

Fifth Session - Thirty-Ninth Legislature

of the

Legislative Assembly of Manitoba

DEBATES

and

PROCEEDINGS

Official Report
(Hansard)

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

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

| Member | Constituency | Political Affiliation |
|--------------------------|---------------------|------------------------------|
| ALLAN, Nancy, Hon. | St. Vital | N.D.P. |
| ALTEMEYER, Rob | Wolseley | N.D.P. |
| ASHTON, Steve, Hon. | Thompson | N.D.P. |
| BJORNSON, Peter, Hon. | Gimli | N.D.P. |
| BLADY, Sharon | Kirkfield Park | N.D.P. |
| BLAIKIE, Bill, Hon. | Elmwood | N.D.P. |
| BOROTSIK, Rick | Brandon West | P.C. |
| BRAUN, Erna | Rossmere | N.D.P. |
| BRICK, Marilyn | St. Norbert | N.D.P. |
| BRIESE, Stuart | Ste. Rose | P.C. |
| CALDWELL, Drew | Brandon East | N.D.P. |
| CHOMIAK, Dave, Hon. | Kildonan | N.D.P. |
| CULLEN, Cliff | Turtle Mountain | P.C. |
| DERKACH, Leonard | Russell | P.C. |
| DEWAR, Gregory | Selkirk | N.D.P. |
| DRIEDGER, Myrna | Charleswood | P.C. |
| DYCK, Peter | Pembina | P.C. |
| EICHLER, Ralph | Lakeside | P.C. |
| FAURSCHOU, David | Portage la Prairie | P.C. |
| GERRARD, Jon, Hon. | River Heights | Lib. |
| GOERTZEN, Kelvin | Steinbach | P.C. |
| GRAYDON, Cliff | Emerson | P.C. |
| 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. |
| JENNISSEN, 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 | 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, Hon. | 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 | |
| <i>Vacant</i> | Lac du Bonnet | |

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, June 14, 2011

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PETITIONS

PTH 5—Reducing Speed Limit

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:

Concerns continue to be raised about the number of motor vehicle accidents at the intersection of PTH 5 and PR 276 and at the intersection of PTH 5 and PR 68.

The Rural Municipality of Ste. Rose and the town of Ste. Rose have both raised concerns with the Highway Traffic Board about the current speed limits on this portion of PTH 5 in the vicinity of Ste. Rose du Lac.

Other stakeholders, including the Ste. Rose General Hospital, Ste. Rose and Laurier fire departments, East Parkland Medical Group and the Ste. Rose and District Community Resource Council, have also suggested that lowering the current 100-kilometre-an-hour speed limit on the portion of PTH 5 may help reduce the potential for collisions.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Infrastructure and Transportation to consider the importance of reducing the speed limit on PTH 5 to 80 kilometres an hour in the vicinity of the town of Ste. Rose from the west side of the Turtle River Bridge to the south side of the access to the Ste. Rose Auction Mart to help better protect motorist safety.

This petition is signed by J. Le Blanc, L. Murray, T. Campbell and many, many other fine Manitobans.

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

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, 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.

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

Mr. Speaker, this petition is signed by M. Ostrow, K. Houston, C. Dueck and thousands of other concerned Manitobans.

Bipole III—Cost to Manitoba Families

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

The background to this petition is as follows:

Manitoba Hydro has been directed by the provincial government to construct its next high voltage direct transmission line, Bipole III, down the west side of Manitoba.

This will cost each family of four in Manitoba \$11,748 more than an east-side route, which is also shorter and more reliable.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to build the Bipole III transmission line on the shorter and more reliable east side of Lake Winnipeg in order to save each Manitoba family of four \$11,748.

And this petition is signed by M. Wiebe, S. Tkachyk, R. Tkachyk and many, many more fine Manitobans.

**Agricultural Compensation Programs—
RM of Sifton**

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

And the background to this petition is as follows:

In the Rural Municipality of Sifton, flooding has affected the Assiniboine River Valley, Oak Lake, the Oak Lake Marsh, Plum Lake, Plum Creek, the Maple Lake area and the Griswold Marsh.

Farmers, as well as Oak Lake beach home and cottage owners, have been severely impacted by this flooding.

Water from the RM of Sifton was required to hold back in its catchment area due to provincial government requirements has caused even more hardships and losses in the area.

Those affected by flooding would like the Premier and appropriate ministers to visit the region as soon as possible to see first-hand the impact of the flooding.

We petition the Legislative Assembly as follows:

To request the provincial government to consider enacting a compensation program to help address the extra costs facing agricultural producers due to severe flooding in the rural municipality of Sifton.

To urge the provincial government to consider developing a long-term strategy to more effectively address flooding—future flooding events in the RM of Sifton.

And, Mr. Speaker, this petition is signed by S. Gray, B. Larkin, P. Larkin and many, many others.

COMMITTEE REPORTS

Standing Committee on Human Resources Second Report

Mr. Rob Altemeyer (Chairperson): Mr. Speaker, I wish to present the second report of the Standing Committee on Human Resources.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Human Resources presents—

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on HUMAN RESOURCES presents the following as its Second Report.

Meetings

Your Committee met on June 13, 2011.

Matters under Consideration

- **Bill (No. 22)** – *The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières*
- **Bill (No. 27)** – *The Manitoba Ukrainian Canadian Heritage Day Act/Loi sur le Jour du patrimoine ukrainien-canadien au Manitoba*
- **Bill (No. 44)** – *The Civil Service Superannuation and Related Amendments Act/Loi sur la pension de la fonction publique et modifications connexes*
- **Bill (No. 45)** – *The Statutes Correction and Minor Amendments Act, 2011/Loi corrective de 2011*
- **Bill (No. 47)** – *The Accessibility Advisory Council Act and Amendments to The Government Purchases Act/Loi sur le Conseil consultatif de l'accessibilité et modifiant la Loi sur les achats du gouvernement*
- **Bill (No. 48)** – *The Planning and Land Dedication for School Sites Act (Various Acts Amended)/Loi sur la planification et les affectations de biens-fonds concernant les emplacements scolaires (modification de diverses dispositions législatives)*
- **Bill (No. 49)** – *The Employment and Income Assistance Amendment and Highway Traffic Amendment Act/Loi modifiant la Loi sur l'aide à l'emploi et au revenu et le Code de la route*

Committee Membership

- Mr. ALTEMEYER
- Mr. BRIESE
- Mr. DEWAR
- Mr. EICHLER
- Hon. Ms. HOWARD
- Hon. Mr. LEMIEUX
- Mrs. MITCHELSON
- Mrs. ROWAT
- Hon. Mr. SWAN
- Mr. WHITEHEAD
- Hon. Ms. WOWCHUK

Your Committee elected Mr. ALTEMEYER as the Chairperson.

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

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

Substitutions received during committee proceedings:

- Mr. MARTINDALE for Mr. DEWAR
- Mr. DERKACH for Mr. EICHLER
- Hon. Ms. ALLAN for Hon. Mr. SWAN

Motions

Your Committee agreed to the following motion:

- THAT Legislative Counsel be authorized to make all necessary changes to Bill 44 so that it reflects the Bill as amended by this Committee, including striking out Schedule B and the text between the enacting clause of the Bill and Clause 1 of Schedule A, and to reprint the Bill as amended.

Public Presentations

Your Committee heard the following 21 presentations on **Bill (No. 47)** – The Accessibility Advisory Council Act and Amendments to The Government Purchases Act/Loi sur le Conseil consultatif de l'accessibilité et modifiant la Loi sur les achats du gouvernement:

David Lepofsky, Accessibility for Ontarians with Disabilities Act Alliance
 Gary Dyson & Terry McIntosh, Private Citizens
 Doug Momotiuk, Manitoba Deaf Association
 Dennis Zimmer, Private Citizen
 Patrick Falconer, Barrier-Free Manitoba

Jeannette Delong, Abilities Manitoba
 Kevin Rebeck, Manitoba Federation of Labour
 Orland Backstrom, Manitoba Supported Employment Network
 Paula Keirstead, Manitoba League of Persons with Disabilities
 Janet Letkeman, Private Citizen
 Valerie Wolbert, Friends of People First
 Dr. Jennifer Frain, New Directions for Children, Youth, Adults & Families
 Ross Eadie, Private Citizen
 Jim Derksen, Private Citizen
 Laurie Helgason, Private Citizen
 Bob Montpetit, Private Citizen
 David Steen, Private Citizen
 Rob Cox, Private Citizen
 Samuel Unrau, Private Citizen
 Gisele Saurette-Roch, Provincial Council of Women of Manitoba
 Jordan Sangalang, Private Citizen

Your Committee heard the following 12 presentations on **Bill (No. 48)** – The Planning and Land Dedication for School Sites Act (Various Acts Amended)/Loi sur la planification et les affectations de biens-fonds concernant les emplacements scolaires (modification de diverses dispositions législatives):

Robert Rivard, Manitoba School Board Association
 Michael Carruthers, Urban Development Institute
 Eric Vogan, Qualico
 Alan Borger, Ladco Company Limited
 Mike Moore, Manitoba Homebuilders Association
 Jonathan Fahr, Fahr Group
 Jerry Klein, GenStar Development Company
 Tim Comack, Ventura Land Company
 Norm Boyle, North Grassie Properties
 Les McLaughlin, Pollock & Wright Land Surveyors
 Frank Bueti, Private Citizen
 Kim Raban, Private Citizen

Written Submissions

Your Committee received the following two written submissions on **Bill (No. 47)** – The Accessibility Advisory Council Act and Amendments to The Government Purchases Act/Loi sur le Conseil consultatif de l'accessibilité et modifiant la Loi sur les achats du gouvernement:

Doug Dobrowolski, Association of Manitoba Municipalities
 Karl Riese, Private Citizen

Bills Considered and Reported

- **Bill (No. 22)** – *The Securities Amendment Act/Loi modifiant la Loi sur les valeurs mobilières*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 27)** – *The Manitoba Ukrainian Canadian Heritage Day Act/Loi sur le Jour du patrimoine ukrainien-canadien au Manitoba*

Your Committee agreed to report this Bill, with the following amendments:

THAT Clause 1 be amended by striking out "in July" and substituting " before the first Monday in August".

THAT the last paragraph of the preamble be amended by striking out "in July" and substituting " before the civic holiday (the first Monday in August)".

- **Bill (No. 44)** – *The Civil Service Superannuation and Related Amendments Act/Loi sur la pension de la fonction publique et modifications connexes*

Your Committee agreed to report this Bill, with the following amendments:

Your committee voted to defeat Clauses 1-56 of Schedule B of the Bill.

Your committee voted to defeat Clause 2 of the Bill.

THAT the title of the Bill be amended by striking out "AND RELATED AMENDMENTS" and substituting "AMENDMENT".

- **Bill (No. 45)** – *The Statutes Correction and Minor Amendments Act, 2011/Loi corrective de 2011*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 47)** – *The Accessibility Advisory Council Act and Amendments to The Government Purchases Act/Loi sur le Conseil consultatif de l'accessibilité et modifiant la Loi sur les achats du gouvernement*

Your Committee agreed to report this Bill, with the following amendments:

THAT Clause 7(1)(a) of the Bill be amended by adding "and timely" after "systematic".

THAT the Preamble of the Bill be amended by adding the following after the fourth paragraph:

AND WHEREAS legislation is needed to establish a systemic and proactive approach for identifying, preventing and removing barriers that will complement The Human Rights Code in ensuring accessibility for Manitobans;

- **Bill (No. 48)** – *The Planning and Land Dedication for School Sites Act (Various Acts Amended)/Loi sur la planification et les affectations de biens-fonds concernant les emplacements scolaires (modification de diverses dispositions législatives)*

Your Committee agreed to report this Bill, with the following amendments:

THAT Clause 2 of the Bill be amended by adding the following definition:

"**school division**" means a school division as defined in subsection 1(1) of The Public Schools Act but, except in clause 163(1)(c), does not include the francophone school division. (« division scolaire »)

THAT Clause 5 of the Bill be amended in the proposed subclause 259.1(3)(a)(ii) by striking out "at the option of the school board" and substituting ""if the developer and the school board agree".

THAT Clause 7 of the Bill be amended by adding the following definition:

"**school division**" means a school division as defined in subsection 1(1) of The Public Schools Act but does not include the francophone school division. (« division scolaire »)

THAT Clause 14 of the Bill be amended in the proposed subclause 137.1(3)(a)(ii) by striking out "at the option of the school board" and substituting ""if the developer and the school board agree".

- **Bill (No. 49)** – *The Employment and Income Assistance Amendment and Highway Traffic Amendment Act/Loi modifiant la Loi sur l'aide à l'emploi et au revenu et le Code de la route*

Your Committee agreed to report this Bill without amendment.

Mr. Altemeyer: I move, seconded by the honourable member for Transcona (Mr. Reid), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Andrew Swan (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): I'm very pleased to table the Manitoba Public Insurance Corporation annual report for the year ended February 28th, 2011.

MINISTERIAL STATEMENTS

Flooding and Ice Jams Update

Hon. Steve Ashton (Minister responsible for Emergency Measures): I rise in the House today to provide an update as to the current flood situation in Manitoba.

Over the last two days, rain has fallen throughout much of western and south-central Manitoba. The rainfall has not been as widespread as anticipated, but there have been instances of intense isolated showers in some localized areas in the Interlake, and it's been reported that 80 millimetres of rain hit the Balmoral and Teulon area yesterday causing flash flooding and local streams to rise as much as four feet.

Yesterday, strong southwesterly winds reached upwards of around 60 kilometres an hour, and that caused significant wave set-up in the north basin of Lake Manitoba. There were over 150 new evacuations since yesterday in various communities along the lake, such as Lundar, Lake Manitoba First Nation, St. Laurent Beach, Grahamdale, Siglunes and other areas.

Today, there is more water being released from the Fairford control structure, to 20,000 cfs, and as water levels rise maximum outflows will also increase.

At this stage our floodfighting effort—in our floodfighting effort, pardon me, it is looking like we will not have to reopen Hoop and Holler cut. However, the weather system is expected to remain unstable, and while current conditions look more favourable, we could expect the system to change in a very short period of time.

The forecast is calling for continued rains over most of southern Manitoba for much of the week and with another system expected to hit Manitoba on the weekend.

To put this year's flood event into context, early estimates indicate that the cost of this year's flood flight—flood fight will exceed that of the 1997 flood, which saw 28,000 Manitobans displaced.

We are committed to working with affected municipalities and individuals along Lake Manitoba and throughout Manitoba to provide the much needed support to address this extraordinary situation until everyone is back on their feet again. Thank you, Mr. Speaker.

* (13:40)

Mr. Stuart Briese (Ste. Rose): I thank the minister for the latest update on the flooding.

Again, it has been a challenging 24 hours on the flood front, as more people had to be evacuated from homes across—or around Lake Manitoba. This included mandatory evacuations in areas such as Kernsted Beach at the Narrows. Voluntary evacuations were also under way for Lundar Beach and Sugar Point. There have been—have also been evacuation concerns in place such as—in places such as Meadow Portage, Benyks Point, Woods Creek and Spence Lake. We cannot forget that flooding and floodfighting efforts continue in many regions—many other regions, from Ralls Island to the Dauphin Lake area to southwestern Manitoba, to name just a few of the places affected.

We are joined with us in the House today by just a few of the many Manitobans who have been affected by flooding this year. Our guests include cottagers, farmers, ranchers, First Nations people, business owners, municipal officials and many, many others. Some of our guests were just recently evacuated. Unless you have been directly impacted by the flood, it is difficult to imagine how stressful the situation must be. Some of our visitors' properties have suffered irreparable damage, while others hope to rebuild eventually. Agricultural producers, be they livestock producers or grain producers, are trying to make short- and long-term decisions based on the effects of the flooding and excess moisture conditions. All are looking to government for strong communications when it comes to dealing with all aspects of the flood, be it mitigation, post-flood recovery or compensation.

We look forward to continued updates on the flooding and the steps being taken to help Manitobans cope with this very serious situation. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I ask leave to speak to the minister's statement.

Mr. Speaker: Does the honourable member have leave? *[Agreed]*

Mr. Gerrard: Mr. Speaker, the rally which occurred on the steps of the Legislature just a few minutes ago has demonstrated very clearly the extent of the hurt and the anguish of people who are living around Lake Manitoba, Lake St. Martin, Dauphin Lake and other lakes. It is clearly a situation which is causing many, many people great difficulties, and we need to recognize that.

We need to recognize, as well, that around Lake Manitoba, although in communities like St. Laurent and Sugar Point where people have been evacuated, Delta Beach, many homes have been destroyed or very badly damaged but that there are still those along the shores which are intact and that we have a need to address and make sure that those homes which have survived so far are protected, because the water levels on Lake Manitoba will continue to go up for the next little while.

And we need to build on the knowledge that we have gained, the learned in terms of what works, because a lot of what, you know, was used in St. Laurent was not very effective, given the types of waves and the conditions, and we need to do better.

We need to recognize—I would suggest to the Premier (Mr. Selinger) that some of the aspects of compensation are not as equal as they might be, and this needs to be addressed. And, clearly, one of the things that we need to be involved in is finding a way to get—flow more water from Lake Manitoba to Lake Winnipeg.

We have a lot of work to do, Mr. Speaker. Those are my comments.

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 from Harrow School, we have 23 grade 4 and 5 students under the direction of Mr. Devin King. This school is located in the constituency of the honourable member for Lord Roberts (Ms. McGifford).

And also in the public gallery we have from Glenboro School, we have 16 grade 6 students under the direction of Mrs. Marilyn Cullen. This school is located in the constituency of the honourable member for Turtle Mountain (Mr. Cullen).

And also in the public gallery we have from University of Winnipeg, we have six grade 9 students under the direction of Ms. Joann Small.

This school is located in the constituency of the honourable member for Wolseley (Mr. Altemeyer).

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

ORAL QUESTIONS

Lake Manitoba Flooding Water Level Forecasting and Responsibility

Mr. Hugh McFadyen (Leader of the Official Opposition): Today, hundreds of Manitobans have travelled to this building, their building, to tell their stories about the damage that's been done as a result of the flooding around Lake Manitoba and other lakes around the province of Manitoba. These are farm families. They're residents of homes around the lake. They are people who have spent a lifetime building and preparing their cottages and homes and their properties for the future. They're First Nations people who have had to cope with high water on their lands and the disruption to their homes and their lives.

Mr. Speaker, these Manitobans deserve action from this government on a variety of fronts, but as a starting point, will the Premier acknowledge that his government bears responsibility for what's happening today and will he apologize to these Manitobans? *[interjection]*

Mr. Speaker: Order. For our guests in the gallery, rules stipulate that there is no participation, and that also includes applauding.

This is time for oral questions from opposition members to the government, and there's to be strictly no participation from our guests in the gallery, please.

Hon. Greg Selinger (Premier): I do want to say that we are very recognizing of the extreme suffering many people have experienced this year as a result of this unprecedented amount of water in Manitoba, which is why we have moved very quickly to put in place for the first time ever compensation programs for both cottagers, homeowners, as well as working with First Nations communities which have been dislocated.

