

**First Session - Fortieth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

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

*Published under the  
authority of  
The Honourable Daryl Reid  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy, Hon.	St. Vital	NDP
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BJORNSON, Peter, Hon.	Gimli	NDP
BLADY, Sharon	Kirkfield Park	NDP
BRAUN, Erna	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Gregory	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer, Hon.	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MAGUIRE, Larry	Arthur-Virden	PC
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
McFADYEN, Hugh	Fort Whyte	PC
MELNICK, Christine, Hon.	Riel	NDP
MITCHELSON, Bonnie	River East	PC
NEVAKSHONOFF, Tom	Interlake	NDP
OSWALD, Theresa, Hon.	Seine River	NDP
PEDERSEN, Blaine	Midland	PC
PETTERSEN, Clarence	Flin Flon	NDP
REID, Daryl, Hon.	Transcona	NDP
ROBINSON, Eric, Hon.	Kewatinook	NDP
RONDEAU, Jim, Hon.	Assiniboia	NDP
ROWAT, Leanne	Riding Mountain	PC
SARAN, Mohinder	The Maples	NDP
SCHULER, Ron	St. Paul	PC
SELBY, Erin, Hon.	Southdale	NDP
SELINGER, Greg, Hon.	St. Boniface	NDP
SMOOK, Dennis	La Verendrye	PC
STEFANSON, Heather	Tuxedo	PC
STRUTHERS, Stan, Hon.	Dauphin	NDP
SWAN, Andrew, Hon.	Minto	NDP
TAILLIEU, Mavis	Morris	PC
WHITEHEAD, Frank	The Pas	NDP
WIEBE, Matt	Concordia	NDP
WIGHT, Melanie	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, June 4, 2012**

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

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

Good afternoon, everyone. Please be seated.

**ROUTINE PROCEEDINGS**

**INTRODUCTION OF BILLS**

**Bill 301—The Young Men's Christian Association  
of Brandon Incorporation Amendment Act**

**Mr. Drew Caldwell (Brandon East):** I move, seconded by the honourable member for Radisson (Mr. Jha), that Bill 301, The Young Men's Christian Association of Brandon Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation « The Young Men's Christian Association of Brandon », now be read a first time.

*Motion presented.*

**Mr. Caldwell:** The Young Men's Christian Association of Brandon has been in existence for as long as our community—over a century, Mr. Speaker. It has contributed greatly to Brandon and the western Manitoba community, and is in the midst of an exciting historic capital expansion in downtown Brandon. This bill permits them to get on with their work in building our community. Thank you.

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

**Bill 38—The Statutes Correction and Minor  
Amendments Act, 2012**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister of Family Services and Labour (Ms. Howard), that Bill 38, The Statutes Correction and Minor Amendments Act, 2012; Loi corrective de 2012, be now read a first time.

*Motion presented.*

**Mr. Swan:** As sure as the snow melts, the birds return and the Stanley Cup playoffs arrive, it is time again for The Statutes Correction and Minor Amendments Act.

This bill is primarily concerned with correcting typographical numbering and minor drafting and translation errors. It also includes some minor amendments to a variety of acts. The bill also changes the names of ministers and departments to reflect the new names of certain government departments.

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

Any further bills?

**Bill 217—The Portage Diversion Compensation  
Act (Water Resources Administration  
Act Amended)**

**Mr. Ralph Eichler (Lakeside):** I move, seconded by the member from Agassiz, that Bill 217, The Portage Diversion Compensation Act (Water Resources Administration Act Amended), now be read a first time.

*Motion presented.*

**Mr. Eichler:** This bill designates the Portage Diversion as a designated water control work under The Water Resources Administration Act. The designation means that compensation claims—claims for the flood damage and economic loss may be made in relation to the Portage Diversion in the same way that now claims can be made with respect to the Red River Floodway and the Shellmouth Dam. This bill is retroactive to the extent necessary to allow victims of the 2011 flood for flood compensation.

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

**PETITIONS**

**Personal Care Homes and Long-Term  
Care—Steinbach**

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

And these are the reasons for this petition:

The city of Steinbach is one of the fastest growing communities in Manitoba and one of the largest cities in the province.

This growth has resulted in pressure on a number of important services, including personal care homes and long-term care space in the city.

Many long-time residents of the city of Steinbach have been forced to live out their final years outside of Steinbach because of the shortage of personal care homes and long-term care facilities.

Individuals who have lived in, worked in, and contributed to the city of Steinbach their entire lives should not be forced to spend their final years in a place far from friends and family.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health ensure additional personal care homes and long-term care spaces are made available in the city of Steinbach on a priority basis.

Mr. Speaker, this is signed by G. Gryba, K. Harder, E. Topnik and thousands of other Manitobans.

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

### Introduction of Guests

**Mr. Speaker:** Prior to oral questions, I wish to draw the attention of honourable members to the public gallery where we have seated 63 grade 4 students from Riverbend Community School under the direction of Ms. Dianne Moroz. This group is located in the constituency of the honourable Minister of Innovation, Energy and Mines (Mr. Chomiak).

On behalf of all honourable members, we welcome you here this afternoon.

### ORAL QUESTIONS

#### Provincial Sales Tax

#### Government Support for Proposed Increase

**Mr. Hugh McFadyen (Leader of the Official Opposition):** The government's desire to increase taxes on hard-working Manitobans could hardly be more plain than what we saw with the recent budget and what we see them laying the groundwork with at this weekend's NDP convention.

I want to ask the Premier just to confirm his government plans to raise the PST and just outline when he plans to do so.

**Hon. Greg Selinger (Premier):** Unlike the members opposite, we have open conventions where the media can attend and people could debate resolutions. And they 'priorize' the things they want to debate, and what they 'priorized' was other issues other than the PST.

And as the member knows, we give the equivalent of 1 per cent of the PST to all the municipalities in Manitoba. It's the most generous sharing of provincial sales tax equivalent revenues in the country: \$262 million this year, a 9 per cent increase over last year, valued at about \$31 million.

