

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

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BLAIKIE, Bill, Hon.	Elmwood	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
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.
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.
<i>Vacant</i>	Inkster	

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, November 30, 2010

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

### ROUTINE PROCEEDINGS

#### INTRODUCTION OF BILLS

##### Bill 11—The Planning Amendment Act

**Hon. Ron Lemieux (Minister of Local Government):** I move, seconded by the Minister responsible for Entrepreneurship, Training and Trade, that Bill 11, The Planning Amendment Act; Loi modifiant la Loi sur l'aménagement du territoire, be now read for a first time.

**Mr. Speaker:** It's been moved by the honourable Minister for Local Government, seconded by the honourable Minister for Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 11, The Planning Amendment Act, be now read a first time.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

### PETITIONS

#### Multiple Sclerosis Treatment

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

These are the reasons for this petition:

More than 3,000 Manitobans and their families are impacted by multiple sclerosis, and Manitoba has one of the highest rates of MS in the world.

New research indicates that there may be a link between a condition known as chronic cerebrospinal venous insufficiency and multiple sclerosis. Preliminary studies indicate that many MS symptoms can be relieved with angioplasty, a common procedure.

In order to test this procedure for safety and effectiveness, additional research and clinical trials are needed. Manitoba is not testing for CCSVI, conducting research or conducting clinical trials.

The Province of Newfoundland and Labrador will be monitoring MS patients who have undergone the liberation procedure and studying its impact. Saskatchewan has announced that it will move forward with a clinical trial when their research community presents a proposal and has invited other

provinces to join them. Meanwhile, Manitoba's provincial government has not taken up this initiative nor shown any leadership on this issue.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health to consider making the province of Manitoba a leader in CCSVI research and to move forward with clinical trials as soon as possible.

This petition, Mr. Speaker, is signed by K. Andrews, B. McGregor and S. Brink and many, many other very, very concerned Manitobans. Thank you.

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

#### Rapid City Reservoir and Catwalk

**Mrs. Leanne Rowat (Minnedosa):** I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

The Province of Manitoba has a role in providing maintenance to artificial water reservoirs.

The purposes of the Rapid City reservoir are: water conservation, recreation, stock watering as well as maintaining water levels in wells.

Due to the low water level and the amount of vegetation in the reservoir, it is no longer usable for recreational activities such as canoeing or swimming.

Due to the amount of silt buildup and vegetation in the reservoir, the use of the Rapid City Fish Ladder, needed for the natural upstream migration of fish, is inhibited, reducing the fish count from 2,300 in 1999 to 15 in 2008.

The catwalk structure spanning the Rapid City spillway, used by children to get to and from school, was damaged when planks were incorrectly pulled from the spillway by the Department of Infrastructure and Transportation and has yet to be replaced.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Conservation to consider dredging the Rapid City reservoir as soon as possible.

And to request the Minister of Infrastructure and Transportation to consider replacing the Rapid City catwalk structure as soon as possible.

This petition is signed by M. Mitchell, A. Mitchell, B. Mager and many, many others, Mr. Speaker.

### **RCMP Rural Service**

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

And these are the reasons for this petition:

Manitobans deserve to live in a safe environment and feel secure in their homes and their communities. Some regions of rural Manitoba have been hard hit by crime, including residential break and enters, property theft, vandalism and other offences that threaten people's security.

In some areas, RCMP detachments are not staffed on a 24-hour basis. Criminal elements capitalize on this, engaging in crimes at times when officers may not be readily available to respond to calls for service.

Some believe that the current RCMP detachment boundaries need to be redrawn so that service delivery could be faster and more effective.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Justice to consider working with the RCMP, the federal government and communities to develop strategies to address service challenges in rural Manitoba, such as the possibility of having response units that could be dispatched to regions affected by crime waves.

And to request the Minister of Justice to consider working with stakeholders to determine if the current RCMP detachment boundaries are designed to ensure the swiftest and most effective service delivery.

This petition is signed by K. Houle, J. Kuszak, L. Brandson and many, many other fine Manitobans.

### **Auto Theft—Court Order Breaches**

**Mr. Kelvin Goertzen (Steinbach):** Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

On December 11th of 2009 in Winnipeg, Zdzislaw Andrzejczak was killed when the car that he was driving collided with a stolen vehicle.

The death of Mr. Andrzejczak, a husband and a father, along with too many other deaths and injuries involving stolen vehicles, was a preventable tragedy.

Many of those accused in fatalities involving stolen vehicles were previously known to police and identified as chronic and high-risk car thieves who had court orders against them.

Chronic car thieves pose a risk to the safety of all Manitobans.

We petition the Legislative Assembly as follows:

To request the Minister of Justice to consider ensuring that all court orders for car thieves are vigorously monitored and enforced.

To request the Minister of Justice to consider ensuring that all breaches of court orders on car thieves are reported to police and vigorously prosecuted.

And, Mr. Speaker, this is signed by S. Ward, R. Peters, D. Dupras and thousands of other Manitobans.

### **Bipole III Project**

**Mr. Blaine Pedersen (Carman):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

In September of 2007, the Minister responsible for Manitoba Hydro directed the utility to abandon an east-side route for its Bipole III project. Five days later, Manitoba Hydro announced that the utility would be proceeding with a west-side route.

Manitoba Hydro staff, technical experts and regular Manitobans have communicated to the provincial government that they would prefer an east-side route.

A west-side route will be almost 500 kilometres longer than an east-side route, less reliable, and cost taxpayers at least an additional \$1.75 billion.

The extra cost being forced on Manitoba Hydro and Manitobans by the provincial government will mean that every Manitoba family will end up paying \$7,000 for this decision.

Since the current provincial government has come into power, hydro rates have already increased by almost 20 per cent. If this decision is not reversed, it will result in further rate increases for Manitobans.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to allow Manitoba Hydro to proceed with the shorter, cheaper and greener east-side route, subject to necessary regulatory approvals, enabling the utility to keep our hydro bills lower and ensure a more reliable electricity system.

And this petition is signed by M. Lapka, G. Burton, H. Bruneau and many, many more fine Manitobans.

**Mrs. Mavis Taillieu (Morris):** I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

In two—in September of 2007, the Minister responsible for Manitoba Hydro directed the utility to abandon an east-side route for its Bipole III project. Five days later, Manitoba Hydro announced that the utility would be proceeding with the west-side route.

Manitoba Hydro staff, technical experts and regular Manitobans have communicated to the provincial government that they would prefer an east-side route.

\* (13:40)

A west-side route will be almost 500 kilometres longer than an east-side route, less reliable, and cost ratepayers at least an additional \$1.75 billion.

The extra cost being forced on Manitoba Hydro and Manitobans by the provincial government will mean that every Manitoba family will end up paying \$7,000 for this decision.

Since the current provincial government has come into power, hydro rates have already increased

by almost 20 per cent. If this decision is not reversed, it will result in further rate increases for Manitobans.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to allow Manitoba Hydro to proceed with the shorter, cheaper and greener east-side route, subject to necessary regulatory approvals, enabling the utility to keep our hydro bills lower and to ensure a more reliable electricity system.

And this is signed by B. Blais, J. Blais, S. Maende and many others, Mr. Speaker.

**Mr. David Faurichou (Portage la Prairie):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

In September of 2007, the Minister responsible for Manitoba Hydro directed the utility to abandon an east-side route for its Bipole III project. Five days later, Manitoba Hydro announced that the utility would be proceeding with a west-side route.

Manitoba Hydro staff, technical experts and regular Manitobans have communicated to the provincial government that they would prefer an east-side route.

A west-side route will be almost 500 kilometres longer than an east-side route, less reliable, and cost ratepayers at least an additional \$1.75 billion.

The extra cost being forced on Manitoba Hydro and Manitobans by the provincial government will mean that every Manitoban will end up paying \$7,000 for this decision.

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

**Mr. Speaker:** Order. When members bring petitions forward, I'm sure it is very important to them, and I think it's a common courtesy for all of us to be able to hear the petition that an honourable member brings forward. If it wasn't important to them, they wouldn't bring it forward. So I think it's important for us to be able to have the courtesy to hear.

**Mr. Faurichou:** Thank you very much, Mr. Speaker.

Since the current provincial government has come into power, hydro rates have already increased by almost 20 per cent. If this decision is not reversed, it will result in further rate increases for Manitobans.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to allow Manitoba Hydro to proceed with the shorter, cheaper and greener east-side route, subject to the necessary regulatory approvals, enabling the utility to keep our hydro bills lower and to ensure a more reliable electricity system.

Signed by M.G. Thurston, L. Sponarski, A. McCartney and many, many other Manitobans.

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

**Mr. Speaker:** Order. We have loges on each side if members wish to have a conversation. You're more than welcome to use them.

#### Introduction of Guests

**Mr. Speaker:** Prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us from Red River College Language Training Centre, we have 14 students under the direction of Ms. Flo Robinson. This group is located in the constituency of the honourable Minister for Labour and Immigration (Ms. Howard).

And also in the public gallery we have from Kelvin High School, we have 23 grade 9 students under the direction of Mr. Harald Hommel. This school is located in the constituency of the honourable member for River Heights (Mr. Gerrard).

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

### ORAL QUESTIONS

#### Vote Tax Legislation Government Use

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, in one of their desperate bids to pick the pockets of Manitoba families to fund their own political party, this NDP government brought in vote tax legislation two and a half years ago.

I want to ask the leader of the NDP: Will he and his party be applying at the end of this year to take \$250,000 out of the pockets of Manitoba families in order to fund his political party?

**Hon. Greg Selinger (Premier):** Mr. Speaker, those decisions are made by the provincial party itself, and they will deliberate on that as they go forward. But

as the member knows, there has been no request to do that, and that is the status of the situation.

**Mr. McFadyen:** His attempt to characterize his party as an arm's-length organization is not very convincing. He's the leader of that party, Mr. Speaker. He can take a position and that position will be persuasive, I would think, with his party board.

So I want to ask him for his own personal opinion as the leader of that party: Does he think it's appropriate to even consider taking more for his party, while they're—at the same time as they're asking more from the people of Manitoba?

**Mr. Selinger:** Mr. Speaker, there are differences between how our party runs and theirs runs. They have closed conventions where they don't let anybody know what they're talking about; they don't tell anybody what their decisions are. We have open conventions. We have a political party where people actually believe that they should have an opportunity to speak to an issue, discuss it and debate it, and that's how we manage these affairs. We have a democratic party, and the democratic party will render its decision after they've had a democratic debate.

**Mr. McFadyen:** Mr. Speaker, the Premier is the one ultimately responsible as the guardian of taxpayers' money. So, on the one hand, he's responsible for ensuring the money is spent properly; on the other hand, he's the leader of a party that needs to make a decision on whether they're going to take that money from Manitoba families at the same time as they've brought in a milk tax, at the same time as they're increasing hydro rates, at the same time as they're increasing costs on Manitobans.

Will he give his opinion today, as the leader of that party, as the Premier of Manitoba, responsible for tax dollars? Does he have a view on whether it's appropriate to take money from the pockets of Manitoba taxpayers, or is he too weak to offer such a view today?

**Mr. Selinger:** Mr. Speaker, there is no tax on milk, there is no tax on a milk quota, but the one thing that is important for Manitobans to know is, the members opposite do not support supply management systems, nor do they support the Canadian Wheat Board. It is this side of the House that has supported a system that provides stability to producers in Manitoba of milk, poultry and eggs, as well as the Canadian Wheat Board. Members opposite don't support that.

It's also this side of the House that supports the banning of corporate and union donations to political campaigns, and the members opposite have always advocated for the return of corporate donations for the political process. The Leader of the Opposition, the member from Fort Whyte, has steadfastly refused to support a ban on corporate and union donations in this province. We make our decisions based on democratic debate, and the approach we take is that every citizen should have a right to contribute and vote in this province. And corporate and union donations should not dominate the political process.

If the member wants to make personal statements, let him stand today and repudiate the need and the requirement to allow corporate donations in this province.

#### **Vote Tax Legislation Government Use**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, in 2008, this government introduced legislation to take money from the pockets of Manitobans and to put it into the pockets of the NDP party.

For the past two years, Mr. Speaker, they've been shamed into not taking that money, even though they wouldn't repeal the legislation. Now, today, the Premier can't stiffen his spine enough to say that they're not going to take the money. He won't take the leadership; he won't give leadership to his own party. He still clings to the hope that maybe they could take money from the taxpayers and funnel it into the NDP party.

I want to ask this Premier: Why doesn't he show a little bit of leadership and say he doesn't support taking the money from taxpayers and putting it into the NDP party?

**Hon. Greg Selinger (Premier):** I thank the member for the question because it again allows him to stand up and say whether he repudiates corporate donations in the political process. His party has been dead silent on it. They voted against it when we brought it in. We are only the second province in Canada to ban corporate and union donations in the democratic political process.

They want to bring it back; they're waiting for their opportunity to do it. If the member from Steinbach wants to be a democrat, stand up and say he will never take corporate donations.

\* (13:50)

**Mr. Goertzen:** If the member for St. Boniface wants to be a leader, stand up and be a leader, Mr. Speaker.

Mr. Speaker, Manitobans are hard-working people. They go out, and here's a concept for you, they earn their own money. But this NDP government, they don't want to earn their own money. Now, maybe they're a little bruised from their defeat in the civic election and in the federal by-election. Maybe they don't think that they can get money from individuals, that they won't give it voluntarily, but it doesn't give them the right to demand it from Manitobans, to take it out of their pockets and put it in the NDP. That's their problem, not the problem of Manitobans.