And yesterday we have appointed a commissioner. The commissioner will be a person to whom appeals can be made if there's any gaps in the programs we put forward, and they will have the discretion to make recommendations on how programs can be improved.

But we do need to recognize that at the outset, that the total compensation available to a homeowner is \$254,000 with all the programs put together, and the total compensation available to a cottager is up to \$132,000 with all the programs put together, and if those programs are in any way insufficient, they will have the ability to appeal that up the system to a commissioner who will look at that and be as fair and equitable as possible to all people that have been affected by this very serious event of one-in-350-year precipitation in Manitoba this year.

Mr. McFadyen: Mr. Speaker, the claim by the government that this was an unforeseeable event is one that is not believable to people who have had the experience of living around this lake for many, many years.

There was a report in 2003 that warned that high waters on the Assiniboine would raise the levels of Lake Manitoba. There are more than eight years of warnings that have been brought to government and a complete failure on the part of the government to take steps to protect property, to manage the lake levels at an appropriate level.

As a result of that failure to heed the warnings, people today are suffering losses and damage on a scale that can barely be imagined, Mr. Speaker.

I want to ask the Premier again: Will he do the honourable thing as a starting point and apologize to these Manitobans and acknowledge the full responsibility of the government rather than trying to claim that this snuck up on the government without any warning.

* (13:50)

Mr. Selinger: Mr. Speaker, the reality is when the original infrastructure was built at the Portage Diversion between 1965 and 1969, the amount of water that was anticipated to flow through there was in the order of 25,000 cubic feet a second. The outlet at Fairford, which was built in 1961, was prepared for an approximate amount of flow of up to 17,000; in fact, it's flowing at 20,000 today. There was an imbalance that was inherently put into the design of the diversion and the outlet, which also had to accommodate the Whitemud and the Waterhen rivers.

When you get a situation where you have a one-in-350-year precipitation event, you are going to have some very serious consequences, which is why we have committed resources to find additional ways to bring the lake down both in the short term and in

the long term. That was part of our original announcement.

We will take all those measures necessary to learn from this experience, to protect people from these kinds of events in the future, as we did after 1997—

Mr. Speaker: Order.

Mr. McFadyen: And people are very understandably upset by the circumstances they find themselves in today, and we've heard from many that they invited ministers to come and visit the area more than eight years ago. Discussions have been ongoing. There's been shoreline erosion. People have had to move cottages and buildings back from the shoreline over the past number of years.

Now, the Premier talks about decisions made in the 1960s and he wants to blame those decisions for what's happening today, Mr. Speaker. The reality is that he's been in power now for 12 years, and I want to ask him if he will stop the blame game, if he can get over his criticism of Duff Roblin and accept for the last 12 years that they've failed to do anything for these people, and they deserve better.

They deserve better than the excuses he's making up today, and they deserve better than the second-class treatment they get from this government who attempts to blame others every time something goes wrong.

Will he, Mr. Speaker, have the courage today to apologize and stop blaming Duff Roblin for his failure?

Mr. Selinger: Mr. Speaker, there's only one member of this House that's entering into the blame game right now and that is the Leader of the Opposition. And he has been doing that for several weeks.

We have made a commitment of an unprecedented amount of resources to work with people affected by the flood. Wherever they are in the province, whatever their backgrounds or circumstances, we have made an unprecedented commitment to put resources in place to help them.

We did not wait for the federal government when it came to doing mitigation infrastructure, and they have said they will come along with us on that now. We did not wait for the federal government when we said we will provide compensation to cottagers, which has never been done anywhere in Canada before. We will see if they will come along with us right now. We did not wait for the federal

government when we put a record ceiling on the amount that is available for homeowners, and we are very hopeful they will come along with us on that right now.

We have taken concrete action every single day to provide support to people while we continue with our primary function, which is to protect as many families, as many people and as many properties as possible. And I know that that effort goes on every single day with volunteers, paid provincial staff and paid municipal staff, and by the end of this week we will also have students in place, on the employment line, that will be helping these communities do everything necessary to protect themselves.

Provincial Flooding Mitigation and Financial Compensation Plans

Mr. Speaker: The honourable Leader of the Official Opposition, on a new question.

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, on a new question, even if the Premier will not directly acknowledge responsibility is important, that the government take every step possible both to protect property in the circumstances that people find themselves in today and offer hope that the future is one where they can rebuild and regain their investments and regain their hopes for the future for their children and grandchildren, I want to ask the Premier today: Will he acknowledge this is a province-wide disaster? Will he commit the full resources of government to protecting property today and to standing with Manitobans to rebuild into the future rather than recycling photo ops from the past few weeks?

Hon. Greg Selinger (Premier): The member is more than a few days and a few dollars late on this one.

We have made a full commitment in this province, well beyond what members opposite were prepared to do at any time in the last decade. When we committed a billion dollars for flood protection in Manitoba, the members need to know that the opposition voted against those resources. They felt that we were overcommitting. As early as this spring, they were complaining that we were putting too many resources in place for this, a flood event.

As it turned out, the resources we put in place which were to address the worst event we've ever seen in the history of the Assiniboine Valley—1976, plus an additional two feet—were not sufficient to the amount of precipitation we've received.

We've received an amount of moisture that is a one-in-350-year event. That has challenged us in ways we have never seen before, and it has been very impressive how local municipalities, volunteers, provincial public servants as well as federal public servants have worked together to address this issue.

We will not relent in supporting Manitobans as they go through this crisis. We will not stop for one day in providing solutions and providing resources to help them. If the members opposite would get on board, it would go much faster and much quicker than it has up to now.

Mr. McFadyen: Mr. Speaker, people are sharing stories about the inability to get support in terms of sandbagging and protection of their property. They are sharing stories about warnings that have been provided. They're sharing stories about past memories and future hopes for their property, and I think we owe it to them to be clear that what we have said is that we oppose budgets that contain a \$250,000 annual grant to the NDP—which they voted for again yesterday afternoon—and yet treat the Manitobans who are in the gallery today as second-class citizens.

The compensation they have offered to these Manitobans is less than the annual \$250,000 annual grant they voted for in this House yesterday afternoon. Will he apologize to these Manitobans for voting for more money for his political party on an annual basis than the compensation now being offered to Manitobans who have had their properties destroyed as a result of the inaction and the deliberate policies of this NDP government?

Mr. Selinger: Mr. Speaker—[interjection]

Mr. Speaker: Order. I had just—order. I have just cautioned our guests in the gallery. We have rules that pertain to all of us members, and we have rules that pertain to our guests in the gallery. And I just explained that the rule states very clearly that there's to be no participation of our guests in the gallery, and that includes applauding.

If you persist, we'll have to deal with you same as what we do with our own members if they continuously ignore the rules of the House. We don't make up the rules as we go along. The rules are there for everyone to follow.

So I'm asking the co-operation, again, of members in the gallery. There's to be no participation, and that includes applauding.

Mr. Selinger: Thank you, Mr. Speaker.

As I said earlier, we've put an unprecedented amount of resources into compensation programs for homeowners, for cottagers and for people affected who have had their entire communities dislocated such as up on the north end of the lake, and we have moved on those commitments without waiting to see whether other levels of government would support us on that.

We have moved on those commitments in order to prevent as much damage—as much damage—as possible to families, to homes, to individuals and to property, which is why we made up to \$70 million in investment in mitigation measures as early as this spring.

And we will to continue to find ways to fight and work with local people to protect their property. As early as this morning, I saw the people and I saw the emergency operations committee up at Lundar. They have done an outstanding job in protecting the people in that area, even though they've had to do a precautionary evacuation. And we have worked with them every single day to provide them the support they need.

And we will do that with every municipality, and where that protection fails, for whatever reason, we will provide a compensation program, and if there's any gap in that compensation program, we have appointed a commissioner with a good reputation for fairness who can then address those issues. That's our commitment to Manitobans.

Mr. McFadyen: Well, Mr. Speaker, Manitobans who have seen this level of damage to their properties, to beaches, to homes, to businesses and farms I think would take issue with his characterization of his government doing an outstanding job in the management of this flood.

That is not at all the reality of what people are dealing with today, and, Mr. Speaker, he needs to acknowledge that there is an incredible amount of stress and damage that people are dealing with. They need to take steps to get the lake level down. They need to stand with people to protect their property today and they need to be with them as they rebuild for the future.

Mr. Speaker, the government has offered these Manitobans a second-class compensation package which is just the latest insult to come from this government.

Will he, at least, Mr. Speaker, have the decency to pay compensation in an amount, to these Manitobans, that's more than the annual grant to the NDP to run attack ads that they stood up in the House and voted for yesterday afternoon?

* (14:00)

Mr. Selinger: Mr. Speaker, I must say it never ceases to amaze me how the Leader of the Opposition puts a partisan tilt on everything that he asks in this House. It is a remarkable ability to move away from the serious and the gravity of this situation and to try and twist it to his own political purposes.

I have to say, Mr. Speaker, the outstanding recognition I gave just in my last answer was to the people who are doing the work in the Lundar region, in the Grahamdale and Coldwell municipalities. They've done an outstanding job in the Coldwell municipality. They have come up with good ideas to protect those properties, and not only have they put dikes up in front of the cottages, they've put up dikes behind the cottages so that when the wind blows from the north, people won't get caught from behind. They've done all of these measures while putting a priority on protecting families and their homes, individuals and their cottages. That has been their priority.

We have worked closely with them in doing that and ensured that they have the sandbags, the materials that they need, and we reconfirmed our commitment to them this morning when we visited with them.

The member opposite is correct to raise questions in the House related to the flood. We're happy to receive them and we're happy to respond to them, and we will take all measures necessary to stand with Manitobans—

Mr. Speaker: Order.

Lake Manitoba Flooding Mitigation and Financial Compensation Plans

Mr. Ralph Eichler (Lakeside): Mr. Speaker, it's real easy to say I'm sorry, and that should come from the First Minister. He had six questions and he didn't say he was sorry. Shame on him.

Mr. Speaker, I would also ask that—I want to table for the House a request from the RM of Woodlands and the RM of St. Laurent, and the Minister of EMO and the Minister of Agriculture (Mr. Struthers) have agreed that they attend the

meeting after question period. I'd ask the First Minister to ensure that, in fact, he is there.

Mr. Speaker, homeowners, cottagers, farmers and ranchers, business people, First Nations and other stakeholders were at today's rally. They're experiencing tremendous pain, loss and uncertainty. What came through loud and clear is what they want is answers now from this government about the handling of the flood. They deserve immediate answers on matters such as compensation and when will Lake Manitoba be drawn down.

Mr. Speaker, I would like to ask the Minister of Water Stewardship (Ms. Melnick): Will she finally share with Manitobans this government's plan to draw down Lake Manitoba that does not inadvertently affect other Manitobans? Since she missed the rally, maybe she would stand up in the House and answer that question today.

Hon. Greg Selinger (Premier): Mr. Speaker, I must say that the member's question is unlike questions he's asked before. He has taken a very serious focus on representing the people in his area. Today he's bringing an element of partisanship that we haven't seen up to now.

I will say this: We will, of course, meet with the reeves that are affected and listen to their ideas. We will clarify the compensation program that we have put in place, which I can tell you is the best in the country right now. Indeed, it is the best in North America. And if there are ways that that compensation program can be improved in order that people are treated fairly with respect to their circumstances, that will be done, and that is why we have put a commissioner in place, a commissioner that has experience as a farmer, has experience as a mayor and has experience and leadership with all the municipalities in Manitoba.

We seek positive solutions and long-term change to manage Lake Manitoba to ensure that people can have a high quality of life. I invite the member opposite to join with me in that quest, and let's do it together.

Mr. Eichler: Mr. Speaker, the First Minister two weeks ago asked me to bring those people forward. We brought them forward. They haven't got the answers. That's why they're here today. They haven't got those answers. This message is loud and clear, very loud and clear.

Mr. Speaker, these flood victims deserve to know when they can go home and regain access to

their land. They believe their property is being used by this government as a dumping ground for excess water. They want to be treated fairly for taking on this burden. Many have lost their homes, farms, ranches and lost their ability to make their living and sustain for their families in an area where they used to be able to provide for them.

Mr. Speaker, I'll ask this government to assure those who rallied here today and those who could not be here that they will be treated fairly and reasonable with compensation losses. Will the government assure them that their property will be given back to them in a timely manner?

Mr. Selinger: Mr. Speaker, the short answer is yes to the member's question. We will do exactly that. We will do everything we can to support these people at their time of distress.

With respect to producers in the Interlake area along Lake Manitoba, we have put a program in place which provides production assistance, which provides assistance to move feed to animals that need it or, if necessary, to move animals to feed. We have put a comprehensive program in place. We did something similar last spring. We will, again, continue to pursue additional support for those producers with our contacts with the federal government.

But we are not waiting for those answers from other levels of government. We are acting by putting programs in place right now that can provide support to people, and any member of the public that needs information, we will endeavour to do our very best to get them that information in a timely fashion.

We have one central phone number that people can call. We have a central service that can provide them with information, and our public servants will follow up that—on that as rapidly as possible. The member knows that and we will continue to do that.

Cattle Industry

Flooding Financial Compensation Information

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, the NDP-crafted Lake Manitoba flood has affected First Nations, ranchers, farmers and property owners all around Lake Manitoba and its tributaries.

Joel Delaurier and Morgan Sigurdson are young ranchers from the Reykjavic area. They are just two of the Manitoba ranchers who have had to move thousands of cattle to other areas of the province this year due to flooding. With the projected fall levels

for Lake Manitoba, they will be unable to take their cattle home.

Mr. Speaker, will the minister indicate to Joel Delaurier and Morgan Sigurdson and others what their long-term program will be for flood-affected livestock producers so they can make decisions on their future?

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): I appreciate the question from my friend from Ste. Rose.

I had the opportunity to talk to Joel Delaurier at that Langruth meeting and some other ranchers from the area in which he is trying to make a living.

There's no doubt, Mr. Speaker, that those folks have their backs up against the wall. There's no doubt that they need help from our government and there's no doubt that we're getting that help to them.

Mr. Briese: Mr. Speaker, Darrel and Deedee Armstrong, Jonas and Lydia Johnson and many other Lake Manitoba farmers rent out their pasture land to other cattle ranchers. The Armstrongs and the Johnsons are with us in the gallery today.

Their properties are under water from the man-made disaster on Lake Manitoba. They are now being told that they're not eligible for compensation on their flooded acres. Property belonging to people like the Armstrongs and the Johnsons was sacrificed for the overall good of other Manitobans. They only want to be treated fairly by this government.

Mr. Speaker, will this NDP government commit to plugging the loopholes in the compensation programs and moving quickly to address lost income issues in the Lake Manitoba inundation zone?

Mr. Struthers: Well, Mr. Speaker, we've—the Premier (Mr. Selinger) and I have made that very clear. Right from the day we announced the compensation program, we said it was going to be special because of the pressures that Lake Manitoba was facing.

We said it was going to be fair and we've got a commissioner in place to take a look at making sure it's fair.

And, Mr. Speaker, we said it was going to be swift and already there are—*[interjection]*—already—I hope members opposite are interested in hearing this, but already we've got a number of advance payments going out to people in the Lake Manitoba area.

So we're coming through on what we said we would do. I'd be very interested to follow up to make sure that the people that were referenced by the member for Ste. Rose are treated fairly, and we'll have people talk with those folks to make sure. If they've been told no, then they can appeal, Mr. Speaker, because we've put a person in place to hear those kind of appeals.

So we'll keep working with the member on that, Mr. Speaker, to make sure everybody's treated fairly.

Agriculture Industry Excess Moisture Crop Insurance

Mr. Cliff Graydon (Emerson): This is not the first time that the minister has heard this story and he's acting as if he hasn't heard about it. It didn't cover these people.

Mr. Speaker, in the gallery today we have producers and ranchers badly impacted by this year's flooding. Many cattle producers have been forced to relocate their cattle for an unknown length of time. For many grain farmers, there's no hope to seed this year.

I understand the Minister of Agriculture has been in discussion with his federal counterpart about a potential AgriRecovery program to support producers who are seriously impacted by these wet conditions.

Mr. Speaker, can the Minister of Agriculture provide this House with an indication of the level of support his government is seeking in an AgriRecovery program, including the amount of the top-up to the excess moisture insurance, and will the minister be charging producers a penalty to participate like he did last year?

* (14:10)

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): Well, Mr. Speaker, I would encourage the member for Emerson to pay attention in question period when I give these answers, because this is about the fourth time that I've explained to the member that the seeding deadline is the—is June 20th. We have staff that have been working very hard with producers in every part of this province to make sure that their needs are understood, so that we can sit down with Minister Gerry Ritz, and his officials, to craft an AgriRecovery program that would meet their needs.

We know that we're going to have a lot of unseeded acres in this province, probably a historic

level, when you look at the—what farmers are up against. So those kinds of details will be worked out in conjunction with our federal partners through the AgriRecovery program, just like we have in the past, Mr. Speaker.

Cattle Industry

Flooding Financial Compensation Information

Mr. Cliff Graydon (Emerson): Mr. Speaker, we just want to know what the top-up was and whether he'll charge a penalty like he did last year.

Mr. Speaker, Manitoba's cattle producers have been battered by the effects of BSE, country-of-origin labelling, the surge in the Canadian dollar and the inability of this NDP government to get a slaughter plant off the ground in Dauphin. And add to this the NDP's mismanagement of this year's flood and the deliberate flooding of Shoal lakes and Lake Manitoba, you have a recipe for the demise of the Manitoba cattle industry.

Producers hit by flooding and excess moisture conditions are worried about their fall and winter's feed supply. Many have no chance of a forage crop this year. They wonder if there would be a greenfeed program. Some may not be able to return to their ranches this year. They need to make real-life decisions, and they can't afford to wait for this government to dawdle on program announcements like they did last year.

Can the minister, Mr. Speaker, be prepared to tell the cattle producers his short- and long-term plans to deal with the flooding and excess moisture conditions? They need answers today.

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): You know, this member would have been in a lot better position on the Ranchers Choice option if he hadn't gone out and told some of the ranchers not to take their cattle to that plant, you know, and now they have the audacity to stand forward here and pretend they were in favour of it. I don't know, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Let's have a little decorum here. We have a lot of guests in the gallery, and they come here to hear the questions and the answers.

The honourable minister, to continue.

Mr. Struthers: And, you know, Mr. Speaker, we've met with the Manitoba Beef Producers, and they have made some very good suggestions that we're

following up on. They're making some good suggestions that we have talked to the federal minister on, including tax deferrals, including what we can do on greenfeed.

Mr. Speaker, the member wants some leadership. When I went to Ottawa to talk to Gerry Ritz, I talked to him about financial assistance. It seems that when the Leader of the Opposition (Mr. McFadyen) went to Ottawa to talk about—to talk with Gerry Ritz, he talked about running a knife through the Wheat Board. That's not helpful.