**Mr. McFadyen:** Mr. Speaker, in the election last year he said, we will not raise any taxes. Six months later he turned around and did the exact opposite with the recent budget.

I want to ask the Premier to confirm, very clearly, that it's his intention to raise the PST in order to close the massive deficit that they've built.

\* (13:40)

**Mr. Selinger:** I can confirm that the budget did a variety of things, including reducing taxes for people on their personal deductions, their spousal deduction, and their dependants deduction; increasing the education property tax credit for seniors. There was some broadening of the sales tax base, and there was an increase in the gas tax, which for every dollar we raise in the gas tax, \$2 goes into the infrastructure, roads, and bridges all throughout Manitoba.

**Mr. McFadyen:** Mr. Speaker, they did not vote on the resolution brought by the Federation of Labour on the weekend. They deferred the decision. The Premier has a track record of saying one thing and doing another.

If he doesn't plan on raising the PST, let him stand today and say, very clearly, I will never raise the PST. Will he say that today?

**Mr. Selinger:** Mr. Speaker, I'm glad that we were able again in this budget to have one of the lowest cost of livings for citizens all across this country. We're in the top three. Some provinces rank us No. 1, but by our own calculations, we remain among the most affordable provinces to live in the country.

I just look forward to the day when we can attend as an observer to a Conservative convention

and have the slightest inkling of what they discuss. It's a complete black box for the other side of the House, Mr. Speaker.

**Provincial Sales Tax  
Government Support for Proposed Increase**

**Mrs. Heather Stefanson (Tuxedo):** Well, Mr. Speaker, the Premier of the province is refusing to answer a very direct question of whether or not—the intention of this government to raise the PST or not.

I will simply ask—if the Premier's not going to answer it, I'll ask the Minister of Finance: Is it his intention to raise the PST?

**Hon. Stan Struthers (Minister of Finance):** Well, Mr. Speaker, nothing has changed since last week when the member asked that question.

We're very clearly said—we very clearly committed to the people of Manitoba that we would set aside a 1 per cent equivalency to show support for infrastructure, roads, and bridges in this province that do need to be upkept. This government's been committed to that. We're following through on that. She read the budget, Budget 2012; it's in there. We're working towards the commitment that we made to Manitobans of a 1 per cent equivalency.

**Mrs. Stefanson:** Well, Mr. Speaker, the minister's quite right; I did ask this question last week, and I didn't get an answer from the minister. And it seems that I continue to get a non-answer from this Minister of Finance.

The question is very clear: Is it his intention to raise the PST in the province or not?

**Mr. Struthers:** Maybe the reason she wasn't clear in her question last week is that she was being heckled by her own colleague the member for Steinbach (Mr. Goertzen), if I remember it correctly. And I remember inviting the member for Steinbach to our convention. I told him it would be worth the trip, Mr. Speaker, the trip that he didn't make.

If they had, they would have seen a provincial party, the NDP, debating issues that matter most to Manitoba families—just as our budget did, Budget 2012—committing to come back into balance in 2014 and protecting those things that matter most to Manitobans. That's exactly what we did on the weekend at our convention, Mr. Speaker.

**Mrs. Stefanson:** Mr. Speaker, I can 'requall'—recall asking the question very specifically last week, and I

remember very specifically that this Minister of Finance did not answer the question.

The question is very simple, and I guess now that it's been left on the table that there is, potentially, we're going to be faced with a PST hike in this province.

I want the Minister of Finance to indicate to Manitobans very clearly: Is he intending to abide by the existing laws of Manitoba where they, if they want to raise the PST, that they are going to have to go to the people of Manitoba by way of a referendum, or is it is—his intention to break that law, as is customary in Cabinet ministers opposite, Mr. Speaker?

**Mr. Struthers:** Now, there's a desperate question, Mr. Speaker. It's quite an attempt of members opposite to try to drum up something like that.

Our budget was very clear. We do have, in our budget, a balance of expenditure reductions and revenue increases. We have committed to the people of Manitoba that an equivalency of 1 per cent would be dedicated to infrastructure in this province. Mr. Speaker, \$589 million is not chump change. That's real commitment to the infrastructure in Manitoba. We've been clear with the people of Manitoba on that.

We're following through with our commitment. I guess I can understand the desperation for members opposite.

**Cancer Treatment  
Oral Drug Coverage**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, we know that this Minister of Health likes her photo ops, so much so that she broke the election law in the last election so that she could get a photo op with a baby.

Mr. Speaker, can the Minister of Health explain why she had a photo op on funding cancer drugs for patients at home, and then after the election, she turned around and broke that critical promise?

**Hon. Theresa Oswald (Minister of Health):** Indeed, it is my great privilege to stand in the House today and speak to all members of the Chamber about our commitment, in partnership, Mr. Speaker, with CancerCare Manitoba and at the request of the Canadian Cancer Society, for the first time in Manitoba's history, to fund oral cancer and the support drugs in full.

Now, the program itself has been running for less than 90 days. We have encountered some situations with families where the program is not working as smoothly as it's intended to work, Mr. Speaker. We're working directly with these families to ensure that the only thing that they're worrying about is getting well, and we're going to ensure that we live up to the spirit of what we committed.

And, may I add, it wasn't something that the member opposite would commit to do.

**Mr. Speaker:** Order, please. Order, please.

**Mrs. Driedger:** Mr. Speaker, this government was very clear with their election promise to, and I quote, fully cover the cost of cancer treatment and support drugs for all Manitoban–Manitobans. And, in fact, on April 19th, this Minister of Health said, starting today—and this was right at budget time—they were going to cover 100 per cent of the cost of oral cancer treatment and support drugs starting April 19th.

