can, but I'm not going to embarrass him—said that his real job if he ever became the leader after—now this was a comment he made before he quit the leadership that, in fact, he was going to go to Ottawa and really beg for more supports—

An Honourable Member: He calls it negotiations.

Mr. Borotsik: Oh, he was going to negotiate for more financial supports than what we were already receiving from the federal government. That was his idea of economic activity and development here in the province of Manitoba. Fortunately, or maybe not so fortunately, he didn't end up staying in the leadership race, so we don't really know how successful he was going to be in negotiating more monies coming from the federal government.

But go back to the New West Partnership, New-West-Partnership, excluding Manitoba. That New West Partnership is extremely vital because now what happens with that \$550-billion GDP that we have to the west of us are now actually, Madam Deputy Speaker, working together, and they're removing all of those trade barriers that I talked about. They're removing the labour issues.

By the way, in the AIT, Manitoba signed on. Yes, they did. But they didn't sign the chapter on labour mobility. Now why would that be? I can surmise; well, I can maybe make some assumptions. They entered into the agreement with this Pan-Canadian agreement that we keep talking about. But, if it's so Pan-Canadian, the government of the day saw fit not to enter into the labour mobility agreement, and I'm wondering if that could be because of their support—

An Honourable Member: Why would they do that?

Mr. Borotsik: —from the unions. Would that make some sense—that if the unions, the tail wagging the dog have suggested that they would rather make

Manitoba this island rather than enter into and make some concessions with respect to labour?

Now, back to the New West Partnership. They have, in fact, identified labour mobility in their agreement as being a very major cornerstone of the agreement. They have also identified that procurement is a very major cornerstone of that agreement. And they have also—and now procurement in itself may be a word that the minister doesn't understand. Procurement, procurement means that when there's going to be goods and services purchased by any one of the partners in the New West Partnership, I would assume, and just, I assume that this would happen, that they would try to procure those goods and services from their partners.

So, if there were a company that wanted to provide a good or a service to one of those three major players in the economy, that those three major players would probably look at their own partnership first. That sort of makes sense, I think, that if I was going to buy—if I was in British Columbia and we were going to do a contract for some goods and service, whether it be equipment, whether it be pharmaceuticals, whether it be any type of equipment purchase, that they would probably look to their partners first. And, if there were somebody outside of that partnership, let's say in Manitoba, that wanted to provide that good or that service, that they may be shut out.

* (16:40)

Now it's just a random thought on my part, Madam Deputy Speaker, but I have to think that when they sign that agreement and they're working so well together, that they would look at each other first before they would look outside that agreement.

Now here's a word that may be foreign to the minister responsible, and that word is "trade." You see, I said initially, we in Manitoba have to trade in order to maintain our economy. Now what Premier Campbell, Premier Stelmach, and Premier Wall, like they would be the leaders of the three partners of the New West Partnership, now what they have decided is, rather than go off and do trade arrangements individually, they would, in fact, take all of their resources and they would put them into one pot and that they together would go off and try to seek investments in their partnerships as well as trade partners.

Now, we talked about China earlier today. Well, the New West Partnership just came back from a

trade excursion into China. They set up an office, all three, okay. They took their resources and they put them together and they used those resources to set up an office in China because China, with 1.3 billion people, seems to have a real opportunity there for Canadian companies. So these three premiers and this New West trade partnership have taken their resources, put them together, and gone over to China and are selling investment back into their communities and jurisdictions and also looking at trade opportunities going in the opposite direction.

That makes an awful lot of sense, even from the layperson, even from a minister who perhaps doesn't understand it so well. It makes sense that you would try to co-ordinate all of your resources and put them into place, so you're not competing with each other. Now what they're saying is if there's an investment opportunity that China wants to make in British Columbia, then Alberta and Saskatchewan's not going to compete with that. As a matter of fact, what they're going to try to do is they're going to try to encourage that, enhance the opportunity for trade into their jurisdictions. So they aren't going to compete with each other.

And the same is true with Saskatchewan. They've got substantial natural resources, and they've used those natural resources in the proper fashion whereby taking the revenues off those natural resources and retiring their debt. Oh, and did I mention, oh, yeah, Saskatchewan is a have province. They no longer depend on the federal government for 40 percent of their budget or handouts, if you will, as the previous leadership hopeful decided that they were going to go and ask for more. Saskatchewan decided they didn't want any, that they were actually going to use their resources and their ability to manage to no longer require subsidization from the rest of Canada.

And that's a very positive thing because Alberta is in the same situation and so is British Columbia. So we now have three have provinces, who have said no to Manitoba, now take all of their resources and pool them so that they can now go and try to build their economies. What a silly thought, build their economies based on private sector investment, not public sector investment. Private sector investment will go where they're wanted. Private sector investment will go where—now cover your ears. Cover your ears. Private sector investment will go where there's a potential profit. Oh what a terrible thing. They are going to go where there is a potential

profit, and I know that's a dirty word to this government and we—

Madam Deputy Speaker: Order. I just want to remind all honourable members that we do have loges if they wish to have private conversations. Just please feel free to make use of the loges.