Lake Manitoba Flooding Water Level Forecasting and Responsibility

Mr. Hugh McFadyen (Leader of the Official Opposition): There are many people who are in the gallery here today, Manitobans who came here who are looking for answers, not because they didn't have better ways to spend their afternoon but because, Mr. Speaker, they need answers. That starts with an acknowledgment, by the Premier, of responsibility on the part of the government for what's happening and a guarantee that the second-class treatment of these Manitobans will come to an end.

Will the Premier today stand up, even if not for members of the opposition but for people like Fred Piscevich and his family and the many others who are here—will he address to those Manitobans today his apology for what has happened, his acceptance of responsibility and his guarantee that the second-class treatment they've been receiving ends today?

Hon. Greg Selinger (Premier): Mr. Speaker, we accept responsibility to take concrete action to help people, which is why we have put in place unprecedented resources in this province, at a record time, to offer people support.

If the efforts to protect properties, if the efforts to protect families, if the efforts to protect the individuals and their homes, all of those efforts—those are the primary functions that we have been performing from very early this fall, well into the spring—if, for any reason, those measures fail because of the extraordinary conditions that are in the province, we have put in place, in the most rapid time ever seen, a compensation program.

And that compensation program is without parallel in Manitoba and across the country. But if there are any gaps in that compensation program, if there are any weaknesses in it—and I'm sure that there may be some—we have put in place a well-respected individual that can review those matters and make

recommendations and make awards, if necessary, to assist people.

So our objective here is to get help to people as rapidly as possible, is to continue to protect them as much as possible and to do all the things necessary to support them as they go through this very stressful, very anguished period of time, a period of time which is also unparalleled in its length and duration because of the weather conditions.

It's stressful. It's difficult. We will be there every step of the way.

Mr. McFadyen: Mr. Speaker, there are—it's well established that there are gaps in what's been offered so far. We have cottagers being treated as second-class citizens. We have homeowners being treated as second-class Manitobans. We have ranchers, business owners, First Nations who are being treated as second-class Manitobans.

They came here not looking for qualified acceptance as a responsibility but for a clear acceptance of responsibility for the fact that the warnings have been there for years. They weren't acted on and, now, Mr. Speaker, they're—these Manitobans are entitled to something better.

Mr. Speaker, will he today accept full responsibility for what's happening today? And if he won't, then I think what is very, very clear is that this Premier who has never been elected to this office doesn't deserve to be in the office he today occupies.

Mr. Selinger: That's exactly the kind of behaviour we have seen from the Leader of the Opposition on so many occasions. If he thinks there's a weakness in any of the programs, let him be specific about that. Let him put those specific concerns on the record. If he wishes to attack people, let him look in the mirror and see what he has promised people in the past and then yanked it away from them when it was convenient for him to do that. There are many inconsistencies in what the member has put forward.

Our consistent approach is to support Manitobans as they go through a time of stress. We will support them to protect their property. We will support them to compensate them on their property. We will support them if there's any gaps with an independent commissioner that will review those matters, and we will continue to work every day during this difficult time to assist people.

And at the same time as we're doing that in the short run, we have already put in motion plans for

long-term solutions, because what people want more than anything else, Mr. Speaker, is a long-term solution to the water levels on the lake, and that is what we will pursue.

We will do that exactly as we did after the '97 flood. When we came into office, we didn't wait for the members opposite to do their *mea culpas*. We acted on a billion dollars of investment to protect flood in this province. We will continue to do that even when members vote against it.

Provincial Flooding Mitigation and Financial Compensation Plans

Hon. Jon Gerrard (River Heights): Mr. Speaker, lack of foresight by the NDP has plagued the handling of this major flood which happened this year in Manitoba. The promised permanent dikes in Brandon which were never built and the general lack of foresight by the NDP about the Assiniboine River, Lake Manitoba, Lake St. Martin and Dauphin Lake situations has called—caused untold hardships for Manitobans who've lost businesses, evacuated their homes and are having to play catch-up because the NDP weren't adequately prepared to deal with this year's flood.

Mr. Speaker, because the NDP threw foresight out the window in preparing for the flood, will the First Minister commit to compensation in full to all instead of the patchwork programs which depend on who you are and where you live?

Hon. Greg Selinger (Premier): Mr. Speaker, first of all, the member should allow the record to be corrected. The diking was done in Brandon. As promised, the resources were delivered—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Let's have a little decorum, please. We have a lot of people here and they have—and they're very interested in hearing the questions and the answers. Let's have a little decorum, please.

The honourable First Minister has the floor.

* (14:20)

Mr. Selinger: Thank you, Mr. Speaker. Diking was done, and, in addition, super sandbags were put in place, and members opposite were saying that it was too much, that it was overkill. As it turned out, that single land—that single level of super sandbags had to be built up three times higher than that to withstand the waters there because of the enormous amount of precipitation that came through Brandon.

And I will again repeat, the local officials on the emergency operations committee, supported by the local politicians, their volunteers as well as provincial officials, they were remarkably successful in preventing damage in that area and in doing a marvellous job on protecting that community, even though they had to evacuate up to 1,400 individuals on a precautionary basis.

So the member opposite asks questions. He should know that the forecast indicated very serious conditions. We went with the flood level of record plus two feet of freeboard.

Nobody anywhere in the public or the private sector, federally or provincially or internationally, predicted a one-in-350-year event. Nobody did that. We responded to it better than anywhere in the country.

Lake Manitoba Flooding Mitigation and Financial Compensation Plans

Hon. Jon Gerrard (River Heights): Mr. Speaker, I'd like to applaud the efforts of Earl Zotter, the reeve at St. Laurent, and his council for their efforts in that area. Two weeks ago, the reeve and Mark Peikoff, a hard-working volunteer in the area, showed me the damage inflicted to Laurentia and Twin Beaches because the NDP had not adequately considered the possibility of the sheer destruction that occurred along the shores of Lake Manitoba.

Despite the valiant efforts of residents, many, many homes were destroyed. The destruction could continue as new storms may wreak more havoc, and, yet, for too many whose homes have survived the recent onslaught at St. Laurent and elsewhere, the effort to protect surviving homes from a further disaster has not been adequate.

Why has the NDP been so slow to protect surviving homes so that the disaster isn't even worse?

Hon. Greg Selinger (Premier): I thank the member for the question. With respect to St. Laurent, we have been in direct contact with them from the earliest days of their very, very stressful situation. This is without question one of the hardest hit areas on Lake Manitoba—indeed, one of the hardest hit areas in the province.

The first measure we took is we took our Conservation technical resource officers and we moved them in there en masse in the early days to help with some of the prevention work. We followed

that up with military intervention while—during the time they were in the province.

And, then, we put in place \$3.2 million of resources to hire young people, many of whom have volunteered their time, so that they can work this summer to work with all the municipalities to provide additional labour and support for their efforts.

We have followed that up with provincial civil servants, many of whom have volunteered above and beyond their normal workday to go out there en masse to provide support. We've worked with the federal government. They have also mobilized federal civil servants who have gone out there en masse on their own time to provide support.

We will continue to support them every single day as this very difficult situation continues to bring new surprises and new challenges. We will not relent in supporting the people of any part of the province, regardless of their background—

Mr. Speaker: Order.

Outlet Capacity

Mr. Gerrard: Mr. Speaker, because of the lack of foresight by the NDP in addressing the situation created by the large flows down the Portage Diversion and the limited outlet capacity from Lake Manitoba to Lake Winnipeg, many farmers, many business people and many people in First Nations communities are suffering greatly.

Why has the NDP, in 12 years, not addressed the outlet from Lake Manitoba to Lake Winnipeg in an adequate way so that this disaster could have been prevented?

And when will the Premier address this outlet from Lake Manitoba to Lake Winnipeg in a way that provides long-term protection to those with homes or farms along Lake Manitoba, Lake Pineimuta, Lake St. Martin and the Fairford and Dauphin rivers?

Mr. Selinger: This, I would say, is a key question that needs to be addressed. The original design of the outlet on Lake Manitoba, the Fairford outlet, was designed for flows of in the order of 17,000 cubic feet a second in 1961. When the Portage Diversion was conceived and built between 1965 and 1969, it was built to handle up to 25,000 cubic feet a second. There was an imbalance that was put in there. The assumption was at the time that it would be able to handle the worst flood event of record, even though they knew that in addition to the diversion, there was

the Whiteman, Whitemud and the Waterhen rivers flowing into Lake Manitoba, which were bringing up to an additional 16,000 cubic feet a second.

This is a problem that needs to be addressed now that we've had the worst moisture and precipitation in the history of the province. This is a commitment we made when we announced our compensation program. The engineers are already studying it, and, as soon as possible, there will be a solution put in place that will address this imbalance that has been there for well over 40 years.

Lake Dauphin Flooding Mitigation and Financial Compensation Plans

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, while the Premier pays some dikes to be removed, he can't even help others build them.

Many of the property owners around Dauphin Lake are seniors, and they are struggling to protect their homes and cottages like many of those joining us in the gallery here today. Some are so exhausted from sandbagging that they have had to resort to paying people to sandbag for them while the lake is still rising. Local governments, as hard as they're working, are also looking for help, as they are fighting a flood on many fronts.

This is a very desperate situation and people have been looking for leadership from the provincial government on matters such as mitigation and compensation.

Mr. Speaker, will the minister responsible assure residents struggling with flooding in Lake Dauphin and area that all provincial resources available will be provided to assist them in their fight and that they will receive timely access to compensation?

Hon. Greg Selinger (Premier): Along with the local MLA who's also the Minister of Agriculture (Mr. Struthers), we did visit the folks in that area and saw the struggle they were going through. We saw the extremely high water that was affecting both homes and cottages in that area, and we did commit and are committing and will commit to make resources available to them.

We had provincial officials there; we had Emergency Measures officials there; we had Hydro officials there with heavy equipment that was able to help. The volunteers were doing a phenomenal job. We saw them moving in and out of that area with sandbags. We visited with the Hutterite colony that

was working the sandbag machine that had been provided, up to 50 people filling sandbags as rapidly as they could. Everybody was pulling together to address the problem.

It is also true that Dauphin Lake has seen an amount of water that has flown into it that has never been seen before in the history of that part of the province. And, yes, there is an enormous challenge there, and we say to the member opposite we will work with them like we've worked with everybody else in Manitoba to meet that challenge.

Mr. Speaker: Time for oral questions has expired.

MEMBERS' STATEMENTS

Steve Lupky

Mr. Ralph Eichler (Lakeside): Mr. Speaker, for many years, Steve Lupky has been a pillar to the Arborg community. His leadership and dedication to the area has proven to be important asset to the region. In recognition of his 20 years of contributions to community, Mr. Lupky was nominated for the Capturing Opportunities awards, which is awarded annually by the 'namical'-Manitoba Agriculture, Food and Rural Initiatives. The award recognizes candidates who have demonstrated excellence in the community work and promote sustainable economic development in rural areas. Steve Lupky was jointly nominated for the award by Bifrost community development corporation, the Town of Arborg, Community Futures East Interlake, in the Outstanding Community Leadership category.

From 1992 to 2010, Steve Lupky sat as a councillor for the Town of Arborg and he was deputy mayor during his last term. He was actively served in numerous boards and organizations, including the Community Futures Interlake, the Arborg district community health foundation, the Icelandic River Community Foundation, Arborg Senior Housing Corporation, the Arborg-Bifrost Community Development Corporation, the Arborg Riverton immigration settlement services.

Through these and other area organizations, Steve Lupky was able to bring many community-driven initiatives to 'fruition.' As the founding chairman of Arborg season housing corporation, he obtained government grants, oversaw the completion of assisted living complex in Arborg. Through the same organization, Mr. Lupky facilitated in building housing project called House of Hope.

From 1998 to 2002, Steve Lupky served as Interlake urban director for Association of Manitoba Municipalities, where he was a cure-key figure in creating the examination, economic development for municipalities. He also initiated and successfully Growing Arborg campaign to attract new residents to the businesses of Arborg.

Mr. Speaker, I hope all honourable members will join me in congratulating Steve Lupky of Arborg, who is in the gallery this afternoon, for his exceptional nomination, for his hard work and dedication to the area has been invaluable. I know that he will be successful in any future challenge that he takes on. I would like to wish him all the best in his future endeavours.

* (14:30)

Fort Garry Legion Branch 90

Hon. Kerri Irvin-Ross (Minister of Housing and Community Development): Mr. Speaker, I rise today to recognize the Fort Garry Legion, Branch 90, for eight decades of promoting remembrance and the service to veterans, their families and our community.

The Royal Canadian Legion is the largest organization providing support to veterans in Canada, with more than 358,000 members. The mission of the Legion is to serve veterans and their dependants, promote remembrance and act in the service of Canada and its communities. The Legion is also one of Canada's largest community-based service organizations, contributing millions of dollars and volunteer hours, providing support to programs for seniors, housing, youth, education, sports—to name just a few.

The annual poppy campaign is perhaps the best-known campaign of the Legion, promoting remembrance and reminding Canadians of the 117,000 men and women who have given their lives in wars and military missions around the world.

The Fort Garry Legion strives to uphold the Legion mission, providing a place for veterans and other community members to gather, sharing memories and support.

Legion members are active throughout the year with regular fundraising efforts and recently awarded approximately \$35,000 to a variety of organizations which support veterans. Legion members support veterans through visits to those who are hospitalized, personal care homes and those with limited mobility,

providing them with entertainment and, of course, an opportunity to share remembrance.

Fort Garry Legion Ladies Auxiliary is also celebrating their 80th anniversary of supporting the Legion's activities.

Please join me now in honouring the Fort Garry Legion for 80 years of devoted service to our veterans and our community.

"They shall grow not old, as we that are left to grow old: / Age shall not weary them, nor the years condemn. / At the going down of the sun and in the morning / We will remember them."

Dr. V.C. Jacob

Mr. Peter Dyck (Pembina): It's a pleasure for me to recognize an outstanding member of my constituency who made significant contributions to our community. Dr. V.C. Chandy Jacob was one of four doctors bestowed with an honorary membership from the Canadian Medical Association. He received the award at the 2011 Doctors Manitoba annual general meeting which was held on May the 4th, 2011.

Dr. Jacob is considered the founding father of advanced surgery in rural communities, which earned him the 1993 Physician of the Year award. Today, he remains committed to ensuring that state-of-the-art surgical facilities and procedures are available to patients outside of urban areas.

Dr. Jacob has been committed to the Boundary Trails Health Centre since its inception 10 years ago. He has worked diligently to establish a surgical department which serves as a referral centre for rural and southern Manitoba. His work with the centre has also involved significant contributions to a working group to develop an MRI department at the facility.

In 1968, Dr. Jacob established a surgical practice at the Winkler clinic, making him the first specialist to practice in southern Manitoba. He has pioneered the first rural surgical program for the Morden-Winkler area where he has performed a wide variety of surgical—surgeries, rather—including general, gastrointestinal, breast, plastic, orthopedic and vascular surgery.

A graduate of medicine from the University of Kerala, India, Dr. Jacob has travelled extensively in Europe, Asia, the United States and Canada to further his skills. He completed his internship at the University of Saskatchewan and he furthered his

residency training in general and orthopedic surgery at the University of Manitoba.

Mr. Speaker, on behalf of the residents of the Pembina constituency, I would like to congratulate Dr. V.C. Jacob for receiving the Canadian Medical Association's honorary membership. I would also like to thank him for the countless contributions that he has made to the community to ensure that patients in southern Manitoba receive the best medical treatments possible. Thank you.

Flora Young

Mr. Frank Whitehead (The Pas): Mr. Speaker, Flora Young is quite simply an inspiration for the community of Opaskwayak Cree Nation. She has been central to many great things in the community and continues to be a force of energy today. She's a person who has seen it all.

Flora has worked in Child and Family Services for 24 years. In fact, with changes in agencies, jurisdiction, staff and executive directors, she has lived the evolution of Child and Family Services in our community. Her career working for kids all began with a phone call from a friend and it soon became her passion. Since then, she has worked in nearly all capacities—as a front-line worker, supervisor and now as a resource co-ordinator for OCN Child and Family Services.

It is rare to see a person in a child welfare field work as long as Flora. It is demanding and often emotionally draining, but Flora managed the complications and difficult decisions with a keen instinct. Flora has her own way of dealing with people and always worked hard to make sure families were well taken care of. After over two decades of experience, Flora is now leaving the field. The news that Flora is retiring is definitely bittersweet.

Even at the end of her—of a hectic day of work—or week, Flora has always had more energy to give. Between her own family, her work, and many—and the many volunteer hours, her contributions to community are many. She is active in the women's group and is a member of the justice committee. She is an especially active member of the church, helping cater funerals and other events. Currently, she is studying ministry to further help out with church activities. Flora is also an avid traveller, and has seen—and has been to all corners of the world.

Flora is a life learner, and she takes her—as she takes her retirement, beginning this Friday, she says

she will stay busy with her work in the community, continue her studies and keep travelling.

Mr. Speaker, Flora Young has dedicated her life to children and community service. Flora has a good heart, and is a truly exceptional woman. You can see it in her dedication to her own family and her willingness to always help others. Thank you, Flora, for all that you have done.

Thank you, Mr. Speaker.

Tribute to MLAs' Spouses and Partners

Mr. Leonard Derkach (Russell): Today I rise to pay tribute to the unsung heroes of this Legislature. These men and women have made a difference for all of us who sit in the House, and are involved in our constituencies as well as our daily lives. Of course, I am speaking of our spouses and partners, Mr. Speaker, those honourable members who do not normally receive credit that they deserve, but today I hope to correct that.

It is through the commitment of the husbands, the wives, the partners, the members who are able to work to make Manitoba a better province. Throughout the year, we—they—we sacrifice time away from our loved ones to serve the province, and they continue to stand by our side, day in and day out.

At the end of the week, when we return to our homes, they are always there to offer us the emotional support that we need in order to continue with the next week's challenges. Their advice is always considered first and foremost as they will always consider what is in our best interests.

Mr. Speaker, for many of us in this House, our spouses and our partners have played a major role in our election. They spend countless hours talking to members of the community and working on election campaigns so that we can continue to do our work in our offices.

MLAs have relied on their spouses and partners to help organize community events in their constituencies and, without hesitation, they are always there to make sure that matters are taken care of in our professional and personal lives.

Throughout my 25 years in the Legislature, my wife, Margie, and my sons and family have supported me wholeheartedly. With the—with three children under the age of six years old, she not only managed the home affairs, but continued to lend a

helping hand in public functions, campaigns. She has been, and continues to be, the rock in our family.

Mr. Speaker, I know that all honourable members will join me this afternoon in applauding our loved ones for the support they offer each of us, each and every day. I would encourage all honourable members to let their spouses and their partners know just how much their love and support means, as they are the true backbone of this Assembly.

Thank you, Mr. Speaker.

MATTER OF URGENT PUBLIC IMPORTANCE

Mr. Hugh McFadyen (Leader of the Official Opposition): In accordance with rule 36(1), I move, seconded by the member for Morris (Mrs. Taillieu), that the regularly scheduled business of the House be set aside to discuss a matter of urgent public importance, namely, the challenges created for Manitobans by the handling of the 2011 flood.