So I'd like to ask the Minister of Health. They've put it forward right at budget time. They made it as an election promise that they would fully fund cancer drugs for patients at home. And now we've come across a family where that is not happening. And it's not just one family; we're hearing from others as well, Mr. Speaker. Why did they break their promise?

**Ms. Oswald:** It's my privilege to inform the House that since the program started on April 19th, it has saved cancer patients in the province of Manitoba almost \$2 million. It is estimated that this year it will save nearly \$12 million, Mr. Speaker.

We are working with families in situations where initially they are being rejected by the system in place to fund those drugs. We're making those amendments. We're grateful to those families that have pointed out the shortcomings, and we are working very hard to fix them.

And, Mr. Speaker, can you believe that I'm being asked these questions by a party that refused to cover the oral cancer drugs? Really?

**Mrs. Driedger:** Mr. Speaker, this government was asked by the Cancer Society for at least six years to fund those cancer drugs, and they waited until the election before they even committed to fund those drugs.

Mr. Speaker, the more this minister talks, the more we become aware that she didn't have a clue what her promise was about. And they made this

promise, and now we've got a family, Christina Lopez, who says that this government is only covering 6 per cent of her husband's cancer drugs and her Visa bill is paying for the rest of them. So her rhetoric is one thing; what is happening out there is quite the other.

Can this government tell people who are supposed to get cancer drugs at home why her government has failed to keep their election promise and make it easy for patients to get those drugs at home?

**Ms. Oswald:** When we made this commitment in response to what the Canadian Cancer Society was asking us to do, we said we want to ensure that we are matching what is purported to be the best program in the nation. And I will say, wholly, Mr. Speaker, that that program at the time was Saskatchewan's. We matched that and built our program based on that.

We have subsequently learned, Mr. Speaker, that Saskatchewan's program does not cover pain medication. Manitoba's will, and it does, and we will be the very best in the nation.

And just as a point of interest, I would table for you the letter signed by the member for Charleswood to the Canadian Cancer Society during the election that says, nah, we won't cover them.

\* (13:50)

#### **Addictions Foundation of Manitoba Service Reductions**

**Mr. Reg Helwer (Brandon West):** Mr. Speaker, the Province negotiated a contract with the MGEU workers at AFM that had increases of zero, zero, two nine—and 2.9. We are now in the third year of that contract, and because the Province's funding to AFM has remained stagnant this year, AFM is forced to find \$1 million in operational savings from within to pay for that contract.

Mr. Speaker, where did this government think they were going to come up for the—with the money for that contract? AFM has now been closed—been forced to close its treatment centres on a rotating basis this summer. This places an intolerable burden on Manitobans seeking addictions treatment, all because the NDP government is unable to properly manage its finances.

Why is this government cutting back on this critical program?

**Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs):** I'd like to thank the member for the question, because it gets me to explain the history behind this. In 1998 the former Conservative government used to fund addiction treatment at about \$10.5 million. They then cut it to \$9.6 million. Since that time, I am pleased that this side of the House has moved from \$9.6 million to \$19.4 million.

I would also like to say that we've also expanded the breadth of addiction funding, so we fund more agencies. In fact, the total amount of funding is in excess of \$28 million. We now have 13 agencies that we support and, Mr. Speaker, we didn't cut it like the members opposite.

**Mr. Helwer:** Well, in fact, they have essentially cut it because it was 19.4 last year and 19.4 this year. Costs aren't going up anywhere in Manitoba? Please, give me a break here.

When someone decides to enter treatment for an addiction, they have a window of one or two weeks where they can hold it together with hospital stays, with outpatient care, with support from family and friends—one or two weeks. AFM is now booking for September. How do you hold it together that long, Mr. Speaker? It's due to this government's financial mismanagement.

Why is this government cutting back on this critical program at a time when the need is greater than ever?

**Mr. Rondeau:** I'm pleased to let the member know that the youth services did not exist when the Conservatives were in power. The transition programs that support addiction treatment after the residential program did not exist when the Conservatives were in power. In fact, a whole range of outpatient services did not exist. We now fund them and unlike the Conservatives, we didn't cut it. You cut it from 10.5 down to 9.6.

We've maintained funding and, in fact, we're initiating a centralized intake. We're putting more money into a new computer system. And you know what? I'm proud of our record, and I look at yours and I would be ashamed.

**Mr. Helwer:** The decision to close AFM treatment centres on a rotating basis was sprung on the staff without consultation by this government that talks the talk but doesn't walk the walk.

Staff are now expected to use holiday time or comp time when they may have already used up all that available time. If there's not adequate holiday or comp time available, AFM are going to have to pay the staff anyway. So why not have the centres open to provide treatment to this most vulnerable group at this most vulnerable time in order to help them deal with their addiction?

How can this government make such a vulnerable group pay for the government's own spending addiction by cutting back on this program?

**Mr. Rondeau:** Just as—Mr. Speaker, we've expanded the school-based programs. We've expanded the transition programs. We've 'extended' the outpatient services. We've now have a new centralized intake. We now have expanded the methadone program. We've had CLOUT expand, and women's expansion has almost doubled the capacity in the last three years.

Mr. Speaker, our money is where our mouth is. Our programs have been developing. We have a full range of services, and I'm proud of where we've gone and we didn't cut back. We've enhanced the addictions services over the past 12 years, unlike the members opposite. I'm proud of what we've accomplished.

#### **Roseau River Flood Mitigation Project Status**

**Mr. Cliff Graydon (Emerson):** It's a situation where they pay more and get less for it in Manitoba now under this government.

Mr. Speaker, in 1976 the International Joint Commission produced a report around a co-ordinated water use and control on the Roseau River. In that report, it stated that the United States and Canada would work together on flood mitigation work along the Roseau River, which was necessitated by the proposed drainage in Minnesota. The NDP at—the government of the time stalled the project in Canada. The United States were willing to completely fund the project after engineering and planning took place and the project was completed in Canada. Mr. Speaker, the project was never started, so it can't be completed.