Mr. Speaker, will this—and, you know, he ran for leader—he ran for leader—so if he wants to be a leader—

**Mr. Speaker:** Order.

**Mr. Selinger:** I'm proud to be part of a political party that banned corporate and union donations from the political process, and I'm proud to be a government that also banned corporate and union donations for municipal politics. And the members opposite, they have never declared themselves on this issue. Are they democrats or do they just cater to special interests? Will the member from Steinbach declare his position: does he or does he not support corporate donations in the political process?

**Mr. Goertzen:** The Premier doesn't believe, Mr. Speaker—we know that Manitobans work—

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

**Mr. Speaker:** Order. Let's have a little decorum, please. Order. We have guests in the gallery that are trying to hear the questions and the answers, and, as you know, if there's a breach of a rule I have to be able to hear it too. Order. So let's have a little decorum here.

The honourable member for Steinbach has the floor.

**Mr. Goertzen:** Mr. Speaker, we know that the last true leader of the NDP got on a plane and left for Washington some time ago. But that individual—that individual—at least came forward and said—he was shamed into it, but at least he came forward and said they weren't going to take the money. The person who replaced him clearly isn't the leader that that individual was on this particular issue.

Mr. Speaker, we've seen leadership. The Leader of the Official Opposition (Mr. McFadyen), very early on when this bill came forward, said we're not going to take the money. We're going to take a stand on behalf of Manitobans, we're going to keep our hands out of the pockets of Manitobans.

I'm asking the unelected Premier, the individual who should show leadership: Will he say today that his party would not reach into the hands of Manitobans and take the vote tax? Will he at least try to go out and earn some of the support that they haven't been able to earn recently, Mr. Speaker?

**Mr. Selinger:** Mr. Speaker, again, we on this side of the House are proud that we've driven special interest donations out of the political process. We have brought in a law that bans corporate and union donations from the democratic process. This has lifted the ability of citizens to contribute to democracy, to have more purchasing power and for their mote-vote to have more weight.

The member opposite hides behind his bluster, hides behind his blathering. Will he or will he not repudiate corporate donations in the democratic process? Let him stand up and speak for democracy.

#### **Manitoba Hydro Capital Estimates Update**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, let me be clear. We are dead set against undisclosed union donations and the falsification of election returns. We are dead set against those things. We're also dead set against the misuse of Crown corporations for political purposes.

And, on that note, I want to ask the Premier, because yesterday his Minister of Finance (Ms. Wowchuk) said that it's a tradition in Manitoba to release our second quarter financial reports in the month of December. Another tradition we have in Manitoba is to release our updated capital estimates for Manitoba Hydro before the end of November. It's November 30th today, where are the numbers?

**Hon. Greg Selinger (Premier):** Mr. Speaker, the member didn't say he was against undisclosed corporate donations. I wish he'd declare himself on that. He always avoids taking a position on whether corporations can support political parties. We know—we know—what his position is. He wants to bring them back at the earliest opportunity, and we will do everything to prevent that by getting re-elected and serving Manitobans on an equal footing to make sure every voter in Manitoba is treated equally.

And when it comes to Manitoba Hydro, the shareholders of Manitoba Hydro are Manitobans, and we'll keep it that way, and the member opposite will privatize it.

#### **Bipole III Costs Estimates Update**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, this is a party that misuses Crown corporations for political purposes and Manitobans are paying the price through higher rates on their hydro bills. This is a party that falsifies election returns and hides donations. This is a Premier who takes potshots at major employers in this province every day, like Vale Inco and others. It's time to move past the class war and it's time to stand on the side of Manitoba ratepayers.

I want to ask this Premier: Will he come forward on behalf of the ratepayers of Manitoba Hydro, and will he be very clear, what is the updated cost for Bipole III, Mr. Speaker? Six years ago, it was \$388 million; three years ago, it was \$2.2 billion. What's behind door 3? When are they going to release the numbers?

**Hon. Greg Selinger (Premier):** Mr. Speaker, this is the government that equalized hydro rates for rural and northern Manitobans. When members opposite were in office, they supported a rate scheme that charged rural Manitobans more than Winnipeggers. They supported a rate scheme that charged northern Manitobans more than Winnipeggers. We equalized those rates. They didn't want to support that; they were shamed into supporting that.

We have the lowest hydro rates in North America, and by keeping it a Crown corporation, we will maintain that. When they privatized the telephone system, the rates for telephones went from among the lowest to among the highest. That's their agenda: crank up the rates for hydro, just like they did for the telephone system.

**Mr. McFadyen:** Mr. Speaker, it's not true that they've equalized hydro rates. They charge Manitobans one rate and they give American customers a 50 per cent discount. That's wrong for Manitobans; it's wrong for the ratepayers in this province.

Why won't he answer the question about the cost of bipole, which are causing rates to skyrocket for Manitoba's seniors, Mr. Speaker? They may be skyrocketing equally, but they're still going up for Manitobans across the board: \$388 million in 2004, \$2.2 billion in 2007. It's now 2010. Today is the

deadline to release the updated numbers. Are they going to come clean with those numbers for Manitoba ratepayers, or is he going to do what he did with Crocus?

**Mr. Selinger:** Mr. Speaker, the member from Fort Whyte, the Leader of the Official Opposition, is the only one in Manitoba that wants to cancel the converter stations. He would put at risk energy supply for all Manitoba citizens and businesses.

Mr. Speaker, 75 per cent of the power goes through the Dorsey Converter Stations. Manitoba Hydro, since the late '90s, has said they need additional converter stations for reliability, and this member constantly denies the need for that. He would cancel those and he would put Manitoba economy at risk and Manitoba citizens at risk. He would also put our export markets at risk in the approach, his reckless approach, in cancelling the converter stations and going down the east side. So not only would our customers be at risk and the Manitoba economy at risk, he would also put at risk the opportunity to develop our economy for ecotourism. It's a risk not worth taking and we won't let them take it.

#### **Manitoba Hydro Bipole III Municipality Concerns**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, the Association of Manitoba Municipalities is made up of reeves, councillors and mayors from across this province. This is the very group that the Minister of Local Government (Mr. Lemieux) is supposed to be working with—the member for La Verendrye—and at the same time that he paid lip service to working with them, we saw that this government went against the resolution that AMM passed not to put the hydro line on the west side.

I wonder if the Minister responsible for Local Government went to his Premier and advocated on behalf of AMM, or is he just happy to pay lip service and do nothing more than that?

**Hon. Greg Selinger (Premier):** Mr. Speaker, I was pleased that at the bear-pit session we had 15 Cabinet ministers there listening to the concerns of the AMM, and I note for the record: when the Association of Manitoba Municipalities very strongly passed that motion against privatizing the telephone system, the members opposite didn't listen. They went ahead and did that in spite of the intense—the intense—opposition from rural elected officials and rural citizens.

\*(14:00)

We listened to their resolution. We carefully explained the risks that the opposition was putting under—on Manitoba Hydro and on the ratepayers and on the economy of Manitoba. And after we explained our position, I found there were a lot of people that understood it and finally got through the nonsense being—

**Mr. Speaker:** Order.

**Mr. Goertzen:** Maybe I shouldn't be surprised that the Minister of Local Government (Mr. Lemieux) isn't allowed to answer a question.

You know, this is the same minister who said that he hasn't received any calls of concern about Bipole III. You know, I'm getting the calls from his constituents. The member for Morris (Mrs. Taillieu) is getting the calls from his constituents. The member for Springfield (Mr. Schuler) is getting the calls from his constituents. They're signing on our petitions, and yet the MLA for La Verendrye, well, he's heard nothing, Mr. Speaker.

If the Minister of Local Government refuses to stand up and represent AMM, will he at least stand up and represent the constituents who are paying his wages? He's going to cash his cheque on Friday; is he going to do anything today to help them out, Mr. Speaker?

**Mr. Selinger:** Mr. Speaker, the member still hasn't explained why the entire Conservative opposition, when they were in government, refused to listen to the AMM when it came to privatizing the telephone system. Is it one rule for them and another rule for other people? Is that how you operate, the classic double standard? I think so.

The reality is we had a very good turnout of Cabinet ministers at the AMM. We spent two hours with them at breakfast. We spent another couple of hours with them in the bear pit session. We spent the evening before at the banquet. We are in regular contact with municipalities all across this province.

We believe we have a good relationship with AMM. We believe we have a good relationship with many of the municipalities across the province, and we will continue to have a respectful dialogue with them and explain the foolish, reckless policies of the members opposite.

**Mr. Goertzen:** Well, Mr. Speaker, now it's clear. Now it's clear that the Minister for Local Government, the MLA for La Verendrye, his

intention is simply to bring the views of Broadway to La Verendrye, but he's not willing to bring the views of La Verendrye to Broadway.

Mr. Speaker, that MLA—and I know that the Premier feels that he is smarter than everybody at AMM, those reeves, those councillors, and those mayors. I know he feels that he is smarter than all the experts who said that the line shouldn't be going on the west side. And maybe he feels he is smarter than the member for La Verendrye, but maybe you can let him get up and speak, Mr. Premier.

He was elected to represent those individuals. Why won't he at least bring the views of AMM and his constituents to this Premier and voice that opposition to Bipole III?

**Hon. Ron Lemieux (Minister of Local Government):** Well, there's a loud breeze blowing in from Steinbach. But, Mr. Speaker, let me just say, the fixation the opposition have on cutting, cutting, cutting, cutting, that's all we hear from them. Their half-a-billion-dollar cut would twice have cut the Department of Local Government. That's the message I heard at AMM. They hear that the opposition wants to cut a half a billion dollars. That would remove totally the Department of Local Government twice.

And the interaction that we have with AMM—and we provided more funding to AMM and working with the AMM continually, Mr. Speaker, and yet we hear the member from Steinbach continually speaking out. He doesn't know a thing what he's talking about, and if he'd have been at the convention he would've heard AMM members speaking about how they enjoy working with this Department of Local Government and everything Local Government does for them, but the opposition would have hacked, slashed, whacked, sliced, diced the Department—

**Mr. Speaker:** Order.

### **Football Stadium Costs and Funding Options**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** So, Mr. Speaker, what the member for La Verendrye is saying is that he's quite happy to stand by while they send the bipole through the lungs of Lorette, right through the lungs of La Verendrye. He's happy to ignore the concerns of his constituents, and that is something that they will arrive at their own judgments on.

Mr. Speaker, on a completely different topic, I want to ask the Premier now: Can he provide us with an update on the stadium deal?

**Hon. Greg Selinger (Premier):** Mr. Speaker, the member opposite starts with his preamble about the lungs. He's willing to rip out the lungs of the northern boreal forest to put his bipole through it without even a tear, without even a little bit of sadness, without even any sense of remorse. He's willing to do—

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

**Mr. Speaker:** Order. This is not a shouting match, it's question period. Come on, let's have some decorum.

The honourable First Minister has the floor.

**Mr. Selinger:** Thank you, Mr. Speaker, and after he rips out the lungs of the boreal forest in Manitoba so that we can't provide the oxygen to the rest of the earth, so we can't protect the woodland caribou, so that we can't protect the reputation of Hydro in its markets, which is an extremely competitive market right now, he would then ask us: What's the situation on the stadium?

The situation on the stadium is: All the partners are working towards a solution, unlike the member opposite who wants to kill the project just like he did the MTS Centre, just like he did on water protection, just like he wants to kill minimum wage.

We are working with our partners to move the project forward. The member opposite wants to drag us back to the '90s.

**Mr. McFadyen:** Mr. Speaker, on the stadium deal there was an announcement on March 30th where he said that the total cost was going to be \$115 million. On November 4th, the news emerged that the total cost would be \$160 million. A week later, the news emerged that it'd be more than \$160 million but less than \$200 million.

Mr. Speaker, now 20 more days have gone by, can the Premier tell us how much more have the costs escalated since the third update that we got earlier this month?

**Mr. Selinger:** Mr. Speaker, as the member well knows, there was a very high price that was coming to fix up the existing stadium at Polo Park. And also, the member should know that the stadium at the University of Manitoba was a very old facility, in a state of great decline, as well.

The solution that's being put forward here by the City, the Province, the university and the Bombers as well as people in the community who want to support this initiative is that we need a new facility that will accommodate the community, that will accommodate amateur sport, will accommodate the University of Manitoba's athletic programs and, yes, of course, provide a modern facility for the Winnipeg Blue Bombers to continue to operate in this city for the 80 years that it's done already and, hopefully, well into the future.

And this solution will be one that has a partnership among all the folks involved to make it work. We'll provide a solution that will address something that has to be done every couple of generations. We have to replace these amenities. We have to do it in such a way that the entire community benefits. It will be publicly owned. It will be publicly available and it will be announced as soon as—

**Mr. Speaker:** Order.

**Mr. McFadyen:** It's now been over seven months since the original photo op. We're now into winter construction season and we've had three different numbers made public.

Blue Bomber fans, taxpayers, Manitobans from all walks of life want to know, when are we going to get some clarity on this deal? When are we going to be able to tell people what it's going to cost, what we're going to get and who, Mr. Speaker, is going to pay for it?

**Mr. Selinger:** Mr. Speaker, the members of the public ask me, why is the opposition opposed to this project? They say, why are they opposed to it just like, why were they opposed to the MTS Centre, which has worked out so well? And why are they opposed to an amenity that will be a publicly owned amenity, owned by the University of Manitoba, owned by the City, available for community use, year-round, available for use by amateur sport in this province, available for use by the Bombers, of course?