Mr. Speaker: Before recognizing the honourable member—or, the honourable Leader of the Official Opposition, I believe I should remind all members that under rule 36(2), the mover of a motion on a matter of urgent public importance and one member from the other parties in the House is allowed not more than 10 minutes to explain the urgency of debating the matter immediately.

As stated in *Beauchesne's* citation 390, urgency, in this context, means the urgency of immediate debate, not of the subject matter of the motion.

* (14:40)

In their remarks, members should focus exclusively on whether or not there is urgency of debate and whether or not the ordinary opportunities for debate will enable the House to consider the matter early enough to ensure that the public interest will not suffer.

Mr. McFadyen: Mr. Speaker, on the issue as to whether the matter of the handling of the flood should be treated as an urgent matter, we acknowledge that there are many items for debate and discussion before this Legislature this afternoon, many bills working their way through the process.

However, Mr. Speaker, and I think there'll be little or no disagreement with the fact that, as of this moment, there are several thousand Manitobans who are on evacuation from their homes, people from all

walks of life, First Nations, cottagers, homeowners, ranchers, farmers and others. We are at a moment when literally hundreds of homes have been damaged or destroyed by the flood, and we are at a time when Manitobans are looking for answers, very clearly, as to how this government is going to move forward.

Mr. Speaker, we sought some of those answers earlier today in question period. We believe that the answers that Manitobans were looking for were not sufficiently provided in the House. That includes acceptance of responsibility for the current circumstances and a clear plan as to how we move forward.

In those circumstances, Mr. Speaker, we believe that there is no other matter more urgent than this for Manitobans at this moment and that the regular business of the House ought to be set aside for some period of time to allow members to debate the important issue of the handling of this 2011 flood. Thank you.

Hon. Jennifer Howard (Government House Leader): Certainly, yesterday when the Opposition House Leader brought the plan to my attention to move a matter of urgent public importance today, we agree that the matter is very important and very significant, certainly has been a preoccupation—main occupation of the Premier (Mr. Selinger) and ministers responsible for this area for the last several months. I know the Premier, in the last couple days and beyond that, has visited many of the communities affected and, this afternoon, I know, is meeting with representatives of those communities. So we agree that this is a very important issue.

You will rule on whether it makes the test for a MUPI. But, notwithstanding our rules, we have agreed, the House leaders, that we will this afternoon debate this matter, that there will be two speakers from the government side, two speakers from the opposition side as well as a member of the independent—the independent member of the Legislature from River Heights, and we will have that discussion and then move on to the regular business of the House. Thank you.

Mr. Speaker: On the matter of the—of urgent public importance, I thank the honourable members for their advice to the Chair on whether the motion proposed by the honourable Leader of the Official Opposition should be debated today.

The notice required by rule 36(1) was provided. Under our rules and practices, the subject matter requiring urgent consideration must be so pressing that the public interest will suffer if the matter is not given immediate attention. There must also be no other reasonable opportunities to raise the matter.

I have listened carefully to the arguments put forward. However, I was not persuaded that the ordinary business of the House should be set aside to deal with this issue today. Although this is an issue that some members may have concerns about, I do not believe that the public interest will be harmed if the business of the House is not set aside to debate the motion today.

Additionally, I would like to note that other avenues exist for members to raise this issue, including question period, members' statements and also grievances. There have also been daily ministerial statements providing updates on the flooding situation, and the official opposition critic and the member for River Heights (Mr. Gerrard) have had the opportunities to comment on these ministerial updates.

Therefore, with the greatest of respect, I must rule that this matter does not meet the criteria set by our rules and precedents, and I rule the motion out of order as a matter of urgent public importance.

However, despite the procedural shortcomings, there does appear to be willingness to debate the issue. I shall then put the question to the House.

Shall the debate proceed? *[Agreed]*

Okay, it's been agreed to, so we will proceed with the debate.

Mr. McFadyen: Mr. Speaker, I want to acknowledge and thank you for your ruling, and also thank and acknowledge the Government House Leader for the willingness of members opposite to set aside some time this afternoon to deal with this very significant issue for many Manitobans.

As members know, Mr. Speaker, there are currently more than 2,000 Manitobans on evacuation from their homes. There are several hundred properties which have been damaged, in some cases damaged beyond repair, and we have, at this moment, the prospect of further damage as the water on Lake Manitoba, Lake Dauphin, and other lakes around the province continues to rise.

Mr. Speaker, it is this House that has the duty and responsibility to meet the priorities of

Manitobans, to address those issues that are most significant to them, and it is this House that has a responsibility to ask for, in fact, demand accountability and action from the government, the government that belongs to the people of Manitoba and which has a very important duty and responsibility to be with them through these very significant challenges.

Mr. Mohinder Saran, Acting Speaker, in the Chair

Mr. Acting Speaker, there are several aspects to the current crisis that are important matters of policy and leadership and management as respects the government, one of which is the very significant concerns that Manitobans are raising with us on the issue of forecasting, a matter that's the responsibility of the Department of Water Stewardship and a matter which has, by any reasonable standard, fallen well short of what Manitobans would expect and deserve from their government.

Mr. Acting Speaker, bad forecasting leads to bad management. The ability to forecast with some range of accuracy, not perfect accuracy, but at least a range of possible outcomes allows government, municipalities and private landowners, First Nations, to plan as well as they're able to deal with the rising levels of water, and we're fortunate in Manitoba that unlike other places around the world that have confronted natural disasters—and we think of Japan as an example, where there was some 10-minute warning between a tsunami—an earthquake and a tsunami, and the subsequent issues and very little time for immediate action.

Mr. Acting Speaker, that unlike that circumstance, we in Manitoba had the benefit of some weeks, months and perhaps even years of warning about the potential outcomes that we are today facing. And Manitobans, particularly those who are facing damage to their property today are frustrated that the warnings were not provided, that the forecasts were not accurate, and that sufficient steps were not taken to do a better job of protecting property.

Mr. Acting Speaker, while it is acknowledged everywhere that the government doesn't control the weather, it does control the ability to forecast using certain models to identify the range of possibilities that could be confronted. And what's very clear is that the scenario we are in today was not within the range of possibilities outlined by the government, even as recently as four weeks ago. And so that is one area that requires urgent attention on the part of

government, and we would submit to the government that it ought to be a matter that is accounted for, explained, apologized for and then rectified as part of the government's attempts to try to learn lessons from the mistakes made in the area of forecasting.

* (14:50)

Mr. Speaker in the Chair

Mr. Speaker, with good forecasting, more could have been done to protect property, but after that failure on forecasting, we found ourselves and find ourselves, at this moment, in a situation of emergency throughout the province. And, in that context, we do want to acknowledge the efforts of very many people who have responded in this emergency to do their very best to protect people, to protect property, to protect livestock and other important assets within our province.

We have seen the efforts of many Hutterite people, as an example, Mr. Speaker, who have come out to help neighbours, to support other Manitobans and to be there as good Manitobans and good citizens in support of those who are dealing with flooding, and they've done so even after being blamed by this government for what's happening in Lake Winnipeg. They have still come out and been good Manitobans and good neighbours, responding with efforts to sandbag, to provide meals and support and comfort to those Manitobans who are suffering in this situation.

We have seen examples throughout the province of tremendous leadership on the part of municipal officials, Emergency Measures officials. We saw the great response of Canada's Armed Forces who came on short notice and did great work shoring up dikes along the Assiniboine and doing other important work to protect Winnipeg, in particular, but also other communities around the province of Manitoba.

We have seen, Mr. Speaker, great examples of people within the civil service at every level who are working long hours under extreme stress to do very good work, provide very good technical advice, and to just go out and do the hard, heavy lifting that's been required in this flood in order to protect Manitobans.

We've seen members of this House respond—on all sides, Mr. Speaker—in marvellous ways. Members have been out sandbagging to protect neighbours. There are a crew of members of the opposition that have spent some time out sandbagging and protecting property. We have seen members of the

House go door to door visiting constituents and visiting Manitobans to identify the sorts of questions that should be asked and the sort of issues that should be brought forward.

And I want to acknowledge members who attended the meeting at the Charleswood Legion on Sunday evening to listen to those Manitobans who are dealing with incredible stress at this moment and to ensure that the concerns, that the information, that the very legitimate anxieties of these Manitobans were brought forward into this Chamber and brought to the attention of government to be addressed in an as effective way as possible.

I also want to acknowledge, Mr. Speaker, the various ways in which the Minister responsible for Emergency Measures (Mr. Ashton) has reached out to different people through the course of the current crisis, myself included, and who has been available to take phone calls, to respond to questions and emails and to, in our view, do his best to meet and deal with the various challenges and issues and concerns and pieces of information that have been brought forward.

We know, Mr. Speaker, that floods are not partisan events, that the best decisions are made when government receives information from sources around the province, people who are on the ground gathering information and gathering feedback from people, and that information has been passed along to the member for Thompson, and he has I think made every effort to be responsive to that.

Mr. Speaker, there are very significant, bigger challenges as we go forward. One is how do we take steps to reduce the water levels on Lake Manitoba, Lake Dauphin and other major bodies of water? That doesn't happen overnight, but it requires a plan and it requires vigorous and determined action on the part of government to begin that process.

We need to know that the government is going to be there with compensation and efforts to help people rebuild as the water comes down, and that is the first choice of Manitobans, is to rebuild and to have the opportunity to pass on to their kids and their grandkids the property that is the source of so much happiness and so many good memories for all of them, Mr. Speaker. And that means a compensation package and a rebuilding program that treats these Manitobans as first-class citizens, and we would say that the benchmark for that ought to be the most generous possible compensation being provided to

any Manitoban and that no Manitoban be treated as a second-class citizen.

We also need long-range work, Mr. Speaker, of the kind that was undertaken by the greatest Manitoban, Duff Roblin, in the 1960s, that sort of vision and determination to ensure that when we get through the current crisis that it can never happen again.

And that, Mr. Speaker, is our objective today. We call on all members to dedicate themselves to that goal.

Hon. Steve Ashton (Minister responsible for Emergency Measures): Mr. Speaker, there's no doubt that we're facing unprecedented flooding in this province. We've seen, over the last several months, the kind of flooding that just is unheard of, unforeseen. In fact, it's hard to describe the scenarios that have taken place.

Yes, in this province we have some experience on the Red River, certainly, the 1997 flood. In 2009, we saw, again, a major flood, both in the Red River south and Red River north. But to put it in perspective, as much as that was a significant challenge, what we're looking at now in southwestern Manitoba—the Assiniboine watershed and Lake Manitoba and Lake St. Martin—is a one-in-350-year flood. Put another way, this is the worst flood since European contact. You'd have to go to Aboriginal oral history to find anything comparable.

And I'll tell you one thing, Mr. Speaker, one thing most definitely that any of us who've been involved day-to-day on the flood fight, that we try to do is park the politics at the door. I can be partisan on occasion.

Some Honourable Members: No, no.

Mr. Ashton: I thank members opposite for assuring me that, perhaps, I'm not as partisan as, perhaps, I think so, but I can tell you one thing: when it comes to fighting floods, you have to pull together.

Mr. Speaker, I'll start by saying how we're all thinking of the flood victims right now. I've a lot of people asking me, aren't you going through a stressful time? Aren't you losing sleep? I've said to every one of them, nothing that compares to the flood victims and what they've got going through.

I'll add another dimension, too, by the way. Yes, maybe there's been some long hours from those of us that have been involved in the flood fight in this

building, but I can't help but think of the municipal staff who've been working 24-7. I'm including municipal officials, the provincial employees—we had several employees sleeping several weeks in a row in their trucks, working 24-7. And I think of the volunteers, and from the Hutterite colonies, coming from all over Manitoba, and, of course, the military. I can't say enough about how when we needed them, they were there; they were there right away. They had a mission; they completed their mission. We know that they'll come back again if and when we need them.

But you know what? I also want included in that list, by the way, the people working 24-7 on the forecasting. Just as in 1997—I recall this, because I was a member of the Legislature—the emergency officials of the day had downgraded the flood forecast just before the Colorado low that created the major storm that put in place the Flood of the Century on the Red River. I want to say that, Mr. Speaker, that our flood forecasters and our technical staff had been saying we had the preconditions for flood, and we have been working on that since the fall.

I know members opposite earlier—and I'm not going to do this in a partisan way—but I heard some people saying, well, drain the lake. The operation of the Fairford outlet has been at maximum possible capacity since November. That was because we knew there would be preconditions for a flood.

*(15:00)

We also, Mr. Speaker, put in place significant work to our flood protection systems: building the dike in Brandon, operating the dikes on the Assiniboine River, all of which was targeted at what we knew was the flood of record, the 1976 flood—1976 flood plus two feet. And, you know, I know there were some concerns, and I'm not going to get into a partisan debate. There was some criticism earlier on about whether we were being too prepared. I remember there was some criticism in a certain local newspaper about us buying a sandbag machine, up to that point, which had not been used. Well, I can tell you that every single element of the flood preparation was needed.

But then what happened? Here's the scenario in the Assiniboine watershed: We have 150 per cent of the volume of water of the flood of record of 1976. That is immense. I want to put it on perspective to what's happened this spring, because, again, it's important to note that we've had upwards of

300 per cent of the normal moisture in terms of precipitation in the Souris area.

And I want to stress, by the way, that we're not the only ones. Members in this House may want to be seeing what's been happening to our neighbours in the south in Minot where thousands of people were evacuated because of the same impacts on their river system. Or Estevan, Saskatchewan, where we're seeing record flooding at this particular point in time, Mr. Speaker. So this is something that's not just hit Manitoba. This is a massive natural disaster and it's had impacts.

And, Mr. Speaker, there's not one person involved in the flood fight doesn't think each and every day of the flood victims and what they've been going through, and that should be the focus of the discussion and the debate today. When I went out yesterday to the RM of St. Laurent, there could be nothing more gut-wrenching than seeing what was happening on the front lines, what had happened to the homes, what had happened to people's dreams.

And I can tell you when I looked at, you know, paving stones with insignia for the centennial in 1967, it hit home to me that from 1961 until the year 2010 we had a whole development that flourished on Lake Manitoba because of the regulation, and that regulatory system worked from 1961 through to 2010. It was overwhelmed this year.

Now, how do we deal with that in this province? Well, how did we deal with the circumstances we were faced in 1997? Well, I can tell you, Mr. Speaker, I was a member of the opposition in those days, but I can tell you we pulled together and we fought that flood. And I want to put on the record that after that flood, we came together and we put in place a billion-dollar investment that has led to the fact that this year in the Red River Valley, with a flood that is greater than in 1950 flood where a hundred thousand people were evacuated and 10,000 homes were destroyed, how many homes were impacted in the Red River Valley this year south of Winnipeg? Not one. And that is a testament to the success of the Manitoba way of doing things, which is you sit down and you say we're not going to go through this again.

Well, we've been doing the same following the 2009 flood with the terrible circumstances hit north of Winnipeg, and I just remind people, that, again, was a flood that was greater than 1950. And what we've done and what we put in place there are measures to deal with the ice, the Amphibexes. We

put in measures to deal with flood protection and we're moving on permanent flood protection in that area. We met the challenge and we're going to meet the challenge on—in north of Winnipeg.

And just as we are now faced with another flood of record, I want to state on the record that our commitment, not just as a government but as—to a province is to do the following: to continue to fight the flood because, Mr. Speaker, we're not giving up on any home or any community on Lake Manitoba. This is a flood that's going to continue over the next number of weeks, and we're going to be there on the front lines just as we were over the last number of weeks. And I'm not talking as the MLA or minister; I'm talking about Manitobans as a whole. When I hear people from Lake Manitoba calling themselves the forgotten people, the one message we have to give them is they're not going to be forgotten and we're going to be there to back them up.

The—and the second thing, Mr. Speaker, is there is going to be a lot of work on the recovery. And, you know, one thing we didn't hesitate, because of the unique circumstances, is to recognize the unique impacts in that community. And I can tell you, the first time in history we are providing direct assistance to cottage owners on Lake Manitoba. That didn't happen for seasonal residents in 1997. It didn't happen in 2009. It's happening this year, and I want to state we did that because of the unique circumstances they're facing. And we're going to be there in terms of mitigation and we're going to be there in terms of the engineering assistance they need.

And also, when it comes to the recovery stage, I want to stress something, Mr. Speaker. I know people are frustrated because they can't get back into their homes. Well, let me tell you one of the reasons why the municipalities have been so careful on that: because of the danger that's involved with the high water levels, because of the debris that's in place. They have to be concerned about people's security first. But, yesterday, when I was meeting with the RM of St. Laurent, we also made a commitment to get the roads up to standards so we can get people back in so they can check on their homes, so they can protect their belongings, and so they can start to flood protect and rebuild.

Mr. Speaker, floods are about massive natural events, but they're also about human beings. And I just want to put on the record that, just as we have pulled together historically, I want to urge everyone

in this House to do the same now. There's plenty of time for post-mortems. I suspect there may be a discussion and a post-mortem in October, but let's stick together; let's fight this flood and let's work each and every day to make sure that we have the recovery in place for Lake Manitoba, for Lake St. Martin and everybody across the province who's impacted.

Mr. Ralph Eichler (Lakeside): I think we'd be a lot better off if we heard that speech five weeks ago because it's exactly what the people wanted to hear that was out there today. I commend the minister for those flood words.

Also, in regards to the issues, and I know there's a number of issues that are out there and one of them today that was brought forward by Manko and I want to take the opportunity to thank Larry Baker, who emceed the event this afternoon and, of course, those other speakers, Tom Teichroeb, the rancher, and Bill Swan from little-Lake Manitoba and, of course, Fred Pisclevich and Garnet Lobb and Jay Fox for their kind words as well.

And we can feel the hardship out there, Mr. Speaker, in regards to the flood of 2011, and I can tell you there's a lot more to this that's going to come. The Minister of EMO mentioned the fact that, for the next couple of weeks, we're going to be talking about the flood, but I can guarantee you, it'll probably be the next couple of years.

The water that's in Lake Manitoba now, in fact, the information that's been passed on to us is that the water levels in Lake Manitoba are going to be at the same level they were on May the 31st on October the 1st of 2011. I can tell you that's extremely high, extremely high going into a winter with ice, and if the wind and the water don't get them now, next spring, there's a very good likelihood that the ice will get them because it's disastrous. It's a situation where we don't want to be, so the sooner we can get the Lake Manitoba drawn down, the safer it will be for those that do have property left where they may be able to sustain it.

And I know that we've talked about, you know, the heavy rain falling. And there's been a lot of discussion around that and the fact that the acres of land that's not going to be able to be seeded. In fact, I know in my area, just on the weekend, neighbours pulled together that couldn't get their crops in, pulled together and helped their neighbours get it seeded in. And guess what? Last night they got dumped on.

Those acres that are seeded are all gone. In fact, my wife went out to a women auxiliary supper last night. She got caught in that storm and, right at the Balmoral corner, there was a car that was totally submerged. All you could see was the top of the car. The top of the car was all that was left. I can guarantee you it was for sale. He bought another vehicle and put it out there on the side of the road to sell it. Well, guess what? He's not going to be covered. It's not covered under Autopac.