I ask this minister today: After 36 years, is he willing to start and complete the project today?

**Hon. Steve Ashton (Minister responsible for Emergency Measures):** Well, Mr. Speaker, I do give the member credit for consistency. He asked

this question in Estimates, and, apparently, he raised this issue 36 years ago, and—personally—and I respect that. And, I'm actually paying—[interjection] Perhaps the member's missing the point; I'm actually giving him some credit here, and I certainly will undertake to look at it.

I know there's been a lot of cross-border issues we've been dealing with, Mr. Speaker, including illegal—sort of what we consider illegal drainage in the US. And, certainly, our approach in terms of cross-border issues has been very much to manage water that respects international obligations but also protects Manitoba's.

But I do thank the member for raising this, and I did commit in Estimates, and I will, and our department will, follow up in terms of some of the issues he's raised.

**Mr. Graydon:** Mr. Speaker, 36 years have passed, a few weeks now since the Estimates, and the conditions and banks of the Roseau River quickly deteriorated and have been deteriorating ever since. The proposed and completed work on the American side have only added to the flooding in the Red River Valley.

The Roseau River is home to a healthy supply of fish, and sportsmen and women are being kept away due to unsafe conditions of the riverbank. With the increased erosion, the spawning grounds for these fish are also affected, creating an environmental and ecological disaster.

Mr. Speaker, the mitigation work was planned and dropped. I ask this minister: Can he commit to the work today?

**Mr. Ashton:** Well, Mr. Speaker, it's not too often that I get to answer a question—because I have been here a few years—that this was before my time. And I realize that the member is probably equally as critical of the, let's see, the Pawley government, the Filmon government and the Doer government. But I do take the question seriously.

But I want to stress again that one of the key things that we have done, certainly, since then—I know the member would be—would want me to raise that—is the fact that we have put significant flood protection. We've protected all the Red River Valley, including in and around Roseau River.

So we made a lot of progress since 1976, Mr. Speaker, but I appreciate the member raising this issue.

**Mr. Graydon:** Mr. Speaker, the Government of Canada and the State Department of the United States agreed in 1976 that something needed to happen along the Roseau River in Manitoba. The United States even agreed to pay for the mitigation work to take place. However, the NDP government of the day decided that 1976 was not a good year for that project.

Mr. Speaker, that decision and the floods of 1997, 2002, 2009 and 2011 have cost us hundreds of thousands of dollars in temporary work to patch the Gardenton Floodway. Ecological damage to the best spawning grounds in southern Manitoba cannot be measured in money.

Times have changed. Governments have changed. Why—what hasn't changed, however, are the NDP ignoring the problems in southeastern Manitoba.

Will this minister today commit to the mitigation work on the Roseau River?

**Mr. Ashton:** Mr. Speaker, I forgot to mention in the—I guess the member's being critical of the Schreyer government and the Lyon government as well. But I—we almost had an agreement to sort of follow up on this.

But I do want to disagree with the member in terms of what he's talked about in terms of southeast Manitoba because, as we've done it around this province, whether it's in terms of flood protection or whether it's in terms of our investment in our highway system, including our bridge network, Mr. Speaker—and he is one of the biggest beneficiaries in his area in terms of that investment. But, you know, the bottom line is we are a government that's concerned about all areas of the province.

We do take our responsibilities very seriously in terms of flood control, and it's one of the reasons, Mr. Speaker, as a government, we've invested a billion dollars since we came to government in 1999. I'm very proud of this government's record.

### **Shellmouth Dam**

#### **Flood Legislation and Compensation Criteria**

**Mr. Larry Maguire (Arthur-Virden):** Water's still rising on the Shellmouth Dam at the Lake of the Prairies. This morning's level left about four inches 'til the uncontrollable overflow occurs on this dam. Levels over 1,550 cubic feet per second will leave already-seeded crops further downstream open to flooding.

Does the minister responsible consider these flooded lands to be artificially flooded as under the definition of his Bill 27, the Shellmouth Dam or other water control works management act, Mr. Speaker?

\* (14:00)

**Hon. Steve Ashton (Minister responsible for Emergency Measures):** Well, Mr. Speaker, the member's asking, essentially, for the minister to give a legal opinion. The great advantage of this legislation is that it's defined in statute, and I'm very proud that it was our government that, decades after the Shellmouth Dam was established, brought in legislation that established coverage for artificial flooding for residents in that area.

And I do want to put on the record, by the way, the Shellmouth plays a very critical role, not only in terms of that area but also in terms of water supply in the entire Assiniboine River Valley, particularly in the Portage area. It's very much responsible, in years like this where we actually now have a drought in a significant part of the province, for maintaining that, Mr. Speaker. But, you know, the member can ask for that legal advice.

The bottom line is, because of the NDP, we have that kind of coverage for people in that area.

**Mr. Maguire:** Well, Mr. Speaker, there's already land near the dam that couldn't be seeded this spring. More will be flooded even without more rain.

Bill 27 requires a report be released on the damages incurred in 2011 as a result of the Assiniboine River flooding to determine artificial or natural flooding brought in by his government. This report was to be finished in February.

Mr. Speaker, can the minister provide a copy of this report to the Assiniboine Valley flooded farmers or the public, or is it just not finished yet?

**Mr. Ashton:** Well, Mr. Speaker, the—what Yogi Berra said, déjà vu all over again. This was asked in Estimates.

At the time, I pointed out that we did have a major flood in 2011; that's continuing in 2012. Every last expert, Mr. Speaker, was working in terms of that flood. I indicated there would be some delay in terms of providing that advice.

But I want to put on the record, not only did we bring in the legislation, but in 2009 and 2010, we already paid out compensation for artificial flooding.

Again, the NDP, after decades, listened to the people in that area and brought in that legislative coverage.