They want to know why every time this government tries to move this community forward the members opposite give a knee-jerk reaction and oppose it just for the sake of opposing. They also know that we're working together with all the different partners to come up with a solution that will provide a long-term asset, publicly owned, for the benefit of the public, for the benefit of all Manitobans.

### **Peguis Child and Family Services Agency Accountability**

**Mrs. Bonnie Mitchelson (River East):** The portion of the review into Roanna Fontaine that was made public was scathing, and, Mr. Speaker, that was just the part that was made public. I can only imagine the piece that the minister is keeping under secrecy and is hiding. The review revealed that the agency lacked leadership and had ineffective management.

Mr. Speaker, does this minister believe that this agency was ready to be responsible for children and their safety when his government devolved the child welfare system six years ago?

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** Well, my recollection is, Mr. Speaker, that Peguis Child and Family Services was, in fact, mandated by the member who asked the question.

**Mrs. Mitchelson:** And that mandate was significantly increased under devolution, and they weren't ready for that.

Mr. Speaker, clearly this government rushed into devolution and children like Roanna Fontaine have paid the ultimate price. This young agency was ill-equipped to deal with the enormous task that this government placed on its shoulders by rushing devolution of the child welfare system before the agency was ready.

\* (14:10)

Mr. Speaker, complaints were ignored. Workers weren't tracking cases on the database. There wasn't face-to-face contact monthly with children in care. Safety assessments weren't being done on children in care.

Mr. Speaker, why didn't this minister intervene given this incredibly poor management in the agency? Didn't he know what was going on?

**Mr. Mackintosh:** Mr. Speaker, this is a new era of accountability in child welfare where we are—

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

**Mr. Speaker:** Order.

**Mr. Mackintosh:** Thank you, Mr. Speaker. This is a new era of accountability where the child welfare agencies—every single one of them in this province is going to be reviewed. We're going to ensure that on a stage basis, between now and the end of the 2012 year, we have operational reviews conducted of

every agency. We are going to make sure that we route out all of this—these shortcomings and we're going to make sure after that, and in perpetuity, there are cyclical reviews to make sure that these agencies are operating according to the expectations of the Legislature and the children and families of Manitoba.

But the member opposite, Mr. Speaker, mandated and, in fact, created that agency just in time for the 1999 election. Maybe we should have some questions asked about what lack of accountability measures she put in place.

**Mrs. Mitchelson:** And the case loads for Peguis agency were increased considerably as a result of devolution, and every child within the city of Winnipeg being transferred and having their files closed when they were shipped to Peguis and many other agencies, Mr. Speaker. He should've listened to the complaints that were coming in and he should've taken action. We're six years past, and more, past devolution and we're still seeing children die under this minister's watch as a direct result of them rushing the devolution process through.

Mr. Speaker, will he show some leadership today? Instead of talking about the reviews that are going to take place, why haven't the reviews been done, and why aren't children safe under his watch and his standards?

**Mr. Mackintosh:** Well, I know the member opposite turned a blind eye to shortcomings that came to her attention on a regular basis. I think she probably used the excuse, well, most of these agencies are federally—are mostly federally funded. But, Mr. Speaker, it doesn't matter to us where the funding comes from, it's all taxpayer funds. But, if funds are not being used properly that means that children and families are being robbed of the supports that they need so badly, unfortunately, too often in this province.

But, you know, the member opposite has no credibility on child welfare, and it wasn't many years ago when the workers in child welfare went to her and they presented a report, and it was called *Crisis in Child Welfare*. They surveyed all their members, and that survey showed that of the social workers who felt that the child welfare system was not able to meet the needs of children and families, what percentage believed that—90 per cent. She still went on with cuts, and, in fact, '93, '94, '96, '99—a little pattern there—cuts to child welfare's—

**Mr. Speaker:** Order.

### **Lake Winnipeg Phosphorus Level Increase**

**Hon. Jon Gerrard (River Heights):** Mr.—

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

**Mr. Speaker:** Order. The honourable member for River Heights has the floor.

**Mr. Gerrard:** Mr. Speaker, I first want to congratulate Kevin Lamoureux on his election [*inaudible*]

Mr. Speaker, one of the legacies of this NDP government is increasing phosphorus levels and increasing algal blooms in Lake Winnipeg. Lake Winnipeg has become less safe for our children to play in. In 2007, this government bragged that it met 84 per cent of its initiatives, but, in fact, as part of this government's policy of unaccountability and indifference to Manitoba's lakes, the phosphorus levels and algal blooms have increased.

Mr. Speaker, can the Premier explain how it fits into the NDP government's policies, his environmental policies, to increase the levels of phosphorus and algal blooms and algal toxins in Lake Winnipeg?

**Hon. Greg Selinger (Premier):** Mr. Speaker, the member will know of the several initiatives we've taken to reduce phosphorus in Lake Winnipeg. He will know about the hog moratorium that's been brought in to sensitive lands and areas in Manitoba. It was controversial at the time, but the fact of the matter is it was intended to protect our clean bodies of water from excess nutrient loading. He will know of the rules we brought in for septic fields and increased inspectors so that they—which were opposed by the Conservatives opposite. He will know of the wetlands protection and restoration initiative which we have launched to restore the Delta and Netley-Libau marshes. And he will know of the announcement we made this morning that builds on that, of an additional \$150,000 to once again capture more of the biomass there to remove more phosphorus and nitrogen from the marshes and actually generate biofuels so that we can also displace coal use in Manitoba.

He will know that there are new water protection areas where phosphorus is a no go. He will also know that we are among the leaders of banning phosphates from cleaning products in this country,

and there are other initiatives which I can mention for him in the next—

**Mr. Speaker:** Order.

**Mr. Gerrard:** Mr. Speaker, the Premier should know that there's a Red Zone conference happening right today in this city because there is a crisis on the water quality in Lake Winnipeg under his watch. And what has been the response of this Premier to this crisis in Manitoba's lakes? It is to use their resources to produce silly television commercials about the opposition instead of hunkering down and doing the job of cleaning up the lake that they should have done.

Mr. Speaker, the statistics show that all the silly accusations that the government is making in TV commercials about Lake Winnipeg are not doing any good in cleaning up the lake. In fact, the phosphorus levels, the alga blooms and the algal toxins are all increasing.

Is the production of silly commercials by the Premier a real initiative, and is it doing any good? I hardly think so.

**Mr. Selinger:** Mr. Speaker, as I said earlier, not only have we removed phosphates from cleaning products, an initiative which has been taken on by the federal government now, not only are we working on marsh restoration and bioenergy alternatives, not only do we have our tougher rules for septic fields and increased inspectors, not only have we brought in a hog moratorium opposed by the opposition but, in addition, on the lake stewardship board's 135 recommendations, 95 per cent have been completed, and the board itself has said that they are confident that the Province's actions to save Lake Winnipeg were concrete and on track.

We—as the member knows, we are very supportive of this conference occurring today, and that's why I showed up this morning to give introductory remarks and to make the announcement on some of the next initiatives that we could take. I know the member was there in the audience this morning; I saw him there.

I think this conference will provide us with other excellent ideas on how to save Lake Winnipeg, and it is this Manitoba government which provides over a million dollars of support every year to the International Institute on Sustainable Development. We look forward to their findings. We think they will give us additional impetus to move forward on protecting the lake.

**Mr. Gerrard:** Under this Premier's watch the levels of phosphorus, algal blooms and algal toxins are all going up and up. The Premier, the NDP continue to spin and spin and spin.

But I know this government relies on its dwindling support from environmental and—environmentalists and lake lovers, but I wonder how they feel about the fact that Lake Winnipeg has become less safe for our children to swim in. I wonder how they feel about the fact that the Premier has made clear he's indifferent to the future of our lakes. I wonder how they feel about the silly TV commercials as an initiative, a failed initiative, to try to clean up the lake.

Or, Mr. Speaker, does the Premier see the writing on the wall, that Manitobans understand that this government has disappointed them on Lake Winnipeg and his NDP government is actually doing no better than the Tories did before?

**Mr. Selinger:** In addition to the initiatives I've already mentioned, we have now signed a memorandum of understanding with the federal government on protecting Lake Winnipeg. This is a first and it will allow us to do additional research. We are supporting millions of dollars of research for the wake—Lake Winnipeg Research Consortium and their research ship the *Namao*, and I noted that the leader of that project was there this morning. We have brought in restrictions on lawn fertilizers.

Now, if the member from River Heights is concerned about Lake Winnipeg, why is he silent on the members of the Conservative opposition wanting to rip up The Water Protection Act? Why is he silent on their refusal to support the hog moratorium? Why is he silent on all of the things they say they are going to do that will put Lake Winnipeg at greater risk?

If he's really concerned about Lake Winnipeg, he'll be asking the Leader of the Opposition (Mr. McFadyen) on why he wants to move Manitoba forward, and he'll work with us to improve Lake Winnipeg, which is exactly what we're doing.

\* (14:20)

### Healthy Child Manitoba Initiatives

**Ms. Bonnie Korzeniowski (St. James):** Mr. Speaker, our government has been a national leader in support to children and youth. In 2000 we

introduced the first and, to this day, only Cabinet-level committee to deal with our children's agenda.

Healthy Child Manitoba is a North American success. From prenatal benefits to positive parenting programs to home visitors, the success goes on and on.

Families and children have grown up in the last 10 years with great support from our children. Recently stakeholders and front-line workers from across Manitoba came to Winnipeg to celebrate an important milestone for Healthy Child Manitoba.

Can the Minister of Healthy Living, Youth and Seniors inform the House of this event?

**Hon. Jim Rondeau (Minister responsible for Healthy Child Manitoba):** Mr. Speaker, I'm pleased to have a question on Healthy Child and the future of our province.

This event brought hundreds together and they celebrated some of the milestones. Some of the milestones that I'd like to share with the House include the Prenatal Benefit, where 4,500 young parents receive an additional benefit which helps with nutrition, which helps their food and really makes a difference in their—in young people having proper birth-weight babies, et cetera.

Mr. Speaker, 53 per cent of these people receive the benefit are rural, and to date 42,500 young mothers have received the benefit. There's 26 parent-child coalitions that came together and talked about how they're growing communities, growing young parents and building skills.

There's been FASD people and—who talked about the InSight program and how they're helping 240 women today, Mr. Speaker, and—

**Mr. Speaker:** Order.

### **Pediatric MRI Project Status**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, in the 2007 election this Minister of Health promised a pediatric MRI. She promised it again in the 2007 Throne Speech and, again, in 2008 and 2010, so four announcements, four photo ops.

She also promised that it would be operational this December. I'd like to ask the Minister of Health: Does she intend to keep this promise?

**Hon. Theresa Oswald (Minister of Health):** Mr. Speaker, certainly we have made a commitment to bring pediatric MRI dedicated services for children and for families in Manitoba. We are committed to follow through on that commitment.

In addition, Mr. Speaker, I'm happy to report we made a commitment to bring 700 more nurses to the health-care system. We've exceeded that promise. We promised to bring 100 training seats for nurses to the people of Manitoba. We've exceeded that promise.

We've committed to bring more doctors to Manitoba. We're doing that every single year, Mr. Speaker. Yes, we'll keep our commitments.

**Mrs. Driedger:** Well, Mr. Speaker, I have to ask, then: What happened to ending hallway medicine in six months with \$15 million, if she's talking about keeping her commitments?

Mr. Speaker, in the last election this Minister of Health said that children's health was a priority. In fact, she promised timely access to MRIs for children. If they were so committed to children's health, where is the pediatric MRI that she promised four times and it was supposed to be up and running next month? Is she going to keep that promise?

**Ms. Oswald:** Mr. Speaker, indeed we have made a commitment to—we've made a commitment to dedicated pediatric MRI services for Manitoba families. We will keep that commitment.

Mr. Speaker, I can't imagine that the member opposite has not been informed that we've also committed to build a new women's hospital for babies and for their families. We're also, with anxious anticipation every day, watching the first-in-Manitoba birthing centre being built in south Winnipeg and we're making sure that babies and their families have more doctors, more nurses at the bedside. Don't you kind of wonder why members opposite promised not a single one?

**Mrs. Driedger:** Mr. Speaker, 10 years ago the pediatric MRI wait, without anesthesia, was two weeks. Today it is 19 weeks.

Mr. Speaker, this Minister of Health is great at making excuses for her health-care system. Can she tell us today: What is her excuse for breaking this promise to bring in a pediatric MRI next month?

**Ms. Oswald:** Again, I'll say for the third time, Mr. Speaker, we have committed to bring dedicated pediatric MRI services to Manitoba families. We are

working to fulfill that commitment, and what I can tell you, most certainly, that—[interjection] They know that this is the part where I talk about their record, and they don't want anyone to hear it. I'll speak louder.

We know, Mr. Speaker, that members opposite during the last election campaign, when all of Manitoba was watching to see their best foot forward, the Leader of the Opposition (Mr. McFadyen) said that health care would not be their priority and that they would turn their attention to other things. And that particular chorus by the member from Carman has been reiterated, and given the opportunity, the Leader of the Opposition will not refute that.

So he wants corporate donations and no attention to health care. My, my.

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

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

Order. We'll move on to members' statements.

## MEMBERS' STATEMENTS

### J.J. Siemens

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, I rise today to pay tribute to a man who's had a great impact on the community of Altona. Born in 1896, J.J. Siemens has made numerous contributions to the community.