These are the types of things that happen, and we know that those farmers that worked so hard to get their crop in are devastated as well. And, of course, that water now goes on—that side of the hill goes into Lake Winnipeg. And, quite frankly, Lake Winnipeg is quite full as well. So we have a dilemma on our hands that is really a serious situation where the water from Lake Manitoba ends up in Lake Winnipeg. So we have to drain Lake Manitoba in a way that's going to be sustainable so that we can get the water from Lake Manitoba into Lake Winnipeg, but, yet, not cause enough damage, because I know the people in Gimli—in fact, the community south of Gimli was sandbagging last weekend. That's how high the water is there too.

We've got to get the water floats through the system. And, I agree, we're prepared to work with the government to help them with those solutions. I agree that we need to make sure that there's compensation in place. We need to know that, in fact, that those people are going to be impacted. When you drain water, it always goes on somebody else, right? So no matter where that's at. Yes, we know we need water there for Manitoba Hydro. We know that we need to make sure that it's there so we can have longevity.

In fact, going back to 2004, we were in a drought crisis. In fact, that's when they first started talking about Lake Manitoba being high. Well, we can't drain down the lake because of the drought that was there in 2004. Well, along come 2005; it starts raining; 2006, it starts raining; 2007, it starts raining; 2008, '09 and '10, and look where we are now. We got a lake that's busting at the seams.

* (15:10)

In fact, I've had an opportunity, twice, to go up in the air and look at Lake Manitoba, and I can tell you there is no shoreline. The lake goes and goes and goes, and I can also want to put on the record, very clearly, by those aerial views that I was able to capture, the water from Lake Francis is starting to

make its way back into the Assiniboia. It's coming from the north—going north which now is working its way back south. So it's only a matter of time. With the diversion running at full capacity, it's got only one place to go because there's just a limited amount that's going to go out through Fairford, a very limited amount that can get out of the system, but there's more water going in than can be handled. So we know very clearly that that water is going to have to go somewhere.

So it's going to come north of Poplar Point and it's going to work its way back down, so we're going to have that water right back at—in the Assiniboia, but it's going to take some more victims with him. So we need to have a good water management shed plan. We need to make sure that this don't happen again. We need to put those checks and balances in place, and those farmers that have not been able to get their crop in and now have been washed out.

And I know the minister says, just hang tight, we've got till June 20th. Well, a lot of those days are gone, and we need to be very open about that. So we need to make sure that there is no boundaries, and I know that in past programs that came forward, we said, well, this is a program to help those that got flooded. Well, I was in that area, in the Interlake area that got flooded since 2004, and I can tell you there's no margins left. There is nothing left for those guys. The programs are not working anymore, so you need to come up with some new innovative ways.

I'll be happy to sit down with the Minister of Agriculture (Mr. Struthers). I talked to my friend, Gerry Ritz. We've become fairly close over the years as my role as Agriculture critic, and I can tell you, they're prepared to work with the Province. They're prepared to make sure that our people are looked after so that the agriculture sector is in fact protected for future generations. We know we want our 100-mile diet. We know we want our food to come locally. We know we want to have solutions made in Manitoba for Manitoba crisis. So we need to take the leadership on that role, send them out to the federal government, say, yes, if we need help from the Conservatives, we'll call them. I will gladly sit down with the minister and make sure that we do what we can to make sure that they pass.

Also, I want to come back to those farmers in the Interlake that, through no fault of their own, went out and bought some awful expensive equipment back in 2005 when the flood first started and unfortunately haven't been able to use it since because they've been

totally flooded out. So we know that those equipment purchases still have to be paid for. So what they've done—and thank goodness for the credit unions. They've done just an outstanding job at standing up for the farmers and the people in rural Manitoba, in particular, the Interlake. For those people that are in crisis, they have not called a loan that I know of. I know there's lots out there that probably said, geez, I wish they would've called my loan because now I'm in so much debt I can't get out, but at the time I think that they realized that, hey, we want to try and live on hope.

We want to live on the future. We want to be able to go back to those homes that we'd be able to stand our livelihood on, and, in fact, I know that's exactly the message I heard and I know the Minister of Agriculture heard it when we went and met with the people around the Shoal lakes. They just want their land back. The cottagers just want their land back. They want to be able to say, this is my little chunk of paradise; this is my place where I raised my family, raised my kids. I want to go back there. I want to be able to go back and say that I want to hand this off to my—to the next generation.

And I know the government's heard this story. When you hear stories from Ruby Grymonpre, Sherrie Turek, David Nixon, Gary Grubert, many, many others where the cottage has been handed down from generation to generation just like the farms have, and we love nothing better as politicians, to go out and celebrate a 100th anniversary farm. And I know I have two in my area coming up this year, and they're borderline whether or not they're going to survive. They may be able to save their home residence but they'll in all likelihood be under water for a long period of time. So we have to make sure that, in fact, we do have those strategies put in place so that they will be able to sustain that livelihood in the future generations to come.

I would also be remiss if I didn't talk a little bit about what's going to happen after the flood has gone. So there's a few things we need to prepare for. We need to also prepare for immediate cleanup and access so that we can get into those properties. And I think it's great that the government's got some students who are prepared to come in and do that, but we also need to make sure we have the right equipment that's going to be able to get in there and access that property. And those that are been locked up where they haven't been able to get into their property, they need to be able to get in there to get

some of those things out. So the government needs to take the leadership role in making sure that access to their properties will be there.

In fact, I have a constituent in my area that has lived there his whole life, 83 years, and he's been evacuated and he tried to go in with his pickup. Well, it's kind of hard to see when the wind's blowing and you lose track of the waves. Well, he swamped his truck. That got written off. But, when you have a piece of property, we get desperate. So I know that there's rules in place to make sure, in fact, that we have protection for those people and sometimes they take those chances that they shouldn't. So I know that we need to make sure that we have equipment available to them.

Also, financial assistance. We need to make sure permanent flood protection is going to be in place for those—in fact, I know that the lake level they are anticipating to be at, at 816.5, when you do the wind area on that, what's going to happen is—really you need to be about 820, 822. So we're going to have to make sure, in fact, that we have protections for those.

Also, loss of tax revenue. We need to make sure that that's going to be there as well for the municipalities, because I know that that revenue that's lost—in particular, RM of St. Laurent is 80 per cent of their tax base. So they're not going to have anything that's going to be available for them, for compensation—

Mr. Speaker: Order.

Mr. Tom Nevakshonoff (Interlake): I thank the House for the opportunity to address this issue.

I think it goes without saying that the flood and the crisis in the Interlake is the most significant event that I have faced in the 12 years that I've been a member of the Legislature. And I say that on behalf of the people that I represent, the people of the Interlake, who are bearing the brunt of this flood through no fault of their own, because of circumstances, frankly, beyond all of our control.

The Portage Diversion, which was put in place by the Roblin government many, many years ago, has made it so that this diversion will be used and Lake Manitoba is the reservoir, I guess, in the words of the greater good, which is something that we in the Interlake have a little bit of trouble grasping and accepting. But that is the—and I would hope that members would refrain from heckling me during this debate because it is a matter of grave importance to me, and this is a matter of urgent public importance

as the House deems fit. And I'd like to focus on that, as opposed to responding to asides from members opposite, Mr. Speaker.

I just came from Lundar. As a matter of fact, our Premier (Mr. Selinger) was out there touring the beaches flooded along Lake Manitoba, and it's not the first time he's been there. He's been there several times.

And I guess I'd begin my remarks by thanking him personally for his dedication and how he has risen to the occasion in facing this flood. And not just him, but all members of the government, the Minister of Water Stewardship (Ms. Melnick), the Minister of Infrastructure and Transportation (Mr. Ashton), the Minister of Agriculture (Mr. Struthers), in particular, who was scheduled to speak and who graciously allowed me to stand in his place. All of these people have worked seven days a week, 12, 16 hours a day, to ensure that the best that can be done for the people of Manitoba, is, indeed, done.

Now I look to Lake Manitoba again, and we are bearing the brunt of this crisis, and this government is stepping up to the plate with programming in response to that. If the greater good is to benefit, on our backs, so to speak, in the Interlake, then all taxpayers of Manitoba combined will contribute toward the economic programs, the compensation programs and so forth, to see that the people of the Interlake are justly compensated for the suffering that they are bearing on behalf of all of the people of the province.

* (15:20)

I look to the various different groups of people who are impacted by this flood, and I will go right to the extreme north end and I will begin with the people who live around Lake St. Martin. Those people, above and beyond all else, are suffering the most from this crisis. There are four First Nations communities downstream of the Fairford control structure which are—those people are utterly devastated. They are almost entirely evacuated from their homes for an indefinite period of time. So that is where our focus should lie first and foremost.

The next group of people that I see most seriously impacted are the farmers, the ranchers in particular, who ranch around Lake Manitoba. Roughly a third of the cattle in the province, I believe, is raised in that area, and some people consider it marginal land, but we don't in the

Interlake. A lot of the best beef in the world is raised on that so-called marginal land and it is being impacted as well.

And I thank the Minister of Agriculture (Mr. Struthers) for stepping up to the plate and putting in place programs, whether it be to find new pasture, move cattle off, and, ultimately, I think we'll be looking at feed and freight assistance as well in order to ensure, once again, that we can bridge these people over this crisis so that they continue to stay in business.

I look to the permanent residents further downstream also severely impacted by this, and this is where this government has truly stepped up to the plate. Disaster financial assistance has its limitations. Under normal circumstances, for example, people who have secondary residences would not be covered, and to his credit, the Premier (Mr. Selinger) has already committed to going above and beyond the standard DFA proposal.

Our argument has always been that this flood is of the same, if not greater, magnitude than the flood of 1997 and we will treat it accordingly. We are negotiating with the federal government and I would say that it is a negotiation on a non-partisan basis. When you're in the midst of a crisis, the last thing that you want is for people to politicize an event, and I would hope that members opposite bear that in mind as we go forward through this crisis, because it's not going to be over in a matter of days or weeks. This crisis is upon us for a period of months. In fact, the impact could be felt for a period of years if wet conditions continue.

I do want to acknowledge the federal government, although we're still waiting for them to confirm that this is, indeed, equivalent to the '97 flood and to agree to programming comparable to the JERI program.

Still, I want to acknowledge them in the sense that they have done a couple of things. First of all, they have agreed that mitigation works, such as diking, that is put in place does not have to be removed in order to be compensated. That was a huge step forward and I credit the member for Thompson (Mr. Ashton) for the years that he has advocated for this, has finally succeeded in pushing this over the top. And, secondly, I want to credit the federal government in that they have committed to investing in mitigation, meaning that we're not just going to be paying damages after the fact, that they will cost-share with us in putting in place

infrastructure that will prevent or alleviate future flooding.

I look to, again, the far north, and the first thing on my agenda would be to build up PR 513 which accesses the community of Dauphin River and also allows the Lake St. Martin fishermen to get up into the Sturgeon Bay, the Area 6 portion of Lake Winnipeg where they all fish. Two communities depend on this road for access to the fisheries station in St. Martin and that would be the first order of business.

Looking at outlets out of Lake St. Martin is something that previous governments did. There was a 1978 report that looked at alternatives. Unfortunately, the government of the day deemed that the cost benefit wasn't there and never acted upon it.

Now I think we should take a look at that. There's potential, possibly, if our engineers agree, to divert water out of the Dauphin River into the Warpath. This is something that I put on the table after being advised of such by the Chief of Dauphin River, Emery Stagg, and also Reeve Brian Sigfusson of the RM of Coldwell, a man very experienced in digging drains and roads and so forth, has also advised that, and that is something that is under consideration which would ultimately allow us to possibly look at the Fairford control structure itself, to see that—if it could be upgraded.

But, mention of that structure is noteworthy, because that structure did increase the outflow capacity of Lake Manitoba. I think the natural outflow was in the range of 3,000 to 4,000 cfs, so, you know, the hindsight—or the foresight of previous governments in enhancing that outflow was to the benefit of the people of Lake Manitoba.

So we will look at these things. I think the member of Portage la Prairie has spoken about the Holland dam in times past. If we can hold water back and stage release in the headwaters, then, certainly, something like that is worthy of consideration. And I might just say, speaking as the member of the Interlake, representing those people around Lake Manitoba, that even something like the Hoop and Holler, which showed an alternative route for water into another river that may or may not have had the capacity, in my opinion, anyways, I think that alternatives such as that should be looked at as well, so that—

Mr. Speaker: Honourable member's time has expired.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to speak to this matter of urgent public importance. The flood this year has certainly been of epic proportions. And I want to begin by saying a big thank you to the many volunteers, to the members of the Armed Forces, to provincial, municipal, federal officials. Put in a special word for those who have worked so hard and so long and remember the people like the provincial inspector who recently was taken into the river at Treesbank, and there have been dangers there, and we need to recognize the valued efforts that have been made by so many.

This year, of course, the—addressing the flood began with the situation on the Red River, and I had the opportunity to meet with people along the Red River beforehand to help with some sandbagging, to raise various issues, around the Red River, in the Legislature. And then, of course, the focus shifted to the Assiniboine River and, during the course of this flood, I have had the opportunity to meet with people in various areas along the Assiniboine River, from Brandon to Portage la Prairie to around St. François Xavier, of course, the Portage Diversion, the Hoop and Holler cut site.

I had the opportunity to overfly parts of the Assiniboine River with the Leader of the Opposition (Mr. McFadyen) and the Minister for Emergency Measures (Mr. Ashton). Along with the Portage Diversion and Delta Beach and the St. Laurent area and Shoal Lake, I've had the opportunity to visit, on two occasions, Lake St. Martin, a community there and Little Saskatchewan, several times to St. Laurent, to Delta Beach, helping in what ways that I can, staying in close touch with people there and at many, many other areas, including Dauphin Lake and various places in southwestern Manitoba, visiting and talking with people in the Salt Lake area near Shoal Lake and Strathclair.

And, of course, we've had many, many issues to deal with, and some of the most serious, of course, are on Lake Manitoba and the size of Lake Manitoba. Shortly after the very severe storm in St. Laurent, I had an opportunity to visit there along with the reeve, Earl Zotter, Derek Johnson, who's a councillor, Mark Peikoff, who's a volunteer in the area, and to see the devastation that had happened, to understand the force of the waves in literally tearing

apart many sandbag dikes, and the need to prepare in new ways so that we can, in fact, protect homes.

* (15:30)

I saw one home which was protected, which required not only regular sandbags, but a layer of effective super sandbags and things placed very carefully, and even then there were rocks and a lot of sand that washed in, but the house was protected and saved. We clearly need to continue to protect those homes which have survived, either by good management or, some cases, by luck, when they were on slightly higher ground. And they must not be forgotten.

We must also make sure that there is the compensation that is needed for people, recognizing the years, decades for many, that people and families have put into these homes and the cottages. And that many people who had cottages were planning to make these permanent residences, and that they should be treated fairly and not differently just because it was a cottage as opposed to—and would have been a permanent resident next year instead of being a permanent resident starting this year.

There clearly needs to be a situation of the outlet from Lake Manitoba to Lake Winnipeg. It needs to be addressed in some fashion. It needs to be done fairly so that it takes into account the needs of people at Little Saskatchewan, at Lake St. Martin community, at Fairford, Pinaymootang First Nation, and so on. It must respect everybody and find the best place and make sure that everybody has got an opportunity moving forward.

People on Dauphin Lake have been very hard hit and are concerned, many of them, that they're being treated somewhat differently from Lake Manitoba because it wasn't the fault of the Portage Diversion, and it wasn't, as it were, a man-made event in the same way. But they also need to be treated reasonably. I had communications recently from Murray Valen and his wife, who have a campground there, and they are in the position where they can no longer afford to do additional protection. But they need that protection, and they're not being able to get the advance or support, either, from the municipal of the province. And they need this gap filled, otherwise their campground and their houses may fall prey to this—rising waters and the problems we have in this flood.

Certainly, the—as I've mentioned already, the communities of Lake St. Martin and Little

Saskatchewan and Fairford need attention. I agree with the member for the Interlake (Mr. Nevakshonoff) that probably the community of Little Saskatchewan may be the most devastated of all communities. And, if it's had a lot less attention in many ways, they have had many years of problems. One of the main industries, cattle industry, there, is basically decimated as a result of numerous years of too high water. There is only one cattle farmer left because all the hay land that was there and was being used and supported their cattle is now flooded. And where people had ball diamonds is now lake. The story goes on and on. And there is too many homes with mould. And there is, of course, discussion of moving the community, but, clearly, this situation needs resolution and not a short-term, temporary one, but a long-term, temporary one which fits with the desires and needs and the wants of people in the community.

Certainly, the situation in Brandon could have been met much better. There was a promise in 2006 to build a permanent dike at the same time as the bridges at the 18th Street were addressed. And, if that had been done, those permanent dikes would have been only a short distance lower than 15 inches, I believe, than the crest level, and it would have been very easy to top them up. And there would not have been the same need to evacuate 1,400 people, to close 75 businesses. Protection was possible, was committed, but, sadly, was not done.

And, of course, there are many farmers in all parts of Manitoba who have been badly affected: in southwestern Manitoba, around the Salt lakes, near Strathclair, near Lake Manitoba, near Lake St. Martin, Eddystone—not a lot, necessarily, you know, right beside Lake Manitoba, but close enough to be affected, and very badly affected because they've had wet weather for so long.

And, certainly, the region around Arborg and Fisher Branch and Riverton in the Interlake have been very wet, and because they have had so much wet weather over the last six years, farmers there are in very, very difficult circumstances. And it's very important that we not forget them, because of the programs which might have been effective in terms of safety nets were not designed for these multiple-year disasters. And so, as we put together the picture of what needs to be done, we mustn't forget people around Arborg and Fisher Branch and Riverton. And nor should we forget the people in the Shoal Lake area and that there's a long-run solution needed to the situation of Shoal Lake, so the people

are not constantly worrying about what is going to happen with the Shoal Lake.

There is much to do, Mr. Speaker and, of course, it is with determination and with a commitment to resolving these issues and to making sure that we have put in place a protection for the future that we must proceed.

I would add also the community of Peguis and Fisher River, along the Fisher River. And Peguis, in particular, has had multi years and still hasn't got the permanent protection that it should have, and it must have. It is not fair that, year after year, people have had to evacuate and spend so much time away from their homes because the permanent protection or the planning, in some cases, there may be homes which need to be bought out and people moved to higher ground. But this must be resolved and it is time to commit to do that. Thank you.

Mr. Speaker: Okay. That's 2, 2 and 1. That should take care of the commitment that we had—that the House had made to deal with the MUPI.

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

House Business

Mr. Speaker: The honourable Government House Leader, on House business.

Hon. Jennifer Howard (Government House Leader): Yes, Mr. Speaker, on House business.

Should the House be sitting next Tuesday, pursuant to rule 31(8), I'm announcing that the private member's resolution to be considered will be one put forward by the member for Transcona (Mr. Reid). The title of the resolution is Continued Expansion of Personal Care Homes and Long-Term Care Services—Personal Care Home Expansion.