**Mr. Maguire:** Mr. Speaker, Assiniboine Valley flooded farmers have co-operated with the flood liaison committee members to share this valuable water resource. However, it does not call on Assiniboine River Valley farmers west of Brandon and north of Brandon to be prone to artificial flooding from mismanagement control of this water.

Mr. Speaker, the member's colleague the previous member—minister for Water Stewardship, the member from Riel, said, and I quote, the new legislation would clarify the guidelines covering the operation of water control works for landowners.

Mr. Speaker, so again I ask: Can the minister guarantee today that if the farmers' valuable river land is flooded in 2012, a relatively dry spring, that these farmers will receive compensation for their losses so many others can gain?

**Mr. Ashton:** Mr. Speaker, perhaps I wasn't clear enough. Prior to us bringing in the legislation, there was no guarantee. When members were in opposite, there was no guarantee.

Thanks to this government and thanks to my colleague member for Riel (Ms. Melnick), the former minister, we listened to people in there; we brought in legislative coverage. They were covered in 2009. They were covered in 2010. And if there's artificial flooding in 2011, they'll receive the coverage again, thanks, again, to a government that listened to the people in that area.

#### **Regional Health Authorities Lawsuit Statistics**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, today the CBC reported that this NDP government is, yet again, being sued because of negligence in the health-care system.

The family of a now-deceased woman alleges she was neglected by staff of the St. Norbert Personal Care Home. When she was finally taken to hospital, doctors found that she had flesh-eating disease and associated septic shock and she died shortly thereafter.

The lawsuit names the St. Norbert facility, some of its medical care and staff, the Winnipeg Regional Health Authority and the Manitoba government.

Mr. Speaker, I ask the Premier: How many families have filed lawsuits against his NDP government and Manitoba's regional health authorities in the last five years because they are appalled at the negligent way that this NDP government has operated the health-care system?

**Hon. Greg Selinger (Premier):** I thank the member for the question.

It's always unfortunate when somebody has this kind of experience, to say the least. It was a—it's a tragic situation, which, Mr. Speaker, is why we put the Protection for Persons in Care office in place in 2001, and they've already started and undertaken an investigation into this event. And the investigation will result in recommendations that will prevent it from happening in the future.

But it is a—I heard the story myself this morning. I immediately asked about it, and I'm informed that the investigation is under way.

#### **Personal Care Homes Antipsychotic Drug Prescriptions**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, Manitobans living in personal care homes deserve to be cared for with respect and dignity, and yet far too often we hear these appalling stories of neglect under this government. Indeed, at the same time as this is happening, the Premier is allowing an epidemic number of residents to be overmedicated with antipsychotic drugs.

According to information received by my office through the freedom of information act which I tabled, more than 30 per cent of personal care home residents are put on new-generation antipsychotic medications which carry black-box warnings against such use. Keeping residents in the subdued, foggy state often impedes their ability to function.

Mr. Speaker, I ask the Premier: Why does he allow so many vulnerable residents of personal care homes to be so overmedicated with antipsychotic drugs?

**Hon. Greg Selinger (Premier):** And again, I thank the member for the question.

My information actually completely contradicts what he's saying. Our trend is going down in terms of the use of psychotic drugs in these facilities—antipsychotic drugs. At the same time as in the rest of the country it's going up, it's going down in Manitoba, and the percentage of people prescribed

these antipsychotic drugs is below the Canadian average in this province.

#### **Patient Wait Lists**

**Mr. Gerrard:** Mr. Speaker, the Premier may say it contradicts things, but that information is hot off the press, as it were.

Mr. Speaker, despite the number of families suing this NDP government and regional health authorities for the negligent care that their loved ones received in personal care homes, and despite the alarming percentage of these residents who are overmedicated, there's a growing number of Manitobans awaiting personal care home placement. According to information received by my office through FIPPA which I tabled, there were 1,369 individuals awaiting a personal care home placement as of March 31st of this year.

Mr. Speaker, I ask the Premier: When will he create enough personal care home spaces in Manitoba, and when he—will he make the radical improvements that care home residents aren't overmedicated with antipsychotic drugs and so woefully neglected that they suffer and tragically die as a patient did in the St. Norbert care facility?

**Mr. Selinger:** Again, I thank the member for the question.

We did commit an additional \$200 million to personal care home beds in Manitoba, as well as ongoing commitments for assisted living housing in this province, and, of course, the caregivers tax credit has been increased by 25 per cent in our last budget.

I do want to mention to the member, also, that we have a very strict policy on restraint and the use of antipsychotics to manage people's behaviour, and it requires the consent of families and has a very specific timeline attached to it. And this is in part responsible for the fact that Manitoba is below the Canadian average in the use of antipsychotics and going down in comparison to the rest of the country, where it starts at a higher level and is going up.

#### **Maples Community Centre Upgrades**

**Ms. Melanie Wight (Burrows):** Mr. Speaker, north Winnipeg is a wonderful place to live and the community is growing with the presence of many young people who will continue to be part of this community for years to come. There's a need for community centres and recreational options in the

community and also a need for community centres to continue to be refurbished.

My question is to the Minister of Local Government: How is his department helping communities invest in this needed infrastructure? We have many community members interested.

**Hon. Ron Lemieux (Minister of Local Government):** I want to thank the member for Burrows—the MLA for Burrows and also the MLA for Maples for their hard work with regard to this project. Also want to thank all the volunteers in the maple recreation centre and that community for this goal that they put forward before all levels of government to ensure that this would take place.

As a former teacher for The Maples complex, I know this facility well. Many, many young people growing up in this area need safe places to play. They need places to compete, and fixing up the track and irrigation and so on, Mr. Speaker, in this area goes a long way in helping recreation facilities.

Over the past decade, this government, this NDP government has invested \$120 million in recreation facilities all over the province, Mr. Speaker, provincial tax dollars invested well. Thank you very much.