Mr. Borotsik: Thank you, Madam Deputy Speaker, I appreciate you bringing up—obviously, your comments weren't taken to heart by some of the members opposite, but I'm sure that they would like to listen and learn.

So with the New West Partnership and their procurement and their trade issues, and the fact that they're now going as one into other trading jurisdictions, makes so much sense. But it doesn't make enough sense for this government to obviously be involved in it because I mentioned what the cornerstones of the agreement were. The cornerstones were trade, procurement—oh, and there comes up that other word again, labour.

You see we look at this act, the AIT, and Manitoba did not sign the chapter on labour. So you have to wonder why they wouldn't want to be a part of the New West Partnership. But then you come up to that one word constantly, and it says, labour. Oh, so you see, there's a labour mobility issue here between the three provinces, and they've now resolved any of their concerns. But you have to appreciate the fact that we have two Conservative administrations and one Liberal that's really a Conservative administration. So we've got people who think alike—who think alike with respect to labour.

Oh, well, so now the labour licensing, Madam Deputy Speaker, is going to be consistent amongst the three provinces. So, you see, somebody who wants to be a welder in Saskatchewan can now go to B.C. and become a welder in British Columbia, and vice versa. And, if you want to be a nurse in northern B.C. or into southern Alberta, you can make that transition. It's called labour mobility, but that means it's also competition. It means it's competition, so labour actually has to make sure that they provide what it is that the employer wants. But that's only if it's a private employer. You really don't have to provide all that much as a public employer.

So the New West Partnership now says: We've got labour mobility; we've got trade nationally and internationally; we've got trade amongst our own

group; and now we're going to have procurement that's also going to be amongst the three partners.

Now Bill 10, which really is playing lip service, I would say it simply pays lip service to the desire of this government and certainly this Minister of Entrepreneurship, Training and Trade (Mr. Bjornson). That's all it does is pay lip-service. As a matter of fact, so much so that they haven't entered into the labour chapter on the agreement of AIT, but they also say here that they're going to be the second province to sign the section on AIT that's going to have the remedies involved, and it's going to happen by April.

Well, seems that they've sort of overshot that one too. They make promises constantly, or they have photo ops and make promises. Or they have photo ops and they have, make promises and then have a press release. They have photo ops and press releases, and then they have their promises to be made, but they never keep those promises. And, in fact, on this piece of legislation, they're going to have this passed by early April. *[interjection]* Oh, well, you know, we've got, Madam Deputy Speaker, and I have to respond to the member from Selkirk, because I do recall we always like to go back into the '90s. But I do recall them losing three elections in the '90s, I think, three elections, I believe, maybe four that they lost. Was it four that they lost? *[interjection]* Okay, and you know, eventually the arrogance gets to them.

As a matter of fact, we saw a sign of that arrogance this afternoon in question period—as a matter of fact, on a very legitimate question that was asked by a member from this side, one of the ministers stood up and said, well, I hope the member from Brandon West will look at some Chinese or China investment on October 4th, 2011, at which time I said, you know, some ministers better be careful when what they say, because particularly ministers who put themselves in a very high pedestal. When you fall off that pedestal, it's very painful.

* (16:50)

As a matter of fact, there's a prime example of one of their colleagues, former colleagues, who was on a very high pedestal, fell off and hurt himself desperately, but he had a safety net. Ah, absolutely. He had a safety net by the name of Gary Doer, and that safety net—that particular minister, who sort of had the same kind of attitude as a number of those people over there right now, same attitude, that

minister, who was no longer in this House, fell off that pedestal. *[interjection]* Oh, no, he hasn't been a minister for a while. No, no. There was a minister who fell and fell hard. So, I guess my one word of caution is, if you don't have a safety net, don't make promises that you can't keep because you never know. You just never know what might happen in constituencies and during elections.

But Bill 10 really is lip service and nothing more to the AIT, and the government will pass this piece of legislation, probably will not comply with it because it's only a million and a half dollars if they don't comply, and, as I've said earlier, they're prepared to squander a million and a half dollars at the blink of an eye. They can spend a million and a half dollars on advertising campaigns. They can spend a million and a half dollars on—what was that called? Oh, they can spend it on enhanced identification. They can spend millions of dollars and waste it on that and then they can spend it on Spirited Energy. Does anybody remember that one? *[interjection]* Well, no, no, no, no. Spirited Energy—see, they can toss millions like it's chicken feed, and, for the Minister of Agriculture (Mr. Struthers), those chickens are farm agriculture products, which you're taxing, by the way. You're going to tax the chickens too and you're going to tax the eggs and you're going to tax the milk because they need—they like to collect the millions, but, then again, they just like to go and spend the millions sort of willy-nilly wherever they want to, on Spirited Energy and projects like that.