Mr. Speaker: Okay. In case of—if we are sitting next Tuesday, pursuant to rule 31(8), it's been announced that the private member's resolution to be considered on the next sitting Tuesday will be one that will be put forward by the honourable member for Transcona (Mr. Reid). The title of the resolution is Continued Expansion of Personal Care Homes.

The honourable Government House Leader, on further House business.

Ms. Howard: Mr. Speaker, also on House business, as members are aware, leave has been provided for

bills referred to committee this evening and reported back to the House tomorrow to be considered in concurrence and third reading on Thursday.

Is there also agreement that in the event of there being report stage amendments for these bills, these amendments would be dealt with on Thursday, prior to proceeding to concurrence and third reading?

Mr. Speaker: Okay. Members are aware that leave has been provided for bills referred to committee this evening and reported back to the House tomorrow to be considered in concurrence and third reading on Thursday.

Is there agreement that the event of there being report stage amendments for these bills, these amendments would be dealt with on Thursday prior to proceeding to concurrence and third reading?
[Agreed]

The honourable Government House Leader, on further House business.

Ms. Howard: Yes, Mr. Speaker, would you call for us to move to third reading on the following bills: 16, 18, 19, 25, 29, 31 and 37?

Mr. Speaker: Okay, the House business for this afternoon will be concurrence and third reading of Bill 16, 18, 19, 25, 31, and 37.

* (15:40)

CONCURRENCE AND THIRD READINGS

Bill 16—The Safer Communities and Neighbourhoods Amendment and Criminal Property Forfeiture Amendment Act

Mr. Speaker: I'll call concurrence and third reading of Bill 16, The Safer Communities and Neighbourhoods Amendment and Criminal Property Forfeiture Amendment Act.

Hon. Jennifer Howard (Government House Leader): I move, seconded by the Attorney General (Mr. Swan), that Bill 16, The Safer Communities and Neighbourhoods Amendment and Criminal Property Forfeiture Amendment Act; Loi modifiant la Loi visant à accroître la sécurité des collectivités et des quartiers et la Loi sur la confiscation de biens obtenus ou utilisés criminellement, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Kelvin Goertzen (Steinbach): I think I've taken some opportunity to jump ahead of the independent

member for River Heights, but I look forward to hearing his comments. And maybe I'll give him some food for thought, although probably not. I'm sure he has his own ideas. [interjection] Oh, and I've also jumped ahead of the minister, apparently. Well, now I really want to make sure I give him some food for thought to give him some ideas in terms of where to go, but I don't think I'm going to be much help to the minister because I want to talk a little bit about the importance of this bill, which was brought forward by the Conservative government in 1999.

An Honourable Member: I hope he brings it up.

Mr. Goertzen: Well, the minister's happy that I raised this. I'm sure he's going to in his speech, and I don't want to be trying to jump ahead of his own comments. He'll talk about how the bill was radically changed, how he didn't like the mechanism by how things got resolved under the former bill, and we'll have further discussions about this tonight. But I've often said in this House, I don't believe that any particular party has a monopoly on good ideas, if things can be improved and things can be changed. And, certainly, when the legislation was brought forward by the former Attorney General, one Vic Toews, in 1999, there were members of the NDP who said it was bad legislation, who didn't think it would stand the test of time.

There were others in the civil libertarian movement who came forward and said that it was unconstitutional and that it wouldn't work and we should get rid of it, but I'm glad that we had a minister of Justice at the time who said a—no, this is something that we need to do and withstood the opposition howls from the then-opposition New Democratic Party of Manitoba.

In fact, not only did it withstand the test of time, it withstood a change in government, and after 1999, when the NDP were fortunate enough to get a mandate from the people, we saw that they adopted the legislation as their own. They saw the wisdom of it after having chastised it, and, yes, I know there were some changes made to the legislation in terms of how the mechanism was that a person could make an application, and I don't think that those are bad changes. I think I've said in other forums, whether it was in this House or perhaps in a different life, I have said that the mechanism change wasn't entirely bad, you know, that having a director of the department bring forward an action on behalf of a citizen isn't a bad thing. I'm not sure that the legislation as it was before was—wouldn't have been

workable. It was never given a chance. Certainly, in talking to those who were involved in drafting the legislation at the time in 1999, they think there was merit to having individuals at least have the opportunity sometimes to bring forward an action on their own, but I don't think it was a bad change.

But that was really the pith and the substance of the change, Mr. Speaker, not some radical change, not some massive change, which the Attorney General might try to spin when he gets the opportunity in the next few minutes. The bill largely remained intact in 1999 after the NDP formed the government, and now they've claimed it as their own and often try to take credit for how well it's working. And I don't have any problem with, you know, the government talking about how well a bill that we essentially introduced in 1999 is working. I think that that's okay. I don't mind them saying that it's been one of the most successful bills, even though it was something that was introduced by the Filmon Conservative government. I think that that's all right. I'm glad that they've kept the bill, that they've expanded its usage and that it's been a model for other provinces across Canada. I think that that is positive. In fact, I brought forward a bill of my own to the House, a private member's bill, to add to the bill. I haven't had the opportunity to speak to the Attorney General about the administrative forfeiture portion that might be added to a bill like this, that I introduced a couple of days ago as a private member's bill. I hope that that would also add to the workings of the bill. I know that's something that's happened in British Columbia, and maybe the Minister of Justice will comment on that as well.

But, regardless, I mean, I think that the point is that in hindsight—and we've now had 12 years to look at the operation of the bill—it's worth noting that the former Conservative government, the former Attorney General, were right to push the envelope, if I could use that phrase, were right to withstand the critics who stood against this bill. And the fact that the NDP have now adopted it and claimed it as their own is a sense of flattery, I think, for those who were involved with the legislation back then, and it's further proof that many of the good ideas that happened with the Conservative government in the 1990s have withstood the test of time and have been very useful to this government.

I'm not expecting them to stand up and say thank you, not expecting them to stand up and give credit to the former government and, in fact, I'm expecting the usual rhetorical flourish that I get from the

Attorney General, expecting him to stand up and say nothing but bad things, because I know he can't bring himself to do anything otherwise. But I hope that I'm wrong. I hope the Attorney General will stand up and say that this was something that we were all able to have a little bit of input with. The initial bill came from the Attorney General, then Mr. Toews. There'd been some improvements to the bill under this government and it's been adopted, really, across Canada. So I hope that that's the speech I'm going to get from the Attorney General. If I do hear that, I'll be pleasantly surprised and, if I don't, I won't be surprised at all.

Thank you very much, Mr. Speaker.

Hon. Andrew Swan (Minister of Justice and Attorney General): It's a pleasure to speak about Bill 16. And, of course, members of the Legislature have had the chance to debate this bill on second reading and also at committee. And I'm very pleased from the comments of others that it now appears that all support—all parties now support this government's initiative to continue to build upon Canada's leading civil law statute, designed to help keep our neighbourhoods and our communities safe.

Manitoba's Safer Communities and Neighbourhoods Act, which was introduced in 2002, established a national precedent for the protection of neighbourhoods and communities from the adverse effects caused by drugs, prostitution, sexual exploitation, solvent abuse and other specified uses. And I think we can celebrate here in Manitoba that, since we moved forward in 2002, provinces and territories like Yukon, Saskatchewan, Alberta, Nova Scotia, New Brunswick and Newfoundland have reviewed our program, have seen its success and have adopted similar legislation to help protect neighbourhoods in their own provinces and territories.

Now, I'm not surprised, once again, the member from Steinbach, indeed, gets up and tries to claim credit for himself or for his party. You know, here's an individual who—and, again, I think I said quite fairly, I was impressed how fast he ran to try and jump on the bandwagon. His own party votes against the brand new MTS Centre. Then he has the audacity to put on a Jets sweater and come into this Chamber and pretend, all of a sudden, he's an NHL fan. The people of Manitoba know better. They know individuals who are just trying to jump on the bandwagon for political gain, and here we are again.

And let's talk a little bit about what he had to say, today, about a bill that was, indeed, introduced before the 1999 election, before the Conservative Party was thrown out on its ear in that election. And it was a law which, perhaps, had some basis in civil law, but what did that law do? If you were a Manitoban who had a drug house or you had a place where sexual exploitation was taking place next to you, what did this supposedly groundbreaking new law do? Well, it required an individual Manitoban to go down to court to get an order, to pay a lawyer to get an order, and then it required that individual Manitoban to go and post the notice on the gang house next door to give notice that the neighbour was upset.

* (15:50)

Well, how do you think that would have worked out, Mr. Speaker? Not very well. And that's why, when this government came to power, we scrapped that legislation. We went back and we actually decided to do something that works, something that provides safety and comfort to Manitoba communities and neighbourhoods.

And I'm very pleased that bill has been used about 500 times now, in every corner of Manitoba, to make our communities safer.

This bill will also support our civil forfeiture legislation. Of course, we've established a forfeiture unit within the Department of Justice to apply to the courts to deal with cases where properties have been used as instruments of crime or proceeds of crime. And this unit has worked hard with police and other stakeholders to ensure crime does not pay.

And, again, I'd imagine the member for Steinbach (Mr. Goertzen) is now running along, trying to jump on that bandwagon, and his own problem is that his own leader, just a few years ago when we introduced amendments to the criminal property forfeiture legislation, the member from Fort Whyte said, well, this will never work. This won't have any impact on organized crime in the province.

Well, once again, the Leader of the Opposition (Mr. McFadyen) is wrong; he's out of touch; he doesn't understand justice in the province. And I guess we shouldn't be surprised, because what was going on when the Leader of the Opposition was advising Gary Filmon on all kinds of things, from privatizing MTS to bringing in Connie Curran to get paid \$4 million to cut apart our health-care system, what else was happening?

And I know the member for Springfield (Mr. Schuler) has quoted from a book. He hasn't read the whole thing, so I'm going to put some other quotes on the record of the way the government of the day dealt with the increasing problems of organized crime in the 1990s.

There's a 2006 book on the Hells Angels in Canada written by a fellow named Jerry Langton. It's called *Fallen Angel: The Unlikely Rise of Walter Stadnick and the Canadian Hells Angels*. And at page 184, Mr. Langton provides a little bit of a thumbnail sketch of how things worked in the 1990s. And what did he have to say? Well, I quote: When the best members of Los Bravos earned Hells Angels prospect status in October, 1997, they changed the complexion of Winnipeg.

And what about another book, written by Julian Sher and William Marsden. It's a book called *The Road to Hell: How the Biker Gangs are Conquering Canada*. It was written in 2003. Page 158—*[interjection]* And I know the members opposite find this very funny. I didn't find it funny in my community back in the '90s when they stood by and did nothing and allowed organized crime into this province, and it—I'll quote for the members, page 158: In Manitoba, Stadnick's second home, the Angels were blessed. Politicians and police leaders had done little to put up road blocks against the incursions the bikers had been making in the province throughout the 1990s.

You know, that was the work of the member for Fort Whyte, the other members of the Conservative Party, some of whom, at least for now, are still in the Legislature.

We decided to move in a different direction, and we decided to be smart, to tackle organized crime, not only to invest in Crowns and police to make sure those individuals are brought to justice, but to also hit them in the pocketbook. And recently, in fact, just two weeks ago, we announced that we're starting to reinvest the proceeds of crime money, collected from these very forfeiture cases, that the Leader of the Opposition, the Conservative leader, said would never happen.

As a matter of fact, we've issued a call to police forces across the province for proposals to reinvest some of these funds collected from forfeiture into crime reduction and prevention initiatives. And we're looking very forward to hearing from police forces across the province. It's another example of the kind

of innovation, the kind of concrete action that we're taking to help keep our communities safe.

Now, first, Mr. Speaker, Bill 16 builds on these two very successful initiatives in several important ways. It expands the list of specified uses to include property that's been used to commit a criminal organization offence. The bill incorporates the Criminal Code definitions of criminal organizations and criminal organization offences. And, again, this expansion reflects our continued efforts to address organized crime through such initiatives as Manitoba's Integrated Organized Crime Task Force, GRASP, and also playing a lead role in helping to reform the Criminal Code to deal with the serious threats posed by criminal organizations.

The bill will also clarify the role of investigators who conduct investigations into complaints under this act, confirms they're peace officers and identifies their duties under the act. I'm very proud to say that the individuals who work in Manitoba's Public Safety Investigation Unit truly are pioneers in the field, and it's a fact that's led other provinces and other territories to look to Manitoba and seek our advice on investigative methods and processes. These investigators and video analysts are dedicated to helping keep our streets, our neighbourhoods, our communities safe, and their work is regularly recognized by citizens who are thankful for the work of this act to rid their communities of drug houses and other threats.

The bill will also require a notice to be filed at Land Titles when a community safety order application is filed or issued against a property, to give notice to potential buyers. And, of course, there will be a link between the very successful bill and The Criminal Property Forfeiture Act to create a rebuttable presumption that, if a property was used to engage in unlawful activity, if a community safety order under The Safer Communities and Neighbourhoods Act had previously been issued against the property, and this linkage will actually make both of our really cutting-edge civil property bills—it will advance them even further and will assist the work of our forfeiture director, who's doing a great job in establishing a property as an instrument of crime.

So, Mr. Speaker, in conclusion, this bill builds upon our success as the Canadian leader in civil law measures to protect Manitobans from threats. It builds upon the hard work of our investigators who've proven this is an effective and innovative

way of promoting public safety but also builds on the success of our forfeiture unit to ensure that crime does not pay.

So I'm certainly looking forward to this passing third reading and becoming one of the laws of Manitoba. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to indicate my support for this legislation.

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

An Honourable Member: Question.

Mr. Speaker: The question for the House is concurrence, third reading of Bill 16, The Safer Communities and Neighbourhoods Amendment and Criminal Property Forfeiture Amendment Act.

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

Bill 18—The Highway Traffic Amendment Act

Mr. Speaker: Concurrence third reading, Bill 18, The Highway Traffic Amendment Act.

Hon. Jennifer Howard (Government House Leader): I move, seconded by the Attorney General (Mr. Swan), that Bill 18, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, as amended and reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Mr. Speaker: Before I put the motion, I just want to just inform the House that, when I was putting the listing of the bills that we're dealing with, I omitted Bill 29.

Please include Bill 29 after 25, between 25 and 31. Okay? Information for the House.

It has been moved by the honourable Minister for Labour and Immigration (Ms. Howard) and seconded by the honourable Attorney General (Mr. Swan), that Bill 18, The Highway Traffic Amendment Act, as amended and reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Hon. Andrew Swan (Minister of Justice and Attorney General): Of course, this time I'm going ahead of the member for Steinbach (Mr. Goertzen). I won't have to spend so much time correcting the record, so I'll make sure that my comments are briefer.

Now, the amendments to The Highway Traffic Act contained in Bill 18 then, Mr. Speaker, are necessary to reflect changes made to motor vehicle offences in the Criminal Code. On November 18, 2010, as part of Bill S-9, the Parliament of Canada passed legislation to create new Criminal Code motor vehicle theft offences that came into force on proclamation which turned out to be April 29, 2011. And specifically Bill S-9 created four new Criminal Code motor vehicle theft offences. Those offences are motor vehicle theft, tampering with vehicle identification number, trafficking in property obtained by crime, and possession of property obtained by crime for the purpose of trafficking.

The government of Manitoba is taking action to amend The Highway Traffic Act to recognize these new federal Criminal Code motor vehicle theft offences and to ensure that its automatic long-term driver's licence suspensions that apply to persons convicted of Criminal Code motor vehicle driving offences will also apply to persons convicted of those four new Criminal Code offences introduced by the Government of Canada.

Now, Mr. Speaker, the federal government, we are very pleased, responded to Manitoba's strong and consistent call to make auto theft a separate Criminal Code offence. And, you know, there's no political advantage to be gained. We applaud this move by the federal government, and, as has always been the case in our government, we'll provide genuine support to the federal government when they move in directions which we think are good for Manitobans. Whether it's a matter of public safety, whether it's a matter of economic development, we will give our support and we'll also be strenuous critics when we believe the federal government is moving in the wrong direction.

On the justice front, obviously we've had some issues in the past year, and we hope that this time the federal government will get it right. But on this bill we are very pleased that the government moved in what we believe the right direction to make for the first time in Canadian history a separate offence for motor vehicle theft. And our province is responding by ensuring that those convicted of this serious crime are not allowed behind the steering wheel of any vehicle. These changes to The Highway Traffic Act would provide another tool to combat auto theft.

* (16:00)

Since 2004, auto theft has been reduced by nearly 80 per cent and, indeed, auto theft is at its lowest level in nearly two decades. We've made

important progress dealing with this serious crimes against people and their property, but, frankly, Mr. Speaker, one auto theft is still too many and the government of Manitoba will continue to take action to combat motor vehicle theft. It's part of our overall strategy which has involved immobilizers, it's involved the Winnipeg Auto Theft Suppression Strategy, our investment to assist the Winnipeg Police Service, with MPI, also to support more probation officers in our communities. It's also investments in policing and protection that have been a big part of reducing auto theft in a way that's been recognized, not just in this province, not just across the country, but, indeed, across the entire world.

And, I think, once again, the success of the federal government moving ahead with Bill S-9 and that the happy bill we're able to hopefully pass today also highlights the importance of having a strong provincial government to work with the federal government, again, to provide support and to provide good ideas for change, to be a vocal critic when we don't think things are working in the favour of Manitoba.

And, of course, it was just recently—and I actually kind of feel for the member for Steinbach (Mr. Goertzen) who does have some decent ideas but he's forever held back by the things that his leader continues to say. And, you know, it was just a couple of days ago that the opposition leader—who will say anything, anytime to try and gain a political advantage—criticized this government, saying that the Manitoba government had no place, really, going to Ottawa to ask for legislative changes or to ask the federal government to do or not to do things in federal law. And I'm surprised by that because I think Manitoba's history shows that we've done a very good job. We have punched above our weight in terms of getting stronger laws to protect Manitobans and, indeed, all Canadians. And, indeed, I see the member for Springfield (Mr. Schuler) is very agitated by this.

I'll also remind him that, in the last provincial election, it was the Leader of the Opposition (Mr. McFadyen) who said he thought that federal criminal law was already tough enough. So, the Leader of the Opposition had thrown up his hands and said, well, you know, that's the criminal law, there's nothing else we can do about it. Thank goodness the people of Manitoba have had an NDP government calling on the federal government to make appropriate changes to criminal law, to have tougher penalties, to have appropriate penalties, especially in the area of

auto theft, which we know was a problem which was unchecked in the '90s, which became an epidemic and which this government has worked very hard to get under control.

Again, the battle against auto theft is not over. We'll continue to invest in police, whether or not the members opposite want to vote in favour of those resources. We'll continue to invest in our Crown attorneys with historic investments. We'll continue to invest in all the various ways that we make our communities safer.

And, again, I applaud the federal government for moving ahead, and I'm very pleased that we've moved swiftly to make sure The Highway Traffic Act is amended to provide for tougher sanctions for those who do choose to endanger people and steal vehicles.

Thank you, Mr. Speaker.