#### Introduction of Guests

**Mr. Speaker:** Just prior to recognizing the honourable member for St. Paul, I want to draw the attention to the public gallery for members to note that we have with us 45 grade 4 students from Kleefeld elementary school under the direction of Ms. Sheila Krahn. This group is located in the constituency of the honourable member for Steinbach (Mr. Goertzen).

On behalf of honourable members, we welcome you this afternoon.

#### Highway 59 and PR 202 Safety Concerns

**Mr. Ron Schuler (St. Paul):** And a great MLA they have, Mr. Speaker.

Vehicles and passengers driving north on PTH 59 and vehicles and passengers waiting to turn south onto PTH 59 from either the PR 202 intersection and the McGregor Farm Road or Pritchard Farm Road are being put in danger by the traffic congestion.

\*(14:10)

The past few weeks has seen the start of cottage traffic as well as the grand opening of Schreimer's on McGregor Farm Road. Both these events turn an already poor traffic situation even worse.

Can the Minister for Infrastructure and Transportation indicate to the House if he is willing to provide the mayor of East St. Paul a solution to the unsafe condition at PTH 59 and PR 202?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Well, Mr. Speaker, and I hope the member opposite will appreciate—and I know we've had the opportunity to talk about this issue and other issues in the past as well—that this kind of pressure is not uncommon throughout the province. It's something that we for many years didn't really see, and that's the pressure of growth. We've got increasing growth in terms of population, increasing economic development, and in many areas, and including in the member's constituency, you see that impact in terms of traffic flow.

So we certainly are recognizing that in two ways. One is the historic investment in terms of infrastructure, Mr. Speaker. We have quadrupled the capital budget for highways since we came in in 1999, and I can indicate to the member we're also working with many of the kind of pressures that are out there and we work very closely with our partners the municipalities as well, who are often our best sources in terms of those kind of pressures.

So we're making that investment, Mr. Speaker, because we, too, take very seriously some of the pressures coming from the growth in this province.

**Mr. Schuler:** Mr. Speaker, the concern is not only for the safety and well-being of families in East St. Paul but every Manitoban who travels on Highway 59 on their way to enjoy the beach, the lake, the cottage, the cabin, or simply coming back home to Winnipeg. The heavy traffic at the intersection of PTH 59 and PR 202 has led the mayor of East St. Paul to seek the minister's attention, and it is something that will only become worse as our Manitoba summer starts in earnest.

Can the minister provide the mayor of East St. Paul with an estimate of when the dangerous traffic congestion at the intersection of PTH 59 and PR 202 will be solved?

**Mr. Ashton:** Well, Mr. Speaker, in addition to our overall investment in highways and infrastructure in the province, we've also just agreed to cost share a study of transportation in the Capital Region that

does in fact include that municipality and the surrounding municipalities. I had the great pleasure to announce that at the Capital Region municipality meeting along with my colleague the Minister for Local Government.

So we're also working not only on the broader issues in the province; we're also working on some of the traffic issues in and around the Capital Region.

And again, I want to stress, for many years it wasn't a problem. We didn't have that kind of growth in this province, but since we came to government in 1999, Mr. Speaker, I'm very proud of the fact we've seen historic growth in this province. Year after year, we've seen growth in population. Does it bring some challenges in the highway system? Yes. But that's a heck of a lot better than the kind of challenges we had to face in the 1990s when we had stagnant—in fact, we had no growth in this province.

#### **West Perimeter Bridge Repairs Project Status**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, for about eight months now, nothing's been happening with the West Perimeter Bridge. It is half closed. The barricades are still up. We still have a stop light there. There's one-lane traffic going each way handling 20,000 vehicles in a day, but there's no workers for the last eight months.

So I'd like to ask this government: What is holding up the finishing of bridge repairs on that West Perimeter Bridge?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Mr. Speaker, the member asked this question in Estimates. We have also communicated to her directly. I'm very surprised with the answer, because she knows that what we're doing is we're assessing the structural integrity of the structure there. This is being done by some of the best expertise that is available. It does take time, and I want to indicate that some of the potential faults in that structure were identified through the inspection process.

And I want to make one thing very clear, Mr. Speaker. She can keep asking questions all she wants, but the bottom line is here we're doing work to ensure the safety of that structure and we'll only reopen when it's safe to do so.

**Mrs. Driedger:** But, Mr. Speaker, that's the point. There is no work going on there.

Mr. Speaker, I did ask this question and I didn't get a straight answer from the minister, and that's why I'm asking it again. He told a colleague in Estimates that it was a girder problem. He's told my office that it was a concrete problem, that concrete was cracking when it was poured. So they sent core depth samples away in January; that would take a couple of weeks. We're now about five months since that happened. There's no work going on there. Nobody knows what is going on with that bridge, and it smells fishy.

So I'd like to ask the minister: What is going on with that bridge, and where are the workers that should be finishing it?

**Mr. Ashton:** The member opposite is not an engineer; neither am I. When the engineers in my department tell me that there are significant structural concerns in that—with that structure, Mr. Speaker, I don't take the word of the member opposite.

I really think it calls into question her judgment when she thinks that something as significant as the structure of a bridge can be tested in a couple weeks. We're talking about significant testing that is being done by specialists in that area.

I'm tempted to say maybe the member should—opposite should stick to asking questions about health care, but I'm starting to see perhaps, Mr. Speaker, why a lot of time she misses the mark in terms of health care, because it's not a simple problem.

We've got structural problems at the bridge. We're doing the tests there, and I'm not going to rely on the member opposite to tell me when it's ready to open. I'm going to rely on the engineers and they say it will not open until it's safe, Mr. Speaker. That's—

**Mr. Speaker:** The honourable member for Charleswood.

**Mrs. Driedger:** Mr. Speaker, I guess he wanted everybody in Charleswood to hear the announcer with his yelling in here.

Mr. Speaker, I'm quite happy to relay that information to my constituents who are very concerned and keep asking me the question, and we're not getting an answer.