So the million and a half dollars in this piece of legislation really isn't a deterrent. I don't think it ever would have been a deterrent for the province of Manitoba if they wish not to comply with the AIT, but, quite frankly, the AIT isn't going to provide to this government what it is that they want to provide with this Pan-Canadian view to trade because we've already talked about, at some length, about how we're being left out on the Pan-Canadian trade arrangements. But that's okay. Manitoba can be self-supporting by having more money given to it by the federal government, therefore, we don't have to build the economy. We don't want to build the economy because we don't want to make sure that the labour component of their—their labour component really doesn't want it, therefore they won't put it in place.

Now, it will be put into place in the not-too-distant future. We will, in the not-to-distant future, be a member of the New West Partnership, which is a real trade arrangement and trade

agreement that we've been left out on, and that should happen sooner than later because if we don't, then Manitoba will—can remain and continue to remain a welfare case of the federal government, will continue to remain a beggar, if you will, going to Ottawa and asking for more money.

I would like to be a have province. I think this province has so much potential, so much opportunity that's been wasted for the last 11 years. We've got to get rid of that waste and we've got to look at the potential. Look at the opportunity. Look at the ability of becoming business friendly. Look at the opportunity of being a partner in the business community. And that's not going to happen with this minister. It's not going to happen with this legislation, and it's not going to happen with this government.

Thank you, Madam Deputy Speaker, for the opportunity.

Mr. Blaine Pedersen (Carman): And Bill 10, this bill is certainly interesting—*[interjection]* Apparently, somebody spoiled somebody's corn flakes today because he seems to be rather irritable, so I hope, before the end—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order. The honourable member for Carman has the floor.

Mr. Pedersen: Well, Madam Deputy Speaker, I hope by the morning he's found a bowl of fresh corn flakes so he starts the day tomorrow on a much better attitude but under—I actually did a lot of research under this because I was the critic for Entrepreneurship, Training and Trade previously to the very capable hands of the member from Brandon West, and we met with a lot of the groups that were affected by this, in terms of trades and professional groups. And, by and large, there was agreement from these industry people that AIT is a good idea and that, yes, we should proceed with that.

Now, they did have some technical issues. I remember talking to, I believe it was the pharmaceutical group where they, there was always that issue of those that are, those professional people trained in Québec and then coming and working here, because Québec seems to always have different training rule, or standards than what Manitoba and the other provinces, the other nine provinces do. So there was some concerns there, but they felt that they could work through that and that they would be able

to live with it. So, on the whole, AIT is a good idea, and we recognize that.

The problem is, the world keeps moving, and the NDP is still stuck way back when. And we've seen what's happened now. Since AIT came out, since AIT has come out, and it was the most progressive idea at the time, and so that was good that Manitoba, at least on that front, would try to keep up with the rest of the country, but since then we've had deals such as the Ontario-Québec trade agreement in the works. We've had this thing called the New West Partnership happening in western Canada, and except that Manitoba has chosen not to be part of this thing, and that's—

An Honourable Member: They weren't asked. They didn't have a choice.

Mr. Pedersen: Well, I guess, to be truthful, they really weren't asked. It's not whether they wanted to or not, they just simply weren't asked. Manitoba, you're not welcome in this because we're—we are—provinces, Alberta, Saskatchewan, Manitoba, are very forward—sorry—B.C., Alberta, Saskatchewan—I get my geography correct—that they are, these are provinces that really want to move ahead, and they don't want to have this boat anchor of Manitoba socialism tied to them. So they don't want to—so they—basically, Manitoba wasn't even asked to be part of this agreement.

And I can understand why the NDP doesn't want to be part of the New West Partnership because there is certainly no transfer or equalization payments going to come out of the New West Trade Agreement. So when Manitoba's whole economy is built on transfer payments, equalization payments from Ottawa—when they saw that there was none of this coming from the western provinces out of this partnership agreement, I can see why they're just not

interested in joining this. But, in the meantime, we've got provinces to the west, with the New West Partnership, moving ahead.

And, interesting, the minister's own comments on this bill, he was talking about the fines, the fines that will be imposed if you don't comply with AIT. And that is consistent with this government because they only want to talk about penalties. They only want to talk about fines, about regulations. We want to ban this; we want to ban that. It's not about moving ahead. It's not about creating more jobs and more economy. It's how can we raise money by fines. How can we—well, we'll just have to pay a million-and-a-half-dollar fine if we don't comply.

And, as it's been said, that's chicken feed to this government when it comes to them paying it out. They look at commodity groups and say, well, you know, we can collect fines. You know what? I'll bet you they'll be able to raise enough money out of the levy that they've putting on supply management to pay for any fine that is going to come out of AIT. Maybe that's how they're going to balance the books. Who really knows? This is how they operate.

So, instead of being progressive, instead of looking forward, always looking back. And what they want to do is they want to continue to look back as other provinces move ahead. And, yes, AIT has got rules put in place, but, in practicality, in practice today, AIT is not going anywhere. Good to have it in place—

Madam Deputy Speaker: Order.

When this matter is again before the House, the honourable member for Carman will have 25 minutes remaining.

The hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 tomorrow.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, June 8, 2010

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are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/index.html>