Mr. Kelvin Goertzen (Steinbach): I want to commend the federal government that is acting on a number of different fronts when it comes to criminal justice legislation. It's the reason that this bill is necessary; to realign some of the Manitoba pieces of legislation which the ever-changing Criminal Code in Ottawa, as a result of a very active, a very aggressive justice—pieces of legislation from the Conservative government in Ottawa.

In fact, it would have moved more quickly if it wasn't for the obstructionist NDP in Ottawa, the federal NDP, which this provincial NDP supported. In fact, the Attorney General (Mr. Swan), I know, went door to door, supporting a number of provincial—or, sorry, a number of federal NDP candidates, hoping to send those NDP candidates to Ottawa to block tough-on-crime legislation.

And it's quite a paradox, Mr. Speaker, when you have a Minister of Justice who wants to stand in the House and pretend, falsely, that he's tough on crime and then, when he's got a bit of time in the evening, he goes door knocking for federal candidates to try to send them to Ottawa to block tough-on-crime legislation.

You know, it's not—and, of course, you know, I—the member for Springfield (Mr. Schuler) mentions that the Attorney General isn't actually very good at supporting those candidates and we should all be happy for that, that he's failed many times. I know that he was probably out there supporting Mr. Maloway in the election and that may have been the reason he lost. I don't know, perhaps the Attorney

General will be representing Mr. Maloway in his court case to try to overturn the election results. I think sometime you just have to accept the results, but that probably isn't going to be the case, as he goes into that dark political night, Mr. Speaker.

But I would encourage the Attorney General to take some lessons from what's happening in Ottawa. There are many, many good pieces of legislation coming forward from the Conservative, Stephen Harper-led government in Ottawa. And, instead of trying to block those pieces of legislation by supporting NDP federal candidates, he should be on board and support them. He could learn a lesson and see what it is that when a government takes great action and is progressive, and is not just reactive in terms of legislation, that it wants to be ahead of the curve, that it wants to push the envelope, that it wants to do extraordinary things when it comes to changing the justice system in Canada. Those are the lessons that this Attorney General has failed to learn. So he has to react by bringing in this piece of legislation to respond to what's happened in Ottawa.

I know he's busy fighting the federal government, taking out advertisements and working behind the scenes to run a smear campaign on the federal government. That that's his priority, Mr. Speaker, when the Manitobans are focused, they are focused on issues like crime. They certainly are focused on the flood that's happening in Manitoba. But not this NDP Attorney General. He's busy crafting, behind the scenes, attack ads against Duff Roblin, attack ads against the federal government. All he knows is to attack, attack, attack. He's lost any ability to look forward with a positive vision, to look at putting forward an agenda that will shape Manitoba and improve it in the years ahead.

Instead, he has to look around and anybody he has any disagreement with, he attacks. He takes public money and runs attack ads. He takes public money and tries to smear them in a public campaign. That's what he and his government are doing. He doesn't realize, but he'll realize soon enough, Mr. Speaker, that that's not the Manitoba way. Now, that's not how Manitobans think, that Manitobans are optimistic, they are forward looking. They are focused on the future of our province.

And he'll learn the hard way I suspect, Mr. Speaker, that the approach by the NDP, the attack, attack, attack approach isn't the Manitoba way, and I suspect he's going to learn that lesson in a very hard way in the months ahead.

So, we applaud the federal government for the fact that they brought forward a lot of changes federally, when it comes to the Justice legislation. We know that they were rewarded with a strong, stable, national, majority Conservative government as a result of the agenda they brought forward. And we would have hoped that this NDP caucus would have learned some lessons over the years from the work that's being done in Ottawa. Instead, they've decided to simply sue—or to attack them, to try to demean them, to try to smear them at every opportunity, and that simply isn't the Manitoba way, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I just want to indicate my support for this bill, The Highway Traffic Amendment Act, Bill 18. Thank you.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House, concurrence, third reading of Bill 18, The Highway Traffic Amendment Act, as amended.

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

**Bill 19—The Provincial Court Amendment Act
(Senior Judges)**

Hon. Jennifer Howard (Government House Leader): I move, seconded by the Attorney General (Mr. Swan), that Bill 19, The Provincial Court Amendment Act (Senior Judges); Loi modifiant la Loi sur la Cour provinciale (juges aînés), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Andrew Swan (Minister of Justice and Attorney General): Mr. Speaker, Bill 19 amends The Provincial Court Act to allow the Chief Judge of Manitoba to designate retired judges as senior judges. Senior judges will conduct the business of the court at the request of the chief judge. In addition, they would provide the provincial court with the ability to draw upon supplementary judicial service to address a variety of circumstances, for example, when a full-time judge is on an extended leave, such as a maternity leave, or is called away to perform other business for the court.

* (16:10)

It is important to note that the Provincial Court of Manitoba is a busy court. More than 95 per cent of criminal cases in Manitoba are first dealt with at a provincial court hearing. Provincial court judges deal with bail hearings, preliminary hearings, trials involving youths and trials of less serious and also serious offences, where people choose a trial at that level of court.

The ability of the court to draw upon senior judges will also allow the court to provide an expansion of its service in Winnipeg in the form of a weekend bail sitting. This will allow accused persons taken into custody to seek bail at the earliest opportunity. This legislation is important because it will provide the court with the ability to be more accessible outside of regular business hours. It'll add capacity and flexibility to the court system. This bill is consistent with the government's 2010 Throne Speech commitment to work with all partners in the justice system to make it more accessible outside of traditional business hours.

These amendments provide for a number of features. Senior judges will be retired judges, who've indicated to the chief judge that they're available for judicial service, as selected by the chief judge. The chief judge will call upon senior judges when he's of the opinion that the services of a senior judge or judges would be required to carry out the work of the court.

Senior judges will be paid a per diem amount for their service and would also be entitled to be reimbursed for expenses related to their service as senior judges. A senior judge would be subject to the authority of the chief judge and would have the same powers, authority and jurisdiction of a judge of the provincial court. Similarly, senior judges would be subject to provisions contained in The Provincial Court Act that apply to judges of the court, such as the taking of their oath or affirmation of office prior to commencing their duties as senior judges, the judicial complaints process and exemption from liability.

Now, I didn't realize, actually, the member for Steinbach (Mr. Goertzen) was standing up today and apparently working on his senatorial campaign; I decided that must be what it is. I know he wanted to the MP for Provencher, but that just isn't working out so I'm thinking he's working away on his campaign to become a senator. And it's very interesting, of course, that he criticizes me for working on Pat Martin's campaign. I was rather pleased to work on a

very effective and outspoken MP that represents Winnipeg Centre where J.S. Wordsworth and where Stanley Knowles were MPs for so long.

And, of course, I'm very pleased that Pat Martin is the exact person in the NDP caucus to take on the fight to try and give farmers the democratic right to make their decision about the Canadian Wheat Board. And, you know, I'm very offended, actually; the member for Steinbach stands up and suggests that it's inappropriate for me or any member on this side of the House to try and stand up for over 400 head office jobs at the Canadian Wheat Board here in Winnipeg, for almost 2,000 jobs in the province of Manitoba that depend on the expertise of the Canadian Wheat Board.

And it's funny, you know, the member from Steinbach evidently thinks that it's important, because I know how carefully the Prime Minister, I'm sure, hangs on every word he says in this House. I know the member for Steinbach would be happy to tell people across this province—the member for Steinbach believes it's very important to have a contest where people vote for what Stephen Harper's cat should be called, but it is not necessary to have a vote so farmers can decide their future and the future of the Canadian Wheat Board in an open and democratic way. And, if that's the member for Steinbach's vision of democracy, well, it'll make us work even twice as hard in the months to come to make sure that he and his party never have the opportunity to run this province.

So this provincial judges bill is important; we think it's very positive. I look forward to continuing to work with the chief judge as we roll out the positive results from adding a senior judge program. So I do, indeed, look forward to the support of this House in having this bill passed.

Thank you, Mr. Speaker.

Mr. Kelvin Goertzen (Steinbach): A pleasure to put a few words on the record regarding this particular bill. I'm sorry that the Attorney General used his comments to refight the federal election. I suppose a strong essential—I know he was upset about the results; he was trying to get two MPs in place that would be obstructionist in Ottawa and stop tough-on-crime legislation from passing.

I know he worked hard to get Mr. Maloway re-elected, almost as hard as he worked to try to get Councillor Harvey Smith unelected and, of course, he messed up that one too. And so he's got a number

of different fights that he needs to refight. He's got a half a leadership to finish yet. So he's got lots of things on his agenda, Mr. Speaker, in terms of elections and finishing things off.

But more particular to this bill, Mr. Speaker, I want to commend the Law Society of Manitoba for really advocating on behalf of their members and behalf of not only their members, of course, but, really, all Manitobans to bring forward this particular initiative. It's been several years that they've been fighting to get supernumerary or senior or retired judges—they'll go sometimes by the same name—to get them here in the province of Manitoba.

We are, if not the last province, one of the last provinces to finally take this measure. There's a lot of times we're last or dead last when it comes to getting things done under the NDP government, and we're pretty close to being last again.

I know that the Law Society brought this up with me and probably my predecessor, Mr. Hawranik, many, many years ago when he was Justice critic and I was Justice critic, going back seven or eight years. And at the time I brought it forward to the then, the former, former Attorney General, the member for St. Johns (Mr. Mackintosh), and he suggested it was a great idea and that we should move forward with it; then he did nothing for a couple of years. And so when the new—or the now former Attorney General, the member for Kildonan (Mr. Chomiak), was put into minister of Justice—it was just a brief period of time. We—I know, probably forgotten, many of us, that he was Attorney General one time, but for the brief period of time he was the Attorney General, I brought it to him, and he said, absolutely, we want to move forward on this, and then he did nothing on it, Mr. Speaker.

And now on the eve of the election we finally see the Attorney General (Mr. Swan), the current one, the member for Minto, bringing this bill forward and in a very tepid way because it only allows for the equivalency of one Provincial Court judge to be hired when spread out over these supernumerary judges. So it will only have the effect of allowing supernumerary judges to be put in place—oh, sorry—senior judges to be put in place up to the level of the cost of one Provincial Court judge. So that's a very small step.

I know the Law Society, in presenting to committees, they suggested that it should be broader than that. I agree with them. I think we should have had a more robust program, but we've come to

expect tepid steps from the NDP when it comes to Justice legislations, and, of course, they've been busy. They've been busy running attack ads on Duff Roblin, on former premiers. They've been busy fighting past federal elections. They've been busy trying to get councillors like Harvey Smith out of council. They may only be successful in getting one councillor out of council, and that may be Mr. Steeves when he's elected as MLA.

But, ultimately, Mr. Speaker, they've—they haven't been focused on the priorities of Manitobans, haven't been focused on the real things that matter to Manitobans, and that is why they face a tough road ahead.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I believe it's reasonable to have senior judges involved and support this bill.

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

Some Honourable Members: Question.

Mr. Speaker: Question before the House is concurrence and third reading of Bill 19, The Provincial Court Amendment Act (Senior Judges).

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

Bill 25—The Inter-jurisdictional Support Orders Amendment Act

Hon. Jennifer Howard (Government House Leader): I move, seconded by the Attorney General (Mr. Swan), that Bill 25, The Inter-Jurisdictional Support Orders Amendment Act; Loi modifiant la Loi sur l'établissement et l'exécution réciproque des ordonnances alimentaires, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Andrew Swan (Minister of Justice and Attorney General): Bill 25 amends The Inter-jurisdictional Support Orders Act to enhance the process by which family support orders are obtained, varied and recognized for enforcement in cases between Manitobans and parties in other parts of Canada and elsewhere, including the United States and a number of other countries.

These amendments will help parents involved in interjurisdictional support cases by increasing accessibility, simplifying certain aspects of the court process, clarifying certain provisions and reducing

time limits so that applications can be heard and decided without undue delay.

Some of these changes include provisions for notifying debtors whether they live in or outside Manitoba, that a foreign support order registered here in Manitoba is enforceable in every other way like a Manitoba order. Income or assets located in Manitoba can then be accessed to satisfy unpaid support even if the debtor does not live here. Clarifying support orders that have been recalculated by administrative recalculation service such as we have in Manitoba can be recognized and enforced in interjurisdictional cases.

* (16:20)

The bill will also clarify which law is to be applied in certain types of interjurisdictional cases.

Expanding situations involving support variations is also included in this bill, where notice must be given to a designated authority to allow Manitoba Justice lawyers to participate in these court proceedings, where appropriate, and provide important information to the court.

The bill will also clarify factors to be considered if registration of a foreign order should happen to be challenged.

The Inter-jurisdictional Support Orders Act is based on model legislation that works together with comparable legislation in other jurisdictions. This bill is part of a national effort across Canada to continue to streamline, enhance and improve the way the provinces and different jurisdictions do this important work for families.

Currently, Manitoba's Maintenance Enforcement Program has about 3,500 files of the 15,000 files that they maintain in which one parent lives in Manitoba and the other lives elsewhere, which certainly says volumes about the level of mobility that people have in today's society.

This bill, quite honestly, Mr. Speaker, is quite technical in nature, but these amendments, I can assure the House, will speed up the ability to collect support payments across borders, which is, of course, of critical importance to children and families.

Thank you.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, we support this legislation.

Hon. Jon Gerrard (River Heights): Mr. Speaker, the brevity of the member for Steinbach is quite

unusual. From time to time, it's certainly welcome. But when we—we appreciate the member of Steinbach's contribution to this Legislature. I don't want to be—

Mr. Speaker, I want to say that this ability to have cross-jurisdictions is beneficial, and I support this legislation.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House, concurrence and third reading of Bill 25, The Inter-jurisdictional Support Orders Amendment Act.

Pleasure of the House to adopt the motion?
[Agreed]

Bill 29—The Child Sexual Exploitation and Human Trafficking Act

Hon. Jennifer Howard (Government House Leader): I move, seconded by the Attorney General (Mr. Swan), that Bill 29, The Child Sexual Exploitation and Human Trafficking Act; Loi sur l'exploitation sexuelle d'enfants et la traite de personnes, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Andrew Swan (Minister of Justice and Attorney General): In the Speech from the Throne, which kicked off this session, which is drawing to a close, the Manitoba government promised that legislation would be introduced in this House to give victims of human trafficking and sexual exploitation the ability to seek remedies from those who've recruited, harmed, profited and exploited them. I'm pleased to see this bill fulfills that goal and, frankly, all members of this Legislature and all Manitobans can be proud that Manitoba is the first province to bring forward such legislation, and, I hope, pass such legislation very quickly.

Mr. Speaker, although trafficking in persons is recognized in the Criminal Code as a criminal offence, there is currently no recognized tort or cause of action for human trafficking in civil law. Bill 29 creates a tort action, a right to sue that will provide a clear basis upon which victims of human trafficking can pursue their trafficker in civil courts and seek monetary compensation from the trafficker. This legislation will make it easier for human trafficking victims to sue their abusers by providing,

like in other causes of action such as trespassing, that a human trafficking law suit can be brought without the need to prove that damages have occurred. The mere fact that an individual has been trafficked—a terrible, terrible crime—will give rise to an entitlement to damages. It also provides that it is no defence that the victim may have consented or seemed to have consented to any part of the conduct involved in the trafficking.

Bill 29 is also an important step forward in trying to provide greater protection for human trafficking victims, as well as victims of child sexual exploitation. Human trafficking targets the most vulnerable in our society. It crosses all ethnic and social boundaries, involves victims being forced against their will to engage in horrible acts such as prostitution or other forms of sexual exploitation, forced labour, or even having an organ or tissue removed. Victims of human trafficking need to be protected from their abusers in order to prevent the risk of repeat victimization and allow victims to move forward and survive what they've gone through.

Bill 29 will create a protection order which is for the benefit of victims of human trafficking. A protection order is a court order that requires an abuser to stay away from the victim. Its purpose is to provide for the safety and comfort of the victim. Protection orders normally contain conditions that prohibit the abuser from contacting or communicating with the victim, from following the victim, and might even prohibit being in places where the victim might be present such as a residence, workplace, or school. The orders will be obtained and operate in similar fashion to the protection order process under The Domestic Violence and Stalking Act.

This bill will also create a protection order for two additional circumstances that fall short of human trafficking but which are a serious concern because they involve the sexual exploitation of children. The first is where a child is compelled by force, threats, or some other form of intimidation to engage in sexual activity. The second is where a person provides someone under the age of 18 with drugs, alcohol, or inhalants in exchange for sexual conduct. This bill includes a list of factors to assist in determining—in determining if this exchange is exploitive.

Mr. Speaker, I should also mention the tort of human trafficking and the protection order can be

used in combination. The right to sue can provide the human trafficking victim with financial compensation while, at the same time, the protection order is intended as a means of enhancing the victim's safety.

The day this bill was introduced in the Legislature, Mr. Speaker, I was very pleased to stand with the Minister of Family Services (Mr. Mackintosh), and we rolled out the next phase of Manitoba's strategy to deal with sexual exploitation, called Tracia's Trust, and there was a number of different measures, one of which, of course, is this groundbreaking piece of legislation. Some of the other areas in which we're moving is to make sure that Crown attorneys have particular skills to take on these troubling cases.

So there will be specialized prosecution of human trafficking predators by designating two Crown attorneys to co-ordinate and prosecute cases. We'll make sure those Crown attorneys have the resources, the expertise, the training they need to be able to take on people that exploit others. We'll make sure that we use our Criminal Property Forfeiture legislation wherever possible to seize and to forfeit properties where exploitation occurs or property which is used, such as vehicles, in committing these unlawful acts. The Victims' Bill of Rights will be expanded to give victims of trafficking offences the right to case information including negotiations and the right to present victim impact statements.

We'll be expanding the prosecution policy respecting children exploited through prostitution to include consideration of human trafficking charges, and the purpose of that is to underscore two things: No. 1, to reconfirm that these offenders should be dealt with severely by the courts, but also to recognize that children exploited through sexual exploitation are victims.

Under The Child and Family Services Act, a provincial, specialized sexual exploitation and trafficking investigator position will be created to pursue, co-ordinate, and investigate allegations and work with key professionals in other provinces and territories for services linked across Canada. The Minister of Family Services also announced many routes out, ways that will be helping young people as well as women who may be victims at every stage of getting them out of the dangerous situation they may be in. And, as well, the Minister of Family Services had much to say about steps we're taking for prevention and public awareness.

So this government continues to be the leader across Canada. Roz Prober of Beyond Borders, someone I respect very much, said as much at the press conference, the meeting we had to discuss these changes. This bill is one more piece. It is important groundbreaking legislation necessary to protect victims of human trafficking and child sexual exploitation, and I think all members can be proud to see this bill become law, Mr. Speaker. Thank you.

* (16:30)

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, thank you for the opportunity to say a few words regarding this particular bill, which, I think, will find support of all members of the Legislature, and we've had a bit of a theme already this afternoon in terms of a lot of bills coming forward from the government that had their impetus either in previous governments or from the federal government, and I think the minister failed to acknowledge. Again, I know he doesn't like to acknowledge other good ideas from other individuals, and I think he shouldn't see that as a weakness. When you give credit to other individuals, I think that often shows your strength when you can stand and give credit to somebody else, and it doesn't diminish from the work that you may have done. It can complement it, in fact, in many ways, Mr. Speaker. And I think the minister missed an opportunity to thank the federal government for the work that they've done on issues of human trafficking.