He played an integral part in shaping Altona's identity as the Sunflower Capital of Canada. J.J. played a key role in starting an oil extraction plant originally called C.V.O. Ltd., now called Bunge. He played a leading role in the organization and development of the Rhineland Agricultural Society, the Rhineland Consumers Co-operative, Federation of Southern Manitoba Co-operatives, Manitoba Co-op Wholesale, the Co-op Union of Canada and the Manitoba Federation of Agriculture and Co-operation.

He also organized the Rhineland Agricultural Institute, which offered short courses in agriculture and home economics from 1937 to 1943.

Siemens was recently honoured by the community with an unveiling of a sculpture of Siemens in Altona's Gallery in the Park's permanent exhibit. A man motivated by faith, J.J. was never one to seek accolades. Ray Siemens, J.J.'s son, said that his father would have hated the honour and would

have objected to it in—to no end. The sculpture by Jock Hildebrand will be an everlasting tribute to Siemens' contribution to the community.

Mr. Siemens' commitment and contribution to the community are an inspiration and a prime example of community service and dedication. It is people such as J.J. Siemens that make our communities and province what it is today.

Thank you, Mr. Speaker.

### Rosie Colomb

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, I'm proud to formally recognize, in this Chamber, Rosie Colomb, the eldest member of the Mathias Colomb First Nation. Rosie celebrated her 101st birthday this November.

Rosie was born on her family's traditional territory near Eden Lake, which is close to Lynn Lake, Manitoba. She has lived in this region her entire life.

Rosie and her husband, Marcel Colomb, were active in the creation of the new reservation, Marcel Colomb First Nation. This new reservation protects the land and livelihood of the Marcel Colomb people. Rosie is a well-known elder who has contributed a great deal to northern Manitoba.

Rosie is thankful for the blessings of her children and grandchildren, all of whom are members of the Marcel Colomb First Nation. She also has many relatives and friends all across northern Manitoba.

Rosie is a kind and gentle woman who enjoys sharing her many stories about the history of the Pukatawagan region. She has witnessed enormous changes during the past century—to name a few: the impacts of fur traders and missionaries, the movement away from traditional land-based lifestyles and the evolution of mining in northern Manitoba. Her long life has spanned the world of canoes and traplines and also the world of airplanes and computers. Rosie has survived four pandemics, including the deadly 1918 Spanish influenza pandemic.

\* (14:30)

According to her son, Chief Andrew Colomb, people feel happier and healthier when they visit Rosie. Although she doesn't speak English, non-Cree speakers, somehow, always seem to understand her because of her unmistakably powerful presence.

Rosie has contributed much. She knows her community well and is fully dedicated to her people and the land. Like so many other Aboriginal people, she has had to overcome incredible challenges and hardships while remaining committed to values, traditions and community. People like Rosie might go unnoticed in the south, but her positive impact on the north is unmistakable. The north would be so much poorer without powerful women and elders such as Rosie Colomb.

Mr. Speaker, I invite all members of this House to celebrate the life of this kind and gentle lady, Rosie Colomb, and wish her the best of luck in, as she says it, her 101st winter. Thank you.

#### **Canadian Fossil Discovery Centre**

**Mr. Peter Dyck (Pembina):** Mr. Speaker, the Canadian Fossil Discovery Centre, located in the beautiful community of Morden, is quickly becoming one of Manitoba's top travel destinations. The centre houses the largest collection of giant marine reptile fossils in Canada, including a 13-metre long mosasaur named Bruce. The Royal Ontario Museum, the University of Manitoba and the Royal Tyrrell Museum have fossil displays on loan from the FDC or the Canadian Fossil Discovery Centre, which were recovered from the fossil-rich Manitoba Escarpment area.

Late in the 2009 field season, staff at the Canadian Fossil Discovery Centre excavated many interesting fossils at one of their dig sites and unearthed its major find in five years, a giant 80-million-year-old fish fossil. During the winter, paleontologists cleaned up the specimen and discovered a massive Xiphactinus jawbone with a partial mosasaur flipper wedged between them. Based on the size of the bones collected, this Xiphactinus was about six metres in length, making it the largest of the museum's collection of prehistoric fish fossils and larger than any modern bony fish.

Coincidentally, on the same day as the fossil discovery, museum curator Anita Janzic was contacted by the Discovery Channel and asked if she had anything interesting to film. In July, the Discovery Channel's *Daily Planet* sent a film crew to spend time at the Canadian Fossil Discovery Centre field and film the dig site, collections room and laboratory.

The Canadian Fossil Discovery Centre has excavated over 500 fossil specimens from their

fossil-rich property extending 109 acres along the Manitoba Escarpment, northwest of Morden. For their first time this summer, the centre was able to mobilize a field crew to prospect and dig for fossils on a continuous basis. The F—the CFDC is working towards a new museum in order to present their spectacular finds to the public and better support the paleontologists with their scientific research.

The latest discovery and recognition that has followed has brought the CFDC closer to the reality of a new state-of-the-art facility. I would like to wish the Canadian Fossil Discovery Centre the best of luck with future discoveries and thank them for running very popular school programs, museum guided tours, kids' programs, indoor fossil tours and the Fossil Dig Adventure Tour. Thank you very much, Mr. Speaker.

#### **Patrick Ballantyne**

**Mr. Frank Whitehead (The Pas):** Mr. Speaker, Patrick Ballantyne is a volunteer who has made an incredible contribution to Moose Lake. Patrick has, for years, been involved in helping youth get involved in various character-building programs and opportunities such as the Air Cadet program. Each week, Patrick volunteers his time to bring young people into The Pas from Moose Lake to take part in a variety of events.

Moose Lake is about an hour's drive from The Pas, which goes to show how dedicated Patrick is to these kids. He does this every week. He goes around and picks them up at their homes, stays with them throughout the events, helps them out and then drops them all off at their homes at the end of the day. He does this strictly on his own as a volunteer.

Thanks to the Cadet program, we have youth in Moose Lake that are now in uniform and are active in the community. These youth have proven they are excellent role models to the younger kids and even to others their age. The youth at Moose Lake are already making a significant contribution to the overall well-being of the community just by being involved.

Thanks to Patrick Ballantyne, the youth have the opportunity to learn and grow from the Air Cadet program. Thank you to Patrick for donating his time and energy for these youth and their community. I would also like to thank the Frontier Mosakahiken School and the parents for supporting the youth.

Thank you, Mr. Speaker.

### Oak Park Raiders Football Teams

**Mrs. Myrna Driedger (Charleswood):** I rise today to honour the Oak Park Raiders junior varsity and varsity football teams. This high school, in the constituency of Charleswood, develops many excellent sports teams as well as excelling in academics and the arts. The varsity football team won the provincial championship by winning the ANAVET Cup on November 12th at the Canad Inns Stadium. They defeated St. Paul's Crusaders by a score of 27 to 17.

The army, navy and air force veterans have sponsored this high school provincial championship for some time now, and the Oak Park team has won this honour many times in the past. However, this year was particularly sweet as they avenged last year's 52-49 loss against St. Paul's Crusaders. The Oak Park team hasn't won the provincial championship since 2007.

MVP award went to Nick Demski of Oak Park who scored two touchdowns at this year's final. Last year he scored six touchdowns in a losing cause. An interception by Oak Park's Travis Noble set up one of those touchdowns and Elliot Taylor also intercepted and ran it back for a touchdown.

Two days prior to this Oak Park victory, the Oak Park Raiders junior varsity team won the first ever junior varsity high school football championship in Manitoba. The Oak Park Raiders defeated the Grant Park Pirates on November 10th at Canad Inn Stadium by a score of 43-12.

Kedon Sweetney led the Raiders attack scoring three rushing touchdowns, while Tyson Morrissey, Braedy Will and Miracle Tamana also contributed to this win.

This season saw the Raiders outscore their opponents 501 to 19 in the Winnipeg High School Football League's first foray into junior varsity competition. Their record was enviable at nine and zero.

Congratulations to the coaches, Stu Nixon of the varsity team and Paul Bennett of the junior varsity team, as well as the players, other coaches, managers, trainers and other support personnel. Once again, Oak Park had the support of many staff and parents in bringing together this extremely talented group of athletes to perform at such a high level.

Once again, Mr. Speaker, I would like to congratulate all of the players, parents and team

members for an outstanding season. They have brought recognition to the community of Charleswood by rising to excellence with support from the coaches and from each other.

Thank you, Mr. Speaker.

### ORDERS OF THE DAY

*(Continued)*

### GOVERNMENT BUSINESS

#### House Business

**Hon. Jennifer Howard (Government House Leader):** Yes, Mr. Speaker, on House business. I have a couple of matters of House business.

First, I'd like to announce that, pursuant to rule 31(8), the private member's resolution to be considered next Tuesday will be one put forward by the honourable member for Concordia (Mr. Wiebe). The title of the resolution is Youth Opportunities.

**Mr. Speaker:** Okay, pursuant to rule 31(8), it's been announced that the private member's resolution to be considered next Tuesday will be the one that will be put forward by the honourable member for Concordia. The title of the resolution is Youth Opportunities.

The honourable Government House Leader, on further House business.

**Ms. Howard:** I'd like to ask that you call bills in the following order this afternoon, starting with Bill 2, Bill 4, Bill 3, Bill 8, Bill 9, Bill 5, Bill 7 and Bill 10.

**Mr. Speaker:** Okay, the order of bills that will be called for second readings. The order is: Bill 2, 4, 3, 8, 9, 5, 7 and 10.

So now I will call second reading of Bill 2, The City of Winnipeg Charter Amendment Act (Winnipeg Police Services Auxiliary Cadets).

### SECOND READINGS

#### Bill 2—The City of Winnipeg Charter Amendment Act (Winnipeg Police Service Auxiliary Cadets)

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the honourable Minister for Local Government (Mr. Lemieux), that Bill 2, The City of Winnipeg Charter Amendment Act (Winnipeg Police Service Auxiliary Cadets); Loi modifiant la Charte de la ville de Winnipeg (cadets auxiliaires du Service de police de

Winnipeg), be now read a second time and be referred to a committee of this House.

***Motion presented.***

\* (14:40)

**Mr. Swan:** I'm pleased to stand and put some comments on the record about Bill 2. This bill is yet another signal of this government's commitment to support innovative policing practices. The Auxiliary Force Cadet program of the Winnipeg Police Service is a new initiative, supported by the City of Winnipeg and by the Province of Manitoba. The program will augment regular policing ranks with specially trained cadets who will perform prescribed duties to enhance both the scope of policing resources and the visible presence of police within the city of Winnipeg.

Mr. Speaker, this amendment to the City of Winnipeg Charter will ensure that cadets are enabled to perform the full range of enforcement duties envisioned for this new component within the Winnipeg Police Service. The Winnipeg Police Service is responsible for training these cadets and for supervising these cadets, and they have come to us suggesting the need for this bill. We previously announced our support to establish the cadet program, and I'm very pleased this bill will help ensure the cadet program reaches its full operational potential.

This bill authorizes the Minister of Justice to establish a regulation which, No. 1, applies to certain employees of the Winnipeg Police Service, cadets, who will be appointed as special constables under the provision of the City of Winnipeg Charter. And, very helpfully, it won't require the City of Winnipeg to constantly come to the Province for authority; it'll be within the power of the City of Winnipeg to give special constable status to new cadets as they join the force.

Secondly, it'll prescribe provincial enactments that cadets may enforce. It is intended the cadets will be out there enforcing a wide range of provincial laws which will certainly be a useful task for them to undertake.

Thirdly, Mr. Speaker, it'll prescribe certain duties and powers cadets may exercise under these enactments; and, fourth, it will prescribe any conditions that may apply to the enforcement, powers and duties of cadets in relation to these enactments.

Mr. Speaker, this bill also provides that, because of these additional duties and powers, these special constables, these auxiliary cadets, will be subject to The Law Enforcement Review Act. We agree with the City it's very important that as these cadets will be working under the supervision of the Winnipeg Police Service, and they will be interacting with the public, we think the public confidence is well served by these cadets being subject to LERA.

Mr. Speaker, the first class of Winnipeg police cadets, 30 of them, is nearing completion of its academy training, and these cadets will be commencing field training in the immediate future. It's certainly in my hope that this bill will have the full support of all members of the House. Its passage will ensure the cadet program can strive to achieve its full operational objectives and, in doing so, work to keep our city safe.

You know, as I've indicated, Mr. Speaker, this first cadet class is comprised of 30 cadets. I was very pleased to be present at the training academy, together with the mayor and the Chief of Police Keith McCaskill, to celebrate the first day these cadets entered into the program, and they were certainly a very excited group of young people and not-so-young people, very interested in pursuing a career in law enforcement.

I think we can all be proud of the cadet program as a pathway, an additional pathway, for people to choose a career in law enforcement. I'm pleased to say, from a meeting with the cadets, from speaking with Chief McCaskill, it's a very high standard that's been met by these applicants. It's attracted a wide range of applicants so the 30 cadets currently undergoing training are truly the cream of the crop. The intention, certainly, of this program is to continue to make sure that policing in Manitoba and in Winnipeg really reflects the faces of Winnipeg, and I'm very pleased that Chief McCaskill shares the goal of including more under-represented individuals in our police service, including Aboriginal people in Winnipeg, as well as new Canadians.