Those core samples were supposed to be sent in January; that takes a couple of weeks. Now he's saying there's significant structural problems; they've worked on it for two years. How is it after two years

that they are now discovering significant structural problems? Twenty thousand vehicles cross that bridge every day and, yes, we're all worried about safety.

So I would ask the minister: When is he going to start to deal with this bridge and ensure that the work moves forward? With summer coming, with CentrePort coming, when is he going to get his workers out there?

**Mr. Ashton:** You know, Mr. Speaker, the member opposite may want to look at what's happened in jurisdictions around the world, what's happened in terms of bridge structures, not only here in Canada but around the world.

One of the things we did, as a government, is we didn't wait until we had a catastrophic failure of bridge structures in this province. We have put in significant resources, and I outlined this, by the way, in Estimates; I know the member may not have been able to participate in that particular part of it. But we have a significant inspection program in terms of our bridges. And, Mr. Speaker, we are not only inspecting, we're rebuilding those bridges.

So I want to say to the member opposite again that I don't take advice from that member; I take advice from the engineers in my department, and the engineers have indicated that we have to make doubly and triply sure that that bridge is safe before we open it and do any kind of remedial work.

They are, Mr. Speaker, as we speak, assessing that structural integrity, and the bottom line is we will not reopen until it's safe. And I hope she starts—

**Mr. Speaker:** Order, please. Order, please. Order, please.

### **Ebb and Flow First Nation Need for Ambulance Services**

**Mr. Stuart Briese (Agassiz):** For several years I've asked for ambulance services for the Eddystone, Ebb and Flow, and Bacon Ridge area of Manitoba. Recently, a young rancher was critically injured north of Eddystone. The family waited two hours for the arrival of ambulance services.

Will the minister today commit to placing an ambulance service in the Ebb and Flow, Bacon Ridge and Eddystone area? There's 200 calls a year there; 2,500 people live in the area. Ebb and Flow have fully trained EMTs to operate the ambulance.

Will she commit today to placing an ambulance in that area of the province?

**Hon. Theresa Oswald (Minister of Health):** Mr. Speaker, and I thank the member for the question. We know that all Manitobans want to have the best possible pre-hospital care, particularly in the event of emergencies or accidents. I'm very pleased to tell the member that we have launched a review of emergency medical services in Manitoba.

We've come a great distance in 10 years, replacing the fleet, significantly transforming the workforce and, of course, the important incorporation of the STARS helicopter ambulance. A review at this time is very appropriate to ensure that we maintain and even improve on our response times. And we know that we're going to get excellent results from the review that will enable us to plan even further into the future.

**Mr. Speaker:** The time for oral questions has expired.

\* (14:20)

### **Speaker's Ruling**

**Mr. Speaker:** I have a ruling for the House.

Following grievances on Thursday, May 3rd, 2012, the honourable Leader of the Official Opposition (Mr. McFadyen) raised a point of order suggesting that the Attorney General (Mr. Swan) should put the independence of his office ahead of partisanship. The honourable Leader of the Official Opposition spoke in relation to the Attorney General's comments on a previous point of order regarding the issue of a Cabinet minister breaking a law. He stated that such comments from the Attorney General were inappropriate because, as the head of the Department of Justice, he should maintain some separation, distance and independence from debates dealing with illegal actions. The honourable Minister of Justice also spoke to this point of order. I took the matter under advisement to review *Hansard* and to consult with the procedural authorities.

This point of order originated with a dispute over the role of the Attorney General as well as a dispute over the interpretation of a ruling from the elections commissioner. As I have noted previously, while these may be valid matters of debate in the House, O'Brien and Bosc noted on page 634 of the *House of Commons Procedure and Practice*, second edition, that members, in quotations, "may not direct remarks to the House or engage in debate by raising

a matter under the guise of a point of order." End of quotation.

As I have indicated previously, it is not the Speaker's role to decide on questions of facts or to determine whether or not information brought before the House is correct. All members of this Chamber are honourable members, and, as Speaker I accept the word of each honourable member. It is also not the Speaker's role to determine or comment on the nature of the role of the Attorney General or any other member of the House.

I would also like to advise the House that the Speaker has no authority to determine questions of law. This point is supported by rulings from Speaker Rocan in 1994, Speaker Dacquay in 1996 and Speaker Hickes in 2006 and 2009 and by an earlier ruling that I made as your Speaker.

Accordingly, I respectfully rule that there is no point of order.

## MEMBERS' STATEMENTS

### Trappist Monastery Ruins

**Mr. Dave Gaudreau (St. Norbert):** The Trappist Monastery ruins in St. Norbert reopens this month after undergoing renovations to improve safety at the site.

The Trappist Monastery has long served the dual role as a quiet meeting place for contemplation and a thriving local cultural centre. The ruins are a living monument to our past and a vital link to our present. In 1892, five monks of the Trappist Order accepted an invitation to come to St. Norbert from France and establish a monastery. The newly named Our Lady of the Prairies community site was nestled along the La Salle River. For the next 86 years the Trappist monks lived a self-sustaining life of prayer, work and contemplation at that site before leaving in 1978.

In 1983, the abandoned monastery suffered a catastrophic fire that destroyed most of the site and only left the ruins of the central monastery and a nearby guest house. The ruins of the Trappist monastery have since been a beloved meeting place and a cultural centre in St. Norbert. The St. Norbert Arts Centre located in the renovated guest house in '91. The Shakespeare in the Ruins Theatre Company set up shop in 1993. Heritage St. Norbert was instrumental in being declared a provincial heritage park in 2002.

Outside of these more structured activities, the Trappist ruins simply offer a peaceful getaway to

walk and think and a beautiful site for wedding photos. In 2009, the much-loved site began extensive restoration for safety and aesthetics, and it is so exciting to see this cultural hub open again.

The Shakespeare in the Ruins Theatre Company has been a travelling show during these renovations and it's so wonderful that the company has returned to its home with the—with this year with the contemporary rendition of *Henry V*.