And, in particular, right here in the province of Manitoba, we have a Conservative MP. Of course, we have many Conservative MPs in the province of Manitoba, but we have one, in particular, Ms. Joy Smith, who's the MP for Kildonan and St. Paul, who has done great work in terms of raising the issue of human trafficking.

It was many years ago, more years ago than I remember, when Joy brought forward the issue about human trafficking, not just in other countries, other countries which we might consider to be less fortunate or not as advanced as Canada, but right here in Canada, and indicated that there was, in fact, human trafficking happening in our great country, a country we consider to be one of the greatest in the world.

And there were many of us who didn't have a great conception of what human trafficking was in the Canadian context or even in the international context. And she held a number of different meetings and brought forward a number of different initiatives

in Ottawa to combat human trafficking. And, through her work and the work of others, Mr. Speaker, we learned that, in fact, it's not a crime that is limited to one particular country or one particular jurisdiction, and we learned the horrific nature of human trafficking, often involving sexual exploitation, of course, and quite often involving young children.

And anybody would be touched by the horrific stories that we've heard of young children being sold into the sex trade, being trafficked across different countries and jurisdictions. And I, you know, I particularly have a young child, and more so, now, more than ever, it really does impact you when you hear the stories. And it's not limited to individuals who have young children. Anybody who would hear these stories would be impacted, and it leaves a very strong, almost indelible mark on you and want to—wanting to make a change and a difference.

And sometimes the problem is so big that you almost don't know where to start. And that's often the case, I think, when you leave some of these different seminars or information meetings, when they talk about human trafficking, both internationally and nationally here in Canada. And you walk out with this great sense of frustration, this very heavy heart, because you want to make a difference somehow. You want to make a difference for these children who don't have protectors there.

For those of us who are parents, of course, we feel that we are the primary protector of our own children. And that we would do anything to keep them from harm is, I think, it's one of the first things, when you become a new parent. It certainly was my experience. You look at the child that you have. You look into their eyes and you almost immediately make a vow that you'll do everything you can to protect them in their life. And, I suspect, that that's a very common sort of thing that new parents go through. It certainly is an experience that I had at the birth of my own son.

And, when you leave these seminars, you wonder who's going to protect these children, because they don't have parents, grandparents, an extended network there to protect them. And they really are, to be frank, Mr. Speaker, they're at the mercy of the wolves, and the wolves being those who would traffic them for a profit and who treat them as commodities.

And so I appreciated the fact that Joy Smith has been one of the leading advocates in Canada in bringing this to the forefront, not just of within the

context of Manitoba, but nationally and within her own caucus. I know that she went through the process just as I was educated. She went through the process of educating members of the Conservative caucus and other MPs in Ottawa about the problem, because too often people would hear about human trafficking and associate it with a country somewhere other than Canada, and recognize that it was a problem, but not really our problem. And that was wrong on two fronts because, of course, as I mentioned, it is happening in Canada. So it is our problem, as elected officials.

But just as those individuals who care about children living in the world, whether it's happening in another country or our country, it is our problem. And it's something that we need to take ownership of and take responsibility for. So I know that she went through that education process with members of her own caucus and with other MPs in Ottawa, and it wasn't always easy, Mr. Speaker. One would think that it would be, but, often, when you're broaching a new subject, it can be a difficult thing to get attention for.

But it's come to the point now where there is national legislation that's been brought forward by Mrs. Smith. I know that there is going to be a more national strategy by the Conservative, the Stephen Harper government in Ottawa, and so we've gone from a point where there was almost no attention being paid many years ago to this horrific crime to the point where there is now a great deal of attention being paid.

And so I support the legislation brought forward by the Attorney General. I've said that at committee; I've said it at other stages. I think it's a good step in addressing some of the issues that revolve around sexual exploitation and human trafficking, but I think that the minister missed an opportunity to give credit to a local MP who's worked hard on the issue. And I know that she would not be asking for credit, that she would not be looking for the minister to acknowledge her work, but I still think it's the right thing to do is to acknowledge that work and the effort that Joy Smith has brought forward on this particular issue. And it wouldn't be diminishment to the minister to raise that. It wouldn't take away from any credit he hopes to absorb from this bill.

And I think sometimes there's far too much attention paid in the Legislature and in politics more generally about trying to claim credit for one thing or the other. And so I hope that the minister, if he has

further opportunity after this bill passes, will acknowledge the good work that's been done by a local MP and by the federal Conservative government.

There are very worthy aspects of this bill that I support when it comes to the protection orders, the ability for an individual to get a protection order without having to have the person that they are threatened by present, the ability to get it relatively quickly through electronic means, the ability to have it extended for a longer period of time. I think that that is certainly important, and that, I think, is all going to help have people come forward because far too often people who are victims of sexual offences don't come forward because they don't—either have a sense of shame, which is often a problem, and certainly they should not because what has happened to them is of no fault of their own. Or they have a sense that the system isn't going to work for them, that somehow they're going to be revictimized by the justice system. And we've seen that, unfortunately, in different circumstances, and so this bill has some elements of preventing that from happening, of ensuring that those who are victims will not only not be revictimized by the system but, in fact, will be supported by the justice system in a way that will make them feel secure, make them feel valued, and ensure to them that they will not be victimized again.

So I appreciate the fact that the government has brought this bill forward. I acknowledge the fact that there are others who have been involved in bringing attention to this particularly heinous crime, and I think that all of us need to rededicate ourselves to the issue of fighting human trafficking, looking for ways to get those predators, some of the most evil among us, Mr. Speaker, who would take the lives of children and destroy those lives and traffic them for the pure motivation of profit. If there is one great thing that we could do as legislators, it would be to take a bite out of that crime and ensure that children have every opportunity to grow up in a secure environment, a safe environment, and to be—and to know that they will never be victimized again.

Thank you very much, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to support Bill 29, The Child Sexual Exploitation and Human Trafficking Act. I want to pay a particular tribute to Roz Prober and the work that she has done over many years in this area. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question for the House is concurrence and third reading of Bill 29, The Child Sexual Exploitation and Human Trafficking Act.

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

* (16:40)

Bill 31—The Manitoba Public Insurance Corporation Amendment Act

Hon. Jennifer Howard (Government House Leader): I move, seconded by the Attorney General (Mr. Swan), that Bill 31, The Manitoba Public Insurance Corporation Amendment Act; Loi modifiant la Loi sur la Société d'assurance publique du Manitoba, reported from the Standing Committee on Justice, be concurred in, and be now read for a third time and passed.

Motion presented.

Hon. Andrew Swan (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): In last fall's Throne Speech, our government pledged that we would be taking steps to reduce or terminate various benefits for those who break the law. That's part of making sure that people have confidence in the justice system, and it's also part of our overall strategy to make our communities and our neighbourhoods safer. And, indeed, we introduced not one but three bills which, we believe, accomplishes that purpose.

Last December, this House unanimously passed changes to The Victims' Bill of Rights to reduce benefits, or even altogether terminate benefits for individuals who have been found guilty of serious offences or repeated minor offences, to make sure that victims services are truly there for those who deserve them.

Now, this bill will close the door on a convicted auto thief to make sure they don't benefit from their criminal actions. Now, on one hand, as we've even talked about earlier on this afternoon, Mr. Speaker, auto theft has been a problem in this province for nearly two decades. I'm very proud of the work that this government has done to get auto theft under control. It's down 80 per cent from 2004. It's down from where it was in 1999. In fact, it's at the lowest point that it's been in almost two decades, and it didn't happen accidentally. That came because of investments in our police. It became because of investments by the Manitoba Public Insurance

Corporation with the immobilizer program. It involved a lot of innovation with the Winnipeg auto theft strategy to get at the heart of auto theft, and we see this as another piece of the puzzle.

We know, Mr. Speaker, that even though auto theft is declining, it still exists, and one vehicle being stolen is too many. We know that someone who steals a vehicle can easily create havoc and harm in our neighbourhoods and in our communities. We know all too well that auto thieves have killed innocent people. They have caused serious injuries to others. They've destroyed property, vehicles and innocent lives. And Bill 31 will result in immediate termination of benefits to those who've been convicted of auto theft, as well as other offences related to very dangerous behaviours as well.

You know, Manitobans are proud of how—what low costs and what good value they get for vehicle insurance in the province of Manitoba. Manitobans have told us they don't want their Autopac rates funding benefits for convicted car thieves, and that's why we're closing the door on these benefits, which were left wide open when the government of the day brought in no-fault legislation in 1994. We moved in 2004 to narrow those situations. We're moving now to close the door once and for all.

Now, this change in legislation will now require Manitoba Public Insurance to terminate benefits immediately following conviction and require MPI to recover any amounts paid prior to the conviction on behalf of ratepayers. This unit of Manitoba Public Insurance is already in place, and it already pursues successfully damage claims against convicted car thieves. They've had great success in recovering money, and we've every confidence that they will in this case as well.

As we know, Mr. Speaker, many auto thieves don't act alone. In many situations, there's a number of people involved in this unacceptable behaviour, and it's important to distinguish that this bill will not only apply to the person who actually stole the vehicle, and not just the driver, but also the passengers who choose to be part of a very, very dangerous activity.

The principle of this bill talks about terminating the benefits of convicted auto thieves, as well as those involved in street racing and those who are convicted of fleeing police officers, of really creating police chases. Manitobans, who are entitled to benefits, will continue to receive them. Not so for those convicted of auto theft, as well as those other

offences that I mentioned. This bill will ensure that those who race in the street, those who put police officers and civilians in danger, simply put, should not receive benefits from Manitoba's public auto insurer.

Bill 31, will ensure these individuals will no longer be eligible to receive any benefits, which include income replacement, permanent impairment, rehabilitation, personal care assistance or reimbursement for expenses.

I think it is noteworthy, again, to put on the record the steps this government has taken to deal with auto theft, which became an epidemic in 1992. In 2004, this government, of course, as I've said, recognized that the convicted auto thief should not be entitled to full benefits. This bill will close the circle and close the door once and for all. This government's put the brakes on auto theft thanks to an award-winning auto theft strategy. Many fewer vehicles are being stolen. These initiatives are saving Manitobans now approximately \$30 million a year. These savings have been passed on to Autopac premium ratepayers, meaning that rates have been reduced three times over the last five years. I'm very hopeful very soon MPI will be asking—will be putting forward its new proposal, and I'm very hopeful it will be another reduction for Manitoba motorists.

The reduction in auto theft and the reduction of claims have been part of good claims experience in this province, resulting in lower rates and, indeed, a part of the reason why we've been enjoying rebates in this province, which is one of the benefits of having a public auto insurer.

Manitoba's truly a leader when it comes to decreasing the crime of auto theft. In the '90s Winnipeg became the auto theft capital of Canada. I'm very proud, Mr. Speaker, that we've shaken that label; we've turned back the problem of auto theft, although we continue to invest and to work to make sure it goes away.

So, Mr. Speaker, no longer will convicted auto thieves and their accomplices benefit from their crime. We do listen as a government, and Bill 31 is the end result. Thank you.

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I just want to put some comments on the record in regard to Bill 31. Mr. Speaker, we know that back three years ago in 2008 the former member for Lac du Bonnet, Mr. Gerald Hawranik, brought forward this

bill as a private member's bill, and at that time what did they say about this bill? They said it was meanness, typical Tory meanness. That's what they thought about the bill three years ago. But I guess they've had a, as we've said in past, a conversion on the road to an election and this year have decided that after a public outcry when CTV broke a story on the amount that convicted care thieves were—had received from MPI, there was such a huge public outcry against that that this government simply said, well, I guess we'd better have a look at it. But I do want to say it was the former member from Lac du Bonnet who first brought the bill forward.

Mr. Speaker, I think that we, of course, support the legislation, but there was an amendment brought forward, I think, that would have been better with this legislation. It was an amendment that was seen within the bill that was brought forward in Saskatchewan which the opposition NDP in Saskatchewan did support and that was passed. And the amendment said that, instead of paying benefits up front, that benefits would not be paid until the person was cleared of any wrongdoing in the crime of car theft. And that really makes sense that, rather than pay up front and try and recover the money which, you know, can be pretty difficult to do, then you just hold back the money and then pay it with interest should the person be cleared of any charges. And we know that that was supported by the NDP opposition in Saskatchewan, and they actually said there is no question about our support for this particular piece of legislation.

It's interesting that this government had three years to look at this bill and didn't do it until this year with public outcry as it was. Certainly, in other forms of insurance, people would not be able to get paid and then get money recovered from them should they be convicted of a crime. That's not how it works in the real world, Mr. Speaker, and certainly it's not how it should work for this particular case.

Car thieves should not benefit from their crimes. We know that in 1994 when no-fault insurance was first introduced it was never intended that car thieves would benefit from that. That legislation was meant to benefit those hard-working, rate-paying Manitobans through no-fault insurance, not to be paid out to criminals. We are always in support of the victims here and not in support of the criminals. And I think that that's wrong. I think that there was a missed opportunity here three years ago; this government could have looked at the private member's bill that was brought forward instead of

calling it typical Tory meanness and then flip-flopping on the issue and now saying: Well, now guess what? It's a good idea now.

* (16:50)

It was a good idea then, Mr. Speaker, and we recognize that the member from Lac du Bonnet had the foresight to bring it in. And I think the government should recognize that, that good ideas can come from both sides of the House and recognition should be given where recognition is due.

I heard the minister saying that Winnipeg isn't the car capital theft of the world, Mr. Speaker. Well, certainly, it has the highest number of car thieves per capita of any other city in Canada. They have nothing to crow about here. They have nothing to crow about. We know that in 2004, when they first brought their election, their first act in to curtail payments, that was when car theft was at its all-time high of over 13,000 reports.

So I think that, again, I can say that we support the legislation. We don't think it went all the way. I think that adopting the amendment that was proposed would have made a better bill, Mr. Speaker, and I think that the public would recognize that as well. But, simply, that they didn't—they chose not to do that, and that's unfortunate, but we will support the legislation. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to talk to this amendment to the Manitoba Public Insurance Corporation. I personally think, as I said at the second reading, that there are aspects of this bill which the government has very poorly crafted.

You know, it seems to me that it is very typical of the NDP that they will give and then they will take away, and that what's happening in this legislation. It is a set-up so that people will start receiving benefits and, then, not long after, the benefits will not only be stopped, but all those that they've already received will be yanked back and they will have to pay them back.

When we're talking—if this were the Minister of Justice (Mr. Swan), you know, he makes enough money that it wouldn't be a big problem for him to pay back the money. But for many car thieves who, as the minister well knows, some of whom have fetal alcohol spectrum disorders, that the reality is that they are not people, by and large, who are wealthy. They are not people who are going to have lots of money, like the Minister of Justice, to pay this back.

And I don't think that it makes a lot of sense in this world to be giving and then taking away from people who don't have very much in the first place.

And, as the Minister of Justice well knows, people who get involved in crimes of this sort are disproportionately people who are not well off, and this is really just a, you know, again, a giving and then taking away from people who are very poor, people who are often marginalized, people who have had problems in the Child and Family Services, in fact, because the Child and Family Services run by this government has all too often ended up with situations where there are people—young people who, for whatever reason, have got on the wrong track. And this government is not, you know, looking after the situation properly and is running Child and Family Services in a way where far too high a number of the kids in care get involved in criminal activities.

And so, even though, you know, I will support the overall concept of this bill, I am leery of these provisions, which are strictly NDP provisions of giving and then taking away, because it doesn't make any sense to me in the large majority of people who would be in this circumstance. And I think that the time will likely prove that this was another NDP mistake, because the NDP don't always have a lot of sense. But we will wait and see. I would recommend that this legislation be followed up and we see what its impact is, whether it really has the impact that the government is hoping for or whether, indeed, you know, provisions like this one, which give and take away, it's—I'm sure that the cottage owners who are here would not like a policy of giving reimbursement and taking it away. I know that a lot of farmers don't like getting safety net programs and having them taken away. And I think that, even though we are talking about people here who have committed wrongdoing, that they should be treated justly. And we would treat them justly, but it doesn't make any sense to give them the support from MPIC and then to take it away. It would be far better to withhold it, as the report stage amendment would have provided for.

And I'm afraid that I think that member for Morris (Mrs. Taillieu) had a good report stage amendment, and it should have been supported, and it's too bad that it wasn't.

That's what I've got to say, Mr. Speaker. Thank you.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I just want to put a few comments on the record. I think that they are important, because when we talk about this government's inaction, I know sometimes they may feel that it has no cost, that simply sitting and doing nothing for several years comes without a cost. But, in fact, it does. This is an issue that was raised back in 2007. At that point, the government, during an election campaign, said that there is nothing to see here. This has all been taken care. Auto thieves are not eligible for MPI benefits. In fact, they were proven to be wrong. The legislation clearly stated that they were eligible for certain kinds of benefits, and so they were wrong then. And then a year later, when the former member for Lac du Bonnet brought forward a bill that would have eliminated those auto theft benefits for auto thieves, the minister of Justice then, the member for Kildonan (Mr. Chomiak), said that this would be mean; that we should be giving car thieves benefits, that we should be allowing them to get money from ratepayers. They stood squarely on side with the auto thieves. They had an opportunity then, and they all stood up and voted in favour of the auto thieves when they could have stood with the honest, law-abiding ratepayers in Manitoba.

And the cost to that is now, has taken us four years, since the original inception in 2007, to get to this point. And this is not a retroactive bill, so anybody who was an auto thief in the last four years is now on the MPI benefit plan and getting money from ratepayers, because this government refused to take action in 2007, and then in 2008, with the bill.

Had they taken action, Mr. Speaker, at that point, the auto thieves, in the intervening years, would not have been getting benefits. But now, forever, because it's not retroactive, those auto thieves will be getting money from MPI ratepayers as a result of the NDP government in action. And I think that speaks volumes in terms of what they really feel. They really didn't want to do this. They really didn't want to bring this bill in. They ignored it in 2007; they ignored it in 2008; and they did so because they believe in giving benefits to auto thieves.

But they were shamed into it now, in the face of an election, in the face of media reports and public backlash. They were shamed into bringing in the bill. But they still didn't want to go the full way. They didn't want to take too many benefits away from auto thieves, and so they're going to allow them to continue to get the benefits until the—there is a

conviction. That could take years, Mr. Speaker, under our slow justice system in the province of Manitoba. And it really shouldn't take that long, but it does. And so they're going to be getting benefits for a very long time under this NDP government. The ratepayer's going to be paying for it.

And then they're going to try to get it back from auto thieves. And I don't know if the minister understands, but it's not easy, always, to get money back from criminals. Maybe he's living in a world that the rest of us don't live in.

So we look forward to the bill passing, but wish it could have been stronger, Mr Speaker.

Mr. Speaker: House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question for the House is concurrence, third reading of Bill 31, The Manitoba Public Insurance Corporation Amendment Act.

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

And 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, June 14, 2011

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