I understand that many, many cadets have already indicated their intention to take their career in law enforcement one step further. It wouldn't be a surprise, Mr. Speaker, if many of these cadets actually applied for and got into the next class to become a full-fledged member of the Winnipeg Police Service. I also understand some of the cadets may be interested in applying for a position as a cadet at the RCMP Depot, in the goal of becoming a

member of the Royal Mounted Police. They may also pursue other careers in Corrections. They may pursue other careers in other areas, such as Conservation officers, where they may very well be a true credit to our province. As I said, I was there on the first day and I look forward to seeing these cadets again as they complete their training and become fully fledged cadets within the Winnipeg Police Service.

And, just this morning, Mr. Speaker, I saw one of the cadet police cars, one of the cars which is dedicated to the use of the cadets as they're out there enforcing laws. I actually saw that car while on my way to the Public Safety Building to share an announcement with Winnipeg Police Service Chief Keith McCaskill, together with Manitoba Public Insurance, Professor Rick Linden and others as we celebrated the international recognition that's been given to the WATSS program, the Winnipeg Auto Theft Suppression Strategy.

I think all Manitobans should be very proud that that strategy has actually won awards from the international associations of chiefs of police for the innovative way that we have created a smart and modern program to tackle the issue of auto theft, and indeed, auto theft is down some 75 per cent since 2004. The battle continues but we are certainly, with the support of the police, with the additional resources for our Crown attorneys, with the work being done by probation services and with the investments made by MPI, we are certainly turning the clock—really turning the clock forward and getting away from the difficulties with auto theft that, unfortunately, have plagued this province since 1992.

That's just an example, Mr. Speaker of how we can continue to move ahead. It's one thing to be tough on crime. You can be tough on crime but actually get better results by being smart on crime. We believe that the cadet program is a program whose time has come. We believe it's appropriate to open the doors to more young Winnipeggers and young Manitobans interested in policing. We believe it's also appropriate to find ways to let our full-fledged Winnipeg Police Service officers be freed up from certain tasks and allow them to work at their highest and best purpose.

So certainly, Mr. Speaker, there's a lot of good things going on in policing. The Winnipeg police cadets are a big part of that. I'm very pleased to bring

Bill 2 before the House, and I certainly hope that I'll have the undivided attention of the opposition members to let this bill get through to committee as soon as possible so that our cadets can be out there on the streets doing everything we expect of them and doing their part to help make this a better community.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to put a few comments on Bill 2. First of all, I would like to indicate that we're—I'm certainly in general support of this legislation and of the cadet programs, and I would like to extend congratulations to the cadets who are coming through the program and, of course, when they graduate, and looking forward to them being participants in improving law enforcement in the province.

I want to say a few things about the legislation. This legislation is by and large what's called enabling legislation. That is, that there's not a lot of substance in the legislation itself. Most of the substance is in the regulations which the Minister of Justice (Mr. Swan) will make with regard to what the cadets can do. The minister has indicated very briefly what he expects the cadets to be able to do. I would suggest that it would be useful to, in fact, give us more details, perhaps at the committee level, perhaps by presenters, in terms of what the cadets will do. I suggest it would be important to have, you know, what the cadets can do by themselves when they are, as it were, alone, even though there may be supervision at a distance; second, what they are able to do under supervision—immediate supervision—when they've got a policeman who is right beside them; and third, what they're not allowed to do.

I think that clarity in this area would be helpful to the cadets, and it would be helpful also to people in the general public in knowing that the cadets are going to be well positioned. I would give as one example: It's not clear to me from what the minister said as to whether cadets would be allowed to use Tasers. And Tasers have been, of course, a little controversial in the last little while, and so it would be important to have a clarification and to put this either in a list of something that they can do or a list that's something that they can't do, and then it is very clear and it's not a grey area. And so that what I would suggest that the minister look at is, when this comes to committee stage, providing the opportunity to clarify in greater detail what the cadets will be doing, what they will not be doing, so that all of us can have a very clear perspective on this.

Those are my remarks at this time, Mr. Speaker. Thank you.

\* (14:50)

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I move, seconded by the member from Lakeside, that debate on Bill 2 be adjourned.

*Motion agreed to.*

#### **Bill 4—The Retail Businesses Holiday Closing Amendment Act**

**Hon. Jennifer Howard (Minister of Labour and Immigration):** Mr. Speaker, I move, seconded by the Minister for Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 4, The Retail Businesses Holiday Closing Amendment Act; Loi modifiant la Loi sur les jours fériés dans le commerce de détail, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Ms. Howard:** Mr. Speaker, well, I guess, one only has to look outside to know that we are getting close to the Christmas and holiday season as the snow falls and flies out there and, certainly, the songs on the radio all suggest a holiday theme. We know that we're getting closer and closer to that season.

This year, of course, Mr. Speaker, Boxing Day falls on a Sunday, and that won't happen again, apparently, until 2021, when some of us, you know, may have retired by then. I plan to be here, but I can't speak for everybody in the Chamber. I know, you know, I would be remiss if I didn't certainly wish my critic well. I know that he intends not to run again, and I have found working with him to be a great experience. I have found him to be one of those rare things, which is a true gentleman, not only intelligent in his remarks, but always looking for the best of his constituents and the best of Manitobans, and I thank him for his time here in the House.

So this amendment will allow retail businesses whose hours of operation on Sundays are currently restricted to noon to 6 p.m. to operate without restriction on Boxing Day. I know anybody who finds themselves in a store on Boxing Day will know that it's become one of the busiest days of the year for retailers. I think we just had the experience of looking south of the border at the shopping frenzy that characterized Black Friday, and I know when I met with retailers to talk about this change, they remarked to me that for us in Canada Boxing Day really is our equivalent. Some of those retailers

talked about Boxing Day representing up to 15 or 20 per cent of their total sales for the month of December. So that includes all the kinds of holiday shopping that happens in December, but Boxing Day has become, in many ways for many retailers, really a make it or break it kind of day for sales.

So restrictions on this day results in a challenging day, not only for shoppers and employees, but also can create a hardship for businesses. So this amendment will automatically allow unrestricted shopping on Boxing Day in all communities that currently have a Sunday shopping bylaw.

Now, municipalities will continue to have the right to restrict shopping hours when Boxing Day falls on a Sunday by adopting shopping hours through a bylaw that are appropriate for their community. These extended Boxing Day hours would not apply in those municipalities that have chosen not to have a Sunday shopping bylaw.

One of the things that was important to us and that we discussed with the Association of Manitoba Municipalities was that we wanted to certainly preserve the right of municipalities to make decisions when it comes to Sunday shopping. Sunday shopping in this province has always been permissive and incumbent upon municipalities to decide if it's something that they want in their area. But we also didn't want to create a hardship for municipalities that would have to quickly pass bylaws within this month.

So I want to be really clear about how it will work in municipalities. If municipalities currently have Sunday shopping, then on Boxing Day those stores will be allowed to open unrestricted hours. For municipalities that don't currently have Sunday shopping, they don't—they won't have it on Boxing Day either. The only way that will change is if they decide to make a bylaw in time for Boxing Day.

Municipalities also have the ability to restrict hours on Boxing Day. Those municipalities that currently have Sunday shopping, if they should so choose. We endeavoured to give lots of notice, as much as possible, to the Association of Manitoba Municipalities that we were going to bring in this change so that they would have time to inform their members, and if they wanted to make bylaws, would be able to get that process started.

The amendment also protects commercial tenants from being forced to open for extended hours

by the terms of their lease or other agreements. Some businesses have told us that it isn't advantageous to them to open extended hours, and they wouldn't want to be forced to do that. So we've tried very much to also protect the choice of retailers in this bill.

On November 12th the Winnipeg Chamber of Commerce and the Retail Council of Canada wrote to the government asking that these changes be made. I had met previously, earlier in November, with those groups, as well as shopping malls and other retailers. They made several good points to me. I've mentioned the one about the incredible amount of business that they do on Boxing Day.

They've also had the experience now in 2004, the last time that Boxing Day fell on a Sunday, where they reported that they noticed that traffic on that day was down 30 to 40 per cent, in some cases, in the stores. And although we would have hoped that people would have come the following day or shopped all week, that was not their experience. The other thing that they—another point that they made quite well, I thought, was that currently, of course, we're in an economic climate where the dollar—our dollar is at par with the US and with Saturday falling on—with Christmas falling on a Saturday, many people would have the following Monday off. So there was, of course, concern that most—many people would find the allure of the dollar at par and wide-open Sunday shopping in the States very attractive and that our retailers would lose out in that way.

This legislation—this amendment was able to go to the Manitoba Labour Management Review Committee, which consists of representatives of employer and employee organizations, who indicated consensus support for the proposed changes. Of course, you know, there are always concerns with this kind of legislation. I think what is clear to me is that while there is a consensus to move forward with unrestricted hours on Boxing Day, when it falls on a Sunday, in those rare instances it does, there isn't that consensus to move forward with totally unrestricted Sunday shopping, and we won't be doing that.

So, Mr. Speaker, I would say that this bill is also one of those bills like the previous one we discussed, Bill 2, about the police cadets. It does have a bit of a time element to it. In order for retailers to take advantage of this, they need to know as soon as possible that this is going to be the law of the land so that they're able to place their advertisements and recruit employees for that day.

So I hope that the opposition will see fit to pass this quickly on to committee. We have been able to arrange a briefing for members of the official opposition, able to arrange a briefing for other members as they would like it.

Thank you very much, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to put a few comments on the record in terms of Bill 4, The Retail Businesses Holiday Closing Amendment Act, which deals with when businesses can be open on Boxing Day.

As—first of all, I would say that general support for this bill, recognize the problem that is being faced this year and the fact that certain retail operations have historically done a tremendous proportion of their regular business on Boxing Day due to the nature of the amount of shopping that occurs on a regular Boxing Day.

\* (15:00)

I have a couple of comments. First of all, as this bill is written, it refers to the fact that a retail establishment may be open at any time on that day, and this opens the door for businesses to start operating at—right after midnight. And it would seem to me more logical to at least put some boundaries in terms of the hours of operation and—so that you don't have—you have some limits, whether it's 8 o'clock in the morning, 7 o'clock, 6 o'clock, 5 o'clock, but at least put the boundaries in the bill so that there's a framework for stores and businesses to operate and not just an open door to operate whenever businesses might like to, starting right after midnight.

And I think that some boundaries would be well received, in general, and that that would be a common-sense approach to looking at this legislation.

I also—it's been raised with me—and maybe the minister can clarify here—by some employees who feel that, you know, because they are going to be working on a Boxing Day, which is a holiday, and because this is a special arrangement, that there might be, at the same time, some consideration of special arrangement in terms of employee pay so that this, you know, was used appropriately and not abused by business enterprises, because, after all, Boxing Day is a pretty special day for many people to spend with their family right after Christmas Day. And I think that, you know, we don't want to create a situation where people are, you know, not able, as

well, to spend the time with their family because, in fact, they are being required to work.

So I think that that—I raise that as an issue for the minister to consider as this comes to committee stage. And with those two comments I will just signal my general agreement to this and close my remarks, Mr. Speaker. Thank you.

**Mr. Peter Dyck (Pembina):** Mr. Speaker, I just want to thank the minister for those kind words.

And I move, seconded by the honourable member for Morris (Mrs. Taillieu), that we adjourn debate.

*Motion agreed to.*

**Bill 3—The Victims' Bill of Rights Amendment Act (Denying Compensation to Offenders and Other Amendments)**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the Minister for Innovation, Energy and Mines (Mr. Chomiak), that Bill 3, The Victims' Bill of Rights Amendment Act (Denying Compensation to Offenders and Other Amendments); Loi modifiant la Déclaration des droits des victimes (refus de versement d'indemnités aux auteurs d'infractions et autres modifications), be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill, and I table the message.

**Mr. Speaker:** It has been moved by the honourable Attorney General, seconded by the honourable Minister for Innovation, Energy and Mines, that Bill 3, The Victims' Bill of Rights Amendment Act (Denying Compensation to Offenders and Other Amendments), be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill, and the message has been tabled.

**Mr. Swan:** Mr. Speaker, Bill 3 contains several amendments to Manitoba's Compensation for Victims of Crime Program. I think we can be very proud of the fact that Manitoba has one of the best Victim Services programs in Canada.

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

We've been able to expand this program several times over the last decade, both in terms of the types of crimes for which Victim Services were available,

and also the nature of services being provided to victims and witnesses of crime.

Of course, this is a large province. I'm very pleased that we've been able to expand Victim Services to every circuit court across the province. That's more than 60 locations. And, unlike many other jurisdictions, the Victim Services people get their referrals through Crown prosecutors in Manitoba. We actually have a very sophisticated system to make sure that victims get the services they need when they need it.

Many of the amendments in Bill 3 will provide greater clarity in terms of the benefits available to witnesses, victims and family members affected by crime. Victim Services staff are very caring, very competent. They do use their discretion, which is a good thing, but we want to make clear, certain areas where certainly those services should be provided. And, as an example of that, Madam Deputy Speaker, we want to make it very clear that counselling services to address trauma that has occurred as the direct result of witnessing an incident is specifically included in the act. I'm not saying that those services haven't been provided in the past, but we want to make it very clear that to victims services should be providing that to victims and witnesses in this province.

Now, certainly, Madam Deputy Speaker, we want to ensure that services can continue to be provided. I know services can be expanded to victims, witnesses and the families of deceased crime victims receive compensation. And the act, by this bill, would be amended to provide Victim Services staff with the ability to disentitle individuals who have criminal convictions for serious offences. These offences will be designated in the regulation. We can certainly discuss this in more detail at committee. I can tell the House that we will be looking at maximum penalties set out in the Criminal Code of Canada and the controlled substances act to determine which offences are serious enough to disentitle people.

The program will also have the flexibility to make certain exceptions for individuals but only if they have not been convicted of a designated offence, one of these serious offences or occurring more than 10 years before the incident that resulted in their own injury or death. Program staff will also be entitled to reduce or deny benefits to individuals who've been convicted of less serious but more frequent and more recent offences.

Madam Deputy Speaker, one of the main messages of this bill is that those who choose to become involved in illegal activity, in turn, make themselves a target for crime. We continue to work to turn people away from gang involvement. We continue to work to turn people away from criminal activities through a host of measures, through tougher laws within the control of the Province, through tougher laws as we advocate with the federal government in Ottawa, through various activities that we put in place to keep young people active, remain in school and keep engaged in our society as well as policies. And Bill 3 is just another measure that we think is appropriate to make sure, not only that we make sure Victim Services are there for people who need them, but also to send a very clear message to people that crime is a dangerous and foolish business for anyone to be involved in.

Now, I should let the House know that there are already certain means to deny individuals who may engage in illegal activity. And I think it's helpful just to put these on the record in the event that members will have questions about them.

It is already within the power of Victim Services to deny claims in certain cases. If an individual exceeds the time limit to apply, in cases where an individual does not assist law enforcement authorities to apprehend or prosecute a person whose actions result in their injuries or death; they can also deny services to those who don't report the incident within a reasonable amount of time. Obviously, they can and they will deny a victim services where the victim's injuries or death occurred while participating in a criminal offence. They will deny a victim services where their conduct directly or indirectly contributes to their injury. And, finally, they will also deny the claim where an applicant does not provide information requested by the director or in the former, requested by the director within a reasonable time after the request was made.

This will take matters one step further though to provide that those that are convicted of serious crimes or a series of lesser crimes, will also, without any of these other factors being present, be disentitled to Victim Services benefits.

Now, as I said, the actual offences will be spelled out in the regulations that will accompany the legislation. We are continuing to work on that but they will be serious offences under the Criminal Code and The Controlled Drugs and Substances Act.

Just to make it clear, if someone witnesses a homicide or witnesses a serious crime, even if the deceased or the injured person has serious criminal convictions, obviously the witness will not be disentitled; they'll be entitled to receive benefits from victims services.

Witnesses are also eligible for expenses incurred as a result of such an incident, including medication or compensation for damaged clothing and other areas.

So we believe that it's important that our Victim Services in this province continue to be expanded, they continue to be improved. We know we can best do that by making sure that those that are involved in illegal activity do not stand in the way of the truly innocent victims and witnesses who we think deserve the Victim Services.

\*(15:10)

So I hope that we'll have a good debate on this bill and I'm certainly hoping this can move to committee so we can continue to build a better Victim Services system here in Canada. We already have one of the best, but I think this'll make it even stronger.

Thank you, Madam Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** Madam Deputy Speaker, just to comment briefly on Bill 3, the amendments to the Victims' Bill of Rights. The amendments which are in this legislation are amendments which I can support. They're amendments which are reasonable, and, indeed, that's my comment at this point. I would like to listen to presentations that may be made at committee stage and to see if there are any further discussion of some of the points.

But thank you, Madam Deputy Speaker.

**Mr. Gerald Hawranik (Lac du Bonnet):** I move, seconded by the member from Charleswood, that debate on Bill 3 be adjourned.

*Motion agreed to.*

#### **Bill 8—The Legal Aid Manitoba Amendment Act**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister of Labour (Ms. Howard), that Bill 8, The Legal Aid Manitoba Amendment Act; Loi modifiant la Loi sur la Société d'aide juridique du Manitoba, be now read a second time and be referred to a committee of this House.

***Motion presented.***

**Mr. Swan:** I'm very pleased to have an opportunity to present Bill 8 to the Legislature for consideration. I look forward to having the opportunity to discuss this bill in detail at the committee stage, but there are some important points I'd like to bring to the attention of the honourable members as we begin debate on this bill.

This bill, quite simply, will give Legal Aid Manitoba the ability to recover the cost of defending youth accused in criminal cases where their parents could have paid for their child's lawyer but refused to do so.

Legal Aid Manitoba, Madam Deputy Speaker, has financial eligibility requirements, and these are designed to ensure that the resources for Legal Aid go to those with the greatest need. It should be noted, though, that the federal Youth Criminal Justice Act permits the court to order publicly funded counsel for youth who've not been able to obtain counsel. And while I don't think anybody can dispute the fact that a youth who has parents—or doesn't have parents—without the means should be entitled to counsel, what has been increasingly happening is that parents who have the means to hire a lawyer for their child, and would therefore be ineligible for Legal Aid, have been refusing to hire a lawyer. When their child tells the court that he or she has been able—unable to get a lawyer, the court can and often does order that the child receive publicly funded legal representation which is then provided by Legal Aid Manitoba, who fill that mandate in the province of Manitoba.

It should be noted that the Youth Criminal Justice Act specifically provides that a province may establish a program to recover the cost of such court-ordered counsel. And, Madam Deputy Speaker, this is exactly what the bill before us is designed to accomplish. The bill extends an invitation to provinces to establish such a program, and I'm very pleased that Manitoba is going to be the first province to go ahead and do that.

This bill is indeed the first of its kind in Manitoba. It will allow Legal Aid Manitoba to recover its costs in defending a young person whose family does not qualify for the program. It makes those costs a debt due and owing to Legal Aid Manitoba by the parents of the child.

This bill would allow Legal Aid to register a statement against real property, against land owned

by the youth's parents. This statement would represent a lien against the land for the cost of the legal services provided. Legal Aid can currently register similar statements against land owned by adult clients in exchange for legal representation. This will now extend this principle to include parents of children who are charged with offences under the Youth Criminal Justice Act.

I think it's very important to note, Madam Deputy Speaker, that nothing in this bill will prevent youth from receiving services from Legal Aid Manitoba. The bill only provides for cost recovery after the court proceedings are completed. Recovery will only be sought from those families that have financial resources that should have been made available for the legal defence of the child.

As I've indicated, we'll be able to discuss this bill in more detail at the committee stage, so I will conclude my remarks very shortly.

But whenever there's an opportunity to talk about the Youth Criminal Justice Act, I think, as the Attorney General of the Province, it's important to restate, most strongly, that our government has been calling for a number of improvements to the Youth Criminal Justice Act which, of course, is federal legislation. We were somewhat heartened earlier this year when the federal government introduced amendments to that act. We were somewhat disheartened when we had a look at some of the provisions in the YCJA. While we're very pleased that the federal government, in it's—in the bill presented to the House of Commons will allow a judge to take into account deterrence and denunciation in sentencing a child, there were certainly some other problems with the legislation which we've been very vocal about. I've offered the Minister of Justice, Minister Nicholson, any assistance that we can provide as a province to make sure the bill which ultimately makes it through the legislative process in Ottawa will truly improve the system and not to take it back a few steps.

And, in particular, the concerns that we have are the provisions which would make it very difficult, even more difficult than it is at present, to keep a young offender in custody pending a trial. Certainly, we know there are cases in Manitoba where there are youth who, I think everyone in this House would agree, are out of control. We don't want any amendments to the Youth Criminal Justice Act which will make it more difficult to keep those out-of-control youth in a safe environment.

As well, there's some real concerns that the bill, as presented to the House of Commons, would actually make it easier for youths to receive what are called deferred custody sentences, which are identical to conditional sentences that I think everybody in—just about everybody in this House would want to see reduced. The Youth Criminal Justice Act amendments as they now stand would actually expand that possibility.

The third major concern with the Youth Criminal Justice Act amendments is that it would make it almost impossible to ever try a youth as an adult and to seek an adult sentence when there are cases of great complexity, when there's criminal involvement that would be beyond what one would expect from a youth. We believe there should be reasonable measures and the possibility of raising a youth to adult court.

So, as I've said, together with the western provinces, we've spoken as one voice to call on Minister Nicholson and all political parties in Ottawa to make the necessary changes both privately and publicly. I've made it clear to Minister Nicholson that Manitoba stands with the government in terms of improving the act, and I've offered to, you know, on behalf of our government, and with the Premier (Mr. Selinger), to come and assist him in Ottawa if need be to make sure that the law is passed, but passed in a positive fashion.

So, certainly, we want to see the Youth Criminal Justice Act improved. We also want to make sure that when young people do get charged, if their parents have means, the funding to that should come from the parents and not from Legal Aid resources that we believe should be used for those in financial need.

Manitoba does have one of the best legal aid systems in the entire country. We provide criminal law services. We also provide civil law, family law services far in excess of what other provinces offer. I know provinces to the west of us such as Alberta and British Columbia have actually cut back family law services to those individuals who need them the most. I'm very pleased that we aren't going down that road in Manitoba, and we'll continue to work to make sure our Legal Aid system is there for those who need it.

So, Madam Deputy Speaker, those are my comments. I look forward to this bill moving on to committee and having this bill passed.

Thank you very much.

\* (15:20)

**Mr. Gerald Hawranik (Lac du Bonnet):** Yes, Madam Deputy Speaker, I move, seconded by the member from Morris, that debate on Bill 8 be adjourned.

*Motion agreed to.*

#### **Bill 9—The Summary Convictions Amendment Act**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Madam Deputy Speaker, I move, seconded by the Minister of Labour (Ms. Howard), that Bill 9, The Summary Convictions Amendment Act; Loi modifiant la Loi sur les poursuites sommaires, be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill, and I table the message.

**Madam Deputy Speaker:** It has been moved by the honourable Attorney General and seconded by the honourable Minister of Labour and Immigration, that Bill 9, The Summary Convictions Amendment Act, be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill, and the message has been tabled.

**Mr. Swan:** I think, as we get a sense this afternoon, this is another session in which we have a very business Legislative agenda when it comes to making Manitoba a safer province. We know that pursuing a safer province requires a number of different measures. It requires Manitoba doing everything within its control, within its constitutional powers to pass laws, to make sure that those who break the law have appropriate consequences. Again, it involves advocating with the government in Ottawa to make sure that federal law, the powers over criminal law, are also appropriate, both in terms of the types of laws and also the sentencing considerations that get taken into account when somebody is found guilty of an offence.

We know as well that one of the cornerstones of building a safer community is supporting law enforcement and, in Manitoba, we continue to do that by providing more resources for police officers year after year—for the Winnipeg Police Service, for the Brandon Police Service, for the RCMP. We know, as well, along that front that we have to

provide more support to our Crown attorneys. Every place that—since 1999, we've added 48 Crown attorney positions and even more support staff. We've committed to adding a further 53 Crown attorneys over the next six years, as well as support staff. As well, we've made investments in probation services. We've made investments in correction services and in other areas to make sure that we continue to build a safer community.

The third piece, of course, is prevention, making sure that crimes don't happen in the first place. Manitobans expect us to be on that file and we certainly are every day by investing in programs such as Lighthouses; investing in programs such as Turnabout, where youth under 12 who cannot be charged under any law can receive services. Everything we do to keep young people in school, everything we do to keep young people engaged in their communities, to pursue employment, are all crime prevention activities which are a very important pillar.

Madam Deputy Speaker, though, what happens when somebody is convicted of a law and chooses not to pay their outstanding fine? I think most Manitobans would be quite angered by the fact that substantial resources are actually needed by the Province to collect outstanding fines from individuals and businesses who break the law and choose not to pay their court-ordered fine. The cost to administer a fine collection unit within the Department of Justice and the fees which are paid to an independent collection agency are currently being borne by Manitoba taxpayers. Bill 9 will give the Province the ability to pass these collection costs on to the offender who should have paid their fine in the first place. It will, in short, result in those who do not pay their fines bearing the costs of enforcement.

This government has continued to enhance its deterrent to enforcement actions to ensure that when a fine is levied, the fine is paid. This bill provides the Province with another critical enforcement tool in its arsenal to encourage those that do receive fines to pay the fine within the prescribed time limits.

I think it's fair to say, Madam Deputy Speaker, that there are things we would like to do with the money that is currently outstanding: investments in our justice system, investments in health care, investments in family services, investments in all the many things that this government invests in to build a stronger province.

And I look at some other measures that the Department of Justice has taken to continue to crack down on those who break the law without regard for others, who don't pay their fines, who engage in organized crime.

I look—one positive example being The Criminal Property Forfeiture Act. To date \$1.1 million has been collected through seizures of property by our criminal forfeiture unit in consultation working with the Winnipeg Police Service and other police services. I can actually tell this House that there is some \$9 million now in the queue. And we would certainly like to get our hands on property and use those monies for crime prevention initiatives while, at the same time, knocking the legs out from under organized crime in this province.

So we have a busy agenda. We are busy making this a safer province, taking on organized crime, taking on gangs, taking on those who don't play by the rules of our province and our society. So Bill 9 is another step along that front. Individuals who are fined and don't pay those fines can expect to face more costs if they don't come forward with those monies.

So I look forward to debate on this and I look forward to this moving to committee and getting this bill passed.

Thank you, Madam Deputy Speaker.

**Mr. Ralph Eichler (Lakeside):** I move that debate now be adjourned, seconded by the member from Ste. Rose (Mr. Briese).

*Motion agreed to.*

**Bill 5—The City of Winnipeg Charter  
Amendment Act  
(Historic Property Designations)**

**Hon. Ron Lemieux (Minister of Local Government):** I'd like—I move, seconded by the Minister of Education (Ms. Allan), that Bill 5, The City of Winnipeg Charter Amendment Act (Historic Property Designations); Loi modifiant la charte de la ville de Winnipeg (désignations de biens historiques), be now read a second time and be referred to a committee of the House—this House.

*Motion presented.*

**Mr. Lemieux:** Manitoba has a rich history. Our historic buildings and sites teach us about our shared past, provide us with a sense of identity. It's about recognizing the value in building our communities.

It's about recognizing what you build today can still hold value tomorrow and well into the future. Historic buildings are visual and esthetic cues to the richness of our communities' past and the richness of our potential future. However, this is true for much more than just buildings. It's true for parks, cemeteries and other community components. Furthermore, it is the local communities that are often best positioned to understand what has historical importance for their community. All municipalities have long-standing authority to preserve and protect properties that hold special, local, historic significance.

This bill will enhance the City of Winnipeg's ability to preserve and protect historic properties. We are expanding the City of Winnipeg's authority to enable the City to also designate sites such as parks and cemeteries as well. Currently, the City can only designate buildings as historic. Other Manitoba municipalities already have this authority and have used it to designate historical important sites. The Stone Fence in Brandon and the MacDonald Pioneer Cemetery in the RM of Portage la Prairie are two such examples.

As well, Bill 5 will give the City of Winnipeg new authority to enable an historic designation to be registered on the property's title at the Land Titles Office. The City asked for this authority to ensure that property owners and others with an interest in the property clearly know that a property has been designated as historic. Future purchasers of the property will be aware of a historic designation and know about legal restrictions on potential development or use of this property.

\* (15:30)

Other municipalities have already—sorry, already have authority to register historic designations on property titles. I know this is a positive bill that strengthens our resolve to protect and celebrate our historic sites. I have been involved in some important projects with historic significance. For example, La Maison Gabrielle-Roy is now a historically recognized building. It celebrates one of Manitoba's best known and most celebrated writers. Gabrielle Roy was a literary pioneer that used Manitoba as a backdrop for her human stories. It is only proper that her house on Deschambault be recognized as a historically important site and today it is.

Many community leaders spearheaded this project. I remember meeting with Annette Saint-Pierre and a group of determined community

members, and I single out Annette Saint-Pierre so that I can also recognize that she recently released her autobiography, and the little bit I know about Annette is enough to know this book will be a fantastic reference point for many Manitobans.

I've also had the chance to involve—be involved, sorry, with the historical designation of Eaton's, Timothy Eaton's statue that now sits in the MTS Centre. The MTS Centre might not be a historical building, but it is a building of importance that shines a light on those who build for the betterment of our community. It also is an example of how you can build wonderful new buildings while respecting the aesthetic makeup of our community. The MTS Centre is truly a success and will continue to serve our community well.

My own community has a lot of history. Many of the communities follow the old Dawson Trail. This is the original route that allowed Red River Valley carts to make their way east to our capital city and I'm thrilled that Manitoba Infrastructure and Transportation recognizes the historic importance of this route and has recognized it as such by posting signs along Highway 207 and we can still discover untouched sections of the corded road just outside and east of Richer, Manitoba. And I know many individuals locally are working with the LUD of Ste. Anne, working to enhance this particular road, this historic road of Dawson Trail.

All to say is that history matters. Not long ago, on November 16, we recognized the death of Louis Riel. Recognizing Louis Riel is recognizing our beginnings as a province. It is important that we empower ourselves to underscore our rich history and its many components and Bill 5 will empower the City of Winnipeg to do exactly that. I look forward to debate and passage of this legislation. Thank you. Merci.

**Mr. Stuart Briese (Ste. Rose):** I move, seconded by the member for Lakeside (Mr. Eichler), that debate now adjourn.

*Motion agreed to.*

**Bill 7—The Polar Bear Protection Amendment Act  
(International Polar Bear Conservation Centre)**

**Madam Deputy Speaker:** We will now move on to Bill 7.

**Hon. Bill Blaikie (Minister of Conservation):** I move, seconded by the honourable Minister of Labour and Immigration (Ms. Howard), that Bill 7,

The Polar Bear Protection Amendment Act (International Polar Bear Conservation Centre), be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill, and I table the message.

**Madam Deputy Speaker:** It has been moved by the honourable Minister for Conservation and seconded by the honourable Minister for Labour and Immigration, that Bill 7, The Polar Bear Protection Amendment Act (International Polar Bear Conservation Centre), be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill, and the message has been tabled.

**Mr. Blaikie:** I'm pleased to be able to speak to second reading of Bill 7, The Polar Bear Protection Amendment Act.

As you know, Madam Deputy Speaker, the polar bear is not only a majestic animal but an important symbol of northern Manitoba's Subarctic region. Manitoba has earned a reputation—a well-deserved reputation—as a world leader in polar bear management, tourism and conservation in developing standards for captive polar bear husbandry and through the passage of the—this original act, the act we're now amending, in 2003.

On December 3rd, 2009, Manitoba announced a \$31-million investment towards the creation of the International Polar Bear Conservation Centre, and Bill 7 will establish the International Polar Bear Conservation Centre at the Assiniboine Park Zoo. The centre will consist of facilities that will meet or exceed our standards, including an education centre dedicated to the study and research of polar bears and the Arctic environment—a natural environment to exhibit polar bears in a natural setting and a transition centre for orphaned polar bear cubs.

The purpose of the centre is to support and facilitate research related to conservation of polar bears and will include research on polar bear husbandry and the impact that climate change has on this iconic species. Its purpose includes educating the public about polar bears and the effects that climate change has on our sensitive Arctic environment.

I'm thinking, Madam Deputy Speaker, that perhaps we should have a special section of the centre devoted to educating the official opposition on climate change, and perhaps even persuading them

of the reality of it. But I don't think that that's part of the bill, so I don't want to be called to order on relevancy. But I see I finally got their attention, in any event.

The centre will also exhibit polar bears in a natural environment and operate a transition centre for orphan polar bears that are too young to survive on their own, and I'll have a bit more to say about that in a minute, Madam Deputy Speaker, because we're getting some mail on that. Some people are concerned about that aspect of the project. Not people from Manitoba, but people from—generally, from elsewhere.

The bill will also establish that the operator of the centre is to be our own Assiniboine Park Conservancy.

Further amendments in the bill establish an advisory committee to make recommendations on the operation of the International Polar Bear Conservation Centre. The majority of the members that will sit on the committee will have experience in relation to zoo administration—perhaps yourself, Madam Deputy Speaker, you having some experience—you've had some experience of zoo administration in the evening of June 17th, it seems to me, I recall—and scientific backgrounds relating to polar bear research and study.

The bill also ensures that any Manitoba polar bear that might be donated to a zoo will remain the property of Manitoba throughout the polar bear's lifetime, and this is important, Madam Deputy Speaker. I want to stress this and ensuring that our standards are met when placing a polar bear in any zoo, because if we continue to have proprietary rights on the bear in question, it means that if bears are judged to be being mistreated, that we will have, so to speak, the power of recall. But I resist another political metaphor there.

Manitoba is well known as a world leader in the development of standards respecting polar bear captivity. Zoological agencies from all corners of the planet have hailed our standards as exemplary. This legislation will also strengthen these standards by increasing the power to make regulations respecting the treatment of orphan polar bear cubs when being transitioned from the wild.

Future generations of Manitobans, as well as the rest of the world, should be able to enjoy the natural wonders that this province has to offer. The polar bear and its Arctic environment are two of the

wonders of Manitoba, and, of course, Madam Deputy Speaker, there are many others. And it's my privilege, as Minister of Conservation, to exercise some management over many of those wonders, and especially those that fall within our provincial parks.

This government is dedicated to protecting Manitoba's wildlife, and the International Polar Bear Conservation Centre will play an important role in conserving the polar bear and protecting our Arctic subregion. We are committed to bringing forward meaningful legislation in this area, and this bill certainly demonstrates that commitment, Madam Deputy Speaker.

\* (15:40)

Now, Madam Deputy Speaker, I can imagine that members of the general public, and perhaps even some members of the opposition who are taking an interest in this, presumably, because they want to support this excellent piece of legislation, and certainly wouldn't want to be found in opposition to it, I don't think.

But there are a number of things—a number of questions that the honourable members might be asking, as I say, members of the public might be asking, for instance—and I address this in a limited way, but now try to be more expansive. Who will sit on the advisory committee established by the amendments?

While the majority of the members will sit on the—that will sit on the committee will have experience in relation to zoo administration, as I said, and scientific backgrounds relating to polar bear research and study, the Minister of Conservation will appoint four members, and four members will be appointed by the Assiniboine Park Conservancy.

When will the International Polar Bear Conservation Centre be completed, to be built in three stages, Madam Deputy Speaker? The rescue centre for orphaned cubs will be built first and should be finished in the spring of 2011. A research and education building will be built in the second phase and a new polar bear exhibit and visitor facility will be built in stage three.

You might ask, Madam Deputy Speaker, or members from the opposition or the public might ask: Is there any change in the regulatory standard that determines when a polar bear can be placed in captivity? There is no—there are no changes. Only orphaned polar bear cubs—this is important—only

orphaned polar bear cubs that are less than two years of age, in good health, and unable to survive in the wild on their own are considered for placement under human care since adults do not adapt readily to captivity. A polar bear may only be held in captivity for a legitimate scientific educational or conservation purpose.

Now, this is interesting, Madam Deputy Speaker. How often—because, you know, sometimes you get the impression that certainly some of the people that are emailing me seem to be under the impression that there are many orphaned polar bear cubs and that we are taking them into captivity on a regular basis. So how—

**An Honourable Member:** How many?

**Mr. Blaikie:** I assume people on this side of the House would like to know. There's not a lot of natural curiosity, scientific curiosity on the other side of the House, but here on this side of the House, where we value knowledge and try to take those things into account, I see that there is an abundance of curiosity, so I'm going to answer that question, Madam Deputy Speaker, but I don't want to rush things.

But it would be interesting to know that Manitoba has not placed a bear in captivity since 1996, prior to The Polar Bear Protection Act and regulations coming into force. Orphan cubs are infrequently picked up by the Polar Bear Alert Program in the control zone around Churchill, following sufficient observation to determine that the cub is not accompanied by its mother.

Sounds to me like a wise policy, Madam Deputy Speaker, wanting to make sure that there is no polar bear mother around before one tries to abscond with the cub. Only six orphaned cubs have been found in the last 10 years and, during that time, Manitoba Conservation pursued a foster parenting study with an independent animal welfare organization to determine if female bears with one healthy cub will accept a second orphaned cub.

The lack of success in the study leaves only two humane and practical choices with respect to orphaned cubs: euthanasia or zoo placement. The next orphaned cub that is picked up in Churchill, if it meets all the criteria, will become the first bear placed in captivity under the new act and regulations.

You might ask, Madam Deputy Speaker—or members on this side who have an appropriate curiosity in respect to the matter, unlike members

opposite who seem to have been rendered silent by the deluge of information herein—will the proposed act change the status of polar bears under The Wildlife Act or The Endangered Species Act?

And the answer, Madam Deputy Speaker, is no. The Wildlife Act and The Endangered Species Act currently prohibit the killing, capturing, possession, buying, selling, importing or exporting of a polar bear without first having obtained a permit. The proposed act will not change this level of protection or legal status.

So, Madam Deputy Speaker, just some of the questions that might be on the minds of people with that appropriate curiosity that I've referred to on a number of occasions now. But I think it's important to see what we're doing here in The Polar Bear Protection Act as part of a larger concern that this government has with respect to climate change.

I would think that, when we see what is happening to polar bears in the north and the inability on their part to access the sea ice at the times when they would normally access sea ice because of the changing climate in the north, that there would be little or no argument anymore about the fact that we are experiencing climate change.

And, in fact, I was at a conference this morning on having to do with the future of Lake Winnipeg. I know the honourable member from River Heights was there. The honourable member from Virden was there. The Premier (Mr. Selinger) was there to bring opening remarks.

And there's a lot of evidence, of course. It's not just in northern Manitoba where we're experiencing climate change, but we're also experiencing it in the south. And we can argue, I suppose, about where particular kinds of climate change come from, because the climate change we were talking about this morning was the fact that we now have, in particular parts of southern Manitoba, a great deal more rain than we've had for years. And, of course, this is contributing to the flooding, but it's also contributing to the nutrient loading on Lake Winnipeg, because the more water there is flowing over land, picking up nutrients as it goes along the way, both nutrients in the natural soil and nutrients that have been—that are there as a result of agricultural activity or whatever, all of this is contributing to the situation that we find in Lake Winnipeg.

And I myself, I must say, found the presentations this morning informative in that regard, and it would be hard to come away from that—those workshops this morning about how the lake is being affected in a number of different ways, some anthropogenic, and some having to do with climate change.

It would be hard then to get up and make the kind of simplistic accusations in the House that the member from River Heights made in question period this morning., but he apparently—the conference had no effect on him whatsoever. He listened to the presentations, and he came here in question period and was undeterred by the scientific evidence that it was a much more complicated matter than what he tried to lead the House to believe in his questions to the Premier earlier this day, Madam Deputy Speaker.

But we in the House, on this side of the House, know that it is a difficult challenge and that it's not always easier to separate out what the causes are. But, when we see them and when we know that there can be a policy response, we are trying to respond. And that's what this bill is about, Madam Deputy Speaker, responding to the situation that we observe in northern Manitoba with respect to polar bears, making the necessary investments not just for the sake of polar bears themselves, although that's important, but also as a tool with which to educate Manitobans about climate change and about the Arctic.

And I look forward to the support of the opposition when this bill finally comes to a vote on second reading.

**Hon. Jon Gerrard (River Heights):** Just, Madam Deputy Speaker, to put a few words on the record about Bill 7, The Polar Bear Protection Amendment Act.

I'm certainly in support, certainly in general terms of this bill. I presume that, when the minister talks about in this bill about providing a natural environment for the polar bears, that he's not going to have sea ice floes in the Assiniboine Park Zoo probably, but I would presume that he's talking about having an artificial environment which simulates the natural environment.

And I'm sure that the good folks at the Assiniboine Park Zoo are going to do a wonderful job of simulating a natural environment so that people who visit this centre for polar bears will be very impressed about how well the polar bears are

being looked after and cared for, and how well, you know, this centre is doing in learning about polar bears, because this is part of what this bill is about, is about ensuring that there's not only a centre for keeping polar bears but there's a centre for learning about polar bears and doing research to facilitate polar bear research, including research on polar bear husbandry and the impact of climate change and so on, on polar bears.

\* (15:50)

I would presume that the minister would ensure that there are partnerships with members from post-secondary education institutions, perhaps centres like the Freshwater Institute, where they're engaged in Arctic research, so that this research can be the most productive it possibly can be.

I'm also thought, in view of the minister's remarks on my question, that I would say a little bit about the Climate Change Symposium. Since the minister wasn't present in the Legislature in August of 2003, the minister may not be aware that his government, in August of 2003, said very clearly, and was published in the *Free Press*, that they would be well along the way to cleaning up Lake Winnipeg in two to three years, by 2005 or 2006. Sadly, what has happened in the interim is that the problem in Lake Winnipeg with the algal blooms and the phosphorus and the toxic algae toxins have got worse instead of getting better under the poor management of this government.

If the minister himself can refer to my questions in September of 2003, which I asked the government what was the specific measures and timelines and targets that they were going to implement to make sure that Lake Winnipeg, indeed, was cleaned up, that the situation was improved. And, you know, I didn't get a good reply then, and from the Throne Speech I gather that the NDP are still working on trying to figure out what their targets are going to be.

**An Honourable Member:** Well, they say they're working.

**Mr. Gerrard:** And, well, that they say they're working. They said in the Throne Speech, but, you know, sadly, there hasn't been a lot of progress in reducing phosphorus, in reducing algal blooms on Lake Winnipeg.

And I would remind the minister that in the fall of 2007, I had pointed out to the then-the government, the Minister of Water Stewardship and the Premier that the goals which the government was

putting forward, which was to return the phosphorus in Lake Winnipeg to that which was in 1960 or 1970 and to reduce the phosphorus levels by—or phosphorus inputs by 10 per cent, I pointed out at the time—and it's on record in *Hansard*, and the minister can go and check—that from all the calculations that one could do at that time and were available, that 10 per cent reduction in phosphorus was hardly going to be effective in reducing phosphorus to a level that was going to remove and reduce algal blooms and reduce the problems of algal toxins which are, indeed, a health concern in Lake Winnipeg.

And, even though I pointed out in the fall of 2007 in this Legislature that new targets were needed, it has taken three—it has taken three years for the Premier to realize that what I said in 2007 is correct and to finally put it in the Throne Speech that the Premier was—and the minister, presumably working with the Premier, were going to bring in some new targets. But we're still waiting. That Throne Speech was some days ago now, and we haven't heard anything about new targets, and we're still waiting.

And that's been, sadly, the story of what's happened with Lake Winnipeg under this government, is that they've talked a lot. But, in fact, you know, we're no farther—closer to meeting the targets, and, yes, it is a complex ecosystem, which, Madam Deputy Speaker, is one of the reasons why, as the minister may know, I have long been an advocate of the fact that one has to look at small—smaller water bodies and learn a lot about them, lakes like Killarney Lake, for example, because studying smaller water bodies can reveal a lot. It can also provide us an opportunity to make—have a big impact in a much shorter period of time and a better understanding of the factors that give rise to phosphorus, the factors which are important in controlling and regulating the production of algal blooms.

*Mr. Speaker in the Chair*

Indeed, not long ago, I was in Killarney with Diane Orihel talking about, you know, the understanding that we now have, and she has been involved with David Schindler of developing some of that understanding of the importance of phosphorus in the sediments and the things that one might do to control that. And, as a point in this regard, there are concerns about the sulphur coming from Devils Lake and its potential impact because—

*[interjection]* Yes, the minister is right. It's a complex system, but, no, the minister is not right that there's nothing we can do about it. We should have been much more aggressive than this government in moving forward and having the research base and having an understanding of the causes of the algal blooms and why we have had such problem on lakes like Killarney Lake and Lake Winnipeg. And it is a sad testament, unfortunately, to the lack of progress under this government that we are not further ahead than we are now.

But, you know, having said this, and I digress to talk about climate change and its impact on water, which, interestingly enough, I've been talking about for some 10 years in terms of the excessive moisture, and there's a big problem in the way that water has been managed in this province. And it certainly showed up, as the MLA for Lakeside is fully aware, this last year with excessive moisture and not the water management to be able to manage it well.

So there is lots to do. But, that being said, I'm going to acknowledge that we will support the minister's bill and move forward in the development of a polar bear centre, an international polar bear conservation centre at Assiniboine Park Zoo. Thank you.

**Mr. Gerald Hawranik (Lac du Bonnet):** Yes, Mr. Speaker, I move, seconded by the member from Carman, that debate on Bill 7 be adjourned.

*Motion agreed to.*

**Bill 10—The Employment Standards Code  
Amendment Act  
(Leave for Citizenship Ceremonies)**

**Hon. Jennifer Howard (Minister of Labour and Immigration):** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. Swan), that Bill 10, The Employment Standards Code Amendment Act (Leave for Citizenship Ceremonies); Loi modifiant le Code des normes d'emploi (congés relatifs aux cérémonies de citoyenneté), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Ms. Howard:** Mr. Speaker, first of all, I want to start by just thanking the Minister of Conservation (Mr. Blaikie) for that elucidating and informative and educational speech on polar bears. I learned a lot. I always learn a lot sitting next to him, and today is no exception. So thank you very much. We all love polar bears in this House, and we're all doing our

best to make sure that the world and Manitoba continues to be a home that they can enjoy.

\* (16:00)

I am pleased to talk about Bill 10 today, which proposes to amend The Employment Standards Code to allow for people to take up to four hours of unpaid leave when they are attending a citizenship court to become citizens of Canada.

Approximately 4,500 immigrants a year are sworn in as Canadian citizens in Manitoba at ceremonies administered by Citizenship and Immigration Canada, and I know many of us in this House have had the joyful opportunity of attending citizenship courts. Sometimes we even get to attend them when we know the people there that are becoming citizens. And I would be remiss if I didn't let members know that there will be a citizenship court here in the Legislature on December 7 in room 200 and certainly they're all welcome to attend and greet our new Canadian citizens.

To be eligible for this unpaid leave, an employee must have been employed for at least 30 days, give their employer at least 14 days' notice or as much notice as is reasonable and practicable in the circumstances. While it's not a frequent occurrence, there have been situations where new Canadians have not been allowed time away from work to attend or risk losing their employment for attending this very important milestone in their lives, and certainly as our population continues to grow and diversify, we think that were will be cause in the future for more people to want to attend citizenship ceremonies.

The Employment Standards Code currently provides for a number of unpaid leaves for employees to deal with different family issues. These include maternity leave, which of course we were pleased to take from six months to one year after the federal government had extended EI coverage for that full year, parental leave, family leave, which is also something that we were pleased to put into place for the first time in Manitoba to allow for people to take time off of work to deal with sick kids or sick parents, compassionate leave, bereavement leave, and reservist leave. A reservist leave also was a bill passed by this government to allow for people to take a leave from their jobs who are serving their country.

So this I think follows on those very progressive changes to the Employment Standards Code that recognizes that employees have full lives and often

have things that they also need to deal with in their lives, sometimes joyful, sometimes not joyful, but that in a compassionate society, in a fair society, we allow people the time that they need to take care of their lives. And we know that that makes them better employees and often more efficient and productive employees.

Our government's Growing Through Immigration strategy is a key component of the Manitoba strategy for economic growth and, of course, this morning we got the opportunity to debate the private member's resolution put forward by the honourable member for The Maples (Mr. Saran) about lifting the cap on the Provincial Nominee Program. And in my remarks in that debate, I talked about how for us immigration has really been a key economic engine driving the economic growth of this province. So this proposed amendment would highlight the importance of the strategy to employers and new citizens of the province.

The Labour Management Review committee, who we've worked very well with on different kinds of labour legislation, consists of representatives of employer and employee organizations, was consulted on this proposal and achieved consensus support to allow up to four hours of unpaid leave to attend citizenship ceremonies.

I also just want to take this opportunity, Mr. Speaker, to speak about a recent event that I attended here in the Legislature when we had a troop of Girl Guides or Pathfinders that were studying for their citizenship badge, and as part of that, they came to the Legislature on a Saturday morning—it was one of the snowier Saturday mornings that we've had—took their citizenship test and then I got to lead them in the reaffirmation of their citizenship oath, which was just a very good opportunity to talk to these young women about what we do here in this Chamber and in this Legislature. Talk to them about the laws that we pass and get some of their ideas for laws that we should pass and some of their notions. They would like another holiday in February. I said we'd probably have to do some consulting on that.

In addition to Louis Riel Day, apparently Pathfinder Day is in February; they thought we should declare that a holiday. We talked a lot about the work that our government's done encouraging young people not to start smoking, and they were very supportive of that work and had lots of good ideas for more that we should be doing in that area.

So we know that, even for people who are born Canadian citizens, the opportunity to learn about their citizenship and their country by attending citizenship court ceremonies is a valuable opportunity.

I also recently had the great opportunity of sitting down with the Right Honourable Adrienne Clarkson, when she was visiting Manitoba to speak to the conference that we hold every year with the Civil Service Commission to talk about the diversity of our workforce. And we have made strides in making sure that the people who serve Manitobans are representative of Manitobans, that they include people of visible minorities and people with disabilities. She was here to speak to that conference, but we also met for a time and she talked to me about the work that she's been doing since leaving her role as Governor General in the institute that she works in, which encourages citizenship.

And one of the things that they do at the citizenship courts that she's involved in—which I thought was just a tremendously great idea—was as part of the citizenship court ceremony, before it happens, they have round tables where they have new Canadians who are there to take the oath and they have established Canadians, as she called them, who are maybe leaders in their communities, folks that have contributed to Canada who also come. And they sit together at round tables and they talk about, what does it mean to be a Canadian citizen? What are the rights of citizenship and what are their responsibilities? And it's an opportunity for new Canadians to learn from established Canadians. And I think it's a great opportunity for those established Canadians to get a sense of what that journey is.

Some of us in this House, of course, have very recent memories of the immigration journey, and we heard that this morning from the member for The Maples, but, for many of us, that story is generational. It happened many generations ago, and some of us, of course, have called this land home for our entire family's lives, and our family's roots run deep here. But I think it's important for those of us like myself who don't have that story so present in their family to get an opportunity to talk to new Canadians and to hear about their journey and to hear about their struggle.

It's an amazing thing when you think of people coming from a country where they speak the language, where they have family and friends, or maybe they're established in their career and giving

all of that up for a hope and for a dream of living in peace. And mainly when you talk to these newcomers—when I talk to them and I always ask them, what is it that made you pick up and leave your country? That's their response, that they wanted to live in a country like Canada where they could be assured that they would live in peace, that their children could grow up in a peaceful nation and that their children would have opportunities that they wouldn't.

So I think that this legislation, I hope all members will agree, is a very positive step forward. It recognizes the importance of that moment, when you become a Canadian citizen, in the lives of so many Manitobans and ensures that they are able to take part in that citizenship ceremony without any fear of losing their employment.

Thank you very much, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Just, Mr. Speaker, I wanted to indicate that I'm ready to support—we're ready to support this legislation. I think it recognizes the importance of citizenship and the citizenship ceremony to ensure that people who are working have the time to attend a citizenship ceremony. I would imagine that, in most circumstances, employers are now giving people leave to attend such citizenship ceremonies, but I think it is a testament to how important the Canadian citizenship is, and that we should make sure that all is done to enhance and preserve the quality and the importance of Canadian citizenship and what it stands for, and how important it is for us as Canadians to embrace new Canadians who are coming here and embrace them particularly, of course, at the time when they become citizens, and recognize that for the major step that it is. Thank you.

**Mr. Gerald Hawranik (Lac du Bonnet):** I'd like to put a few words on the record as well. In terms of support for the legislation, we, in fact, do support it, even though a very good argument could be made that this legislation really is unnecessary in the first place. It probably could have been done by regulation much quicker than going through the House through first, second and third readings.

And the second thing, Mr. Speaker, another issue is with respect to employers. I think I'd be hard-pressed to find any employer who wouldn't give an employee four hours off during the day to attend a citizenship ceremony, particularly when it was done without pay. But, nonetheless, in any event, we on this side of the House support the legislation.

\* (16:10)

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

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 10, The Employment Standards Code Amendment Act (Leave for Citizenship Ceremonies).

Is it the pleasure of the House to adopt the motion? *[Agreed]*

**Hon. Jennifer Howard (Government House Leader):** I think if you canvass the House, there would be a will to call it 5 o'clock.

**Mr. Speaker:** Is there a will of the House to call it 5 o'clock? *[Agreed]*

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, November 30, 2010

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