Mr. Speaker, it is truly exciting and rewarding to see the Trappist Monastery officially reopen in St. Norbert, and I know there have been many who have been waiting for this, and I invite all Manitobans to St. Norbert to visit this historic and culturally vibrant meeting place. Thank you.

### Rosanne Massinon

**Mr. Blaine Pedersen (Midland):** I rise today to honour Ms. Rosanne Massinon, a senior-years science teacher at Carman Collegiate and recent recipient of the Outstanding New Teacher Award during—presented during National Education Week.

Ms. Massinon is a grade 9 to 12 science teacher filled with enthusiasm, commitment, and dedication for her students and her subject matter. She has been teaching seniors years science—sciences at Carman Collegiate for three years and emphasizes that the support from faculty members, administration and the community has been excellent.

By utilizing local expertise and resources she relates learning to real life. For instance, through hands-on projects her students become aware of different careers involving environmental studies. She also encourages other teachers to get their students involved in activities outside the classroom as much as possible.

Ms. Massinon has developed several new initiatives in the science program at the senior years level, which have since expanded to include other schools in the Prairie Rose School Division. She introduced her students to the Envirothon provincial competition and had the opportunity to host the regional competition.

She was also instrumental in developing a river watch program where students studying environmental science have opportunity to test water samples from the Boyne River.

Another big initiative for Ms. Massinon was implementing an Agro-ecology Discovery Day for all grade 10 students, which involves six hands-on

stations: soils, weeds, entomology, meteorology, riverbank assessment and biodiversity. She has also hosted teams in the Great Red River Lab Challenge.

Tapping into the local agricultural industry with the agricultural research centre in Carman and its local experts, Ms. Massinon's efforts have greatly increased students' agricultural knowledge and the importance of sustainability and agro-ecology. Rosanne is looking forward to future challenges in her teaching career and will focus—continue to focus on getting students to become curious about the world around them.

Rosanne Massinon grew up on a farm in the Haywood community. Her family and community are very proud of her accomplishments to date and it is my pleasure to stand today to recognize Rosanne Massinon, a truly remarkable recipient of the Manitoba Excellence in Teacher Awards.

#### **Assiniboia Community Appreciation Night**

**Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs):** Mr. Speaker, I'm proud that the constituency of Assiniboia has again chosen me to be their representative. Ours is a community that thrives on tradition of volunteerism and service.

On April 25th we continued with the long-standing tradition of celebrating our dedicated volunteers at the 11th Annual Assiniboia Community Appreciation Night. This is an occasion to publicly recognize and thank the people who volunteer with the many organizations in Assiniboia and west Winnipeg. The volunteers pour their energy and give their time towards helping others and making our community a better place to live. This year, over 75 volunteers, guests and myself celebrated at the Canad Inns Polo Park. Everyone received a gift to honour their work.

The many volunteers recognized have spent countless hours and even years contributing their times and talents. Organizations such as the Kiwanis Club, CARP, Optimists, ANAF, alongside numerous schools, service clubs, sports organizations and others have been enriched by the hard-working dedication of these volunteers. The wide variety of organizations means that everyone has a talent that they can contribute and make Assiniboia, the province and the world a better place.

Taking the time to thank everyone involved in the Appreciation Night and the numerous volunteers is very important. A big thank you to the business

and community members for continuing to sponsor the evening and making it very special. Most of all, I'd like to thank the volunteers themselves. Your work has made life better for thousands of people, and saying thank you and throwing a party is the least I can do to express our gratitude for you. Margaret Mead told us, never doubt that a small group of committed people can change the world. Through the efforts of volunteers like you, the world changes a bit for the better every single day.

I thank all the people involved in these organizations, all the volunteers across the province who truly make Manitoba special place to live. Thank you.

And Mr. Speaker, I would like to ask leave to include all the volunteers' names and the organizations that they serve with this statement in *Hansard*. I ask leave.

**Mr. Speaker:** Is there leave of the House to include the names of the volunteers in the *Hansard* transcripts of these proceedings? *[Agreed]*

*Assiniboia Community Appreciation Night Volunteers:*

*1st Crestview Scouts: Phil Pickering; 1st Kirkfield Scouts: Dillon Darr, Richard Pattenham; ALS Society: Kaitlyn Cava, Kathy Cava; ANAF No. 283: Henry Hildebrand, Elvin Kehler, Gord Kent, Hayden Kent; ANAVETS No. 283 Over 55 and Retired Club: Jeanne Grosvenor; Assiniboia Memorial Curling Club: Al Seredynski; Assiniboia West Recreation Association: Curtis Grieves, Myrna Little; Buchanan School: Lil Atamanchuk, Tracey Broughton; Canadian Association of Veterans in United Peacekeeping: Linda Jardine, Murdoch Jardine; CARP Chapter 47: Ella Otto, Gerry Otto; Collège Sturgeon Heights Collegiate: Fiona Duncalf, Monique Wichenko, Scott Wichenko; Friends Housing Inc.: Kathy Maendel; Golden West Centennial Lodge: Betty Ann Caldwell; Grace Hospital: Chris McDermid, Rosemary Taylor; Hamilton House: Helen Lytwenuk, Linda Mayor; Heritage Victoria Community Centre: Tara Davidson, Sharon Groombridge, Sharon Larouche, Glynis Zubeck; John Taylor Collegiate: Jon Giesbrecht, Cathy Hrabi, Ward Hrabi, Spiros Kavadas; Kirkfield Westwood Community Centre: Shawn Dunnett, Tammy Dunnett; Lakewood School: Trina Cimino, Kim Onagi; Lions Estates: Claire Graham, Shirley Thody; Manitoba Genealogical Society Inc.: Bonnie Batchelor, Joan Whiston; Manitoba School for the Deaf: Brandon Boyce,*

*Shane Boyce; Metropolitan Kiwanis Courts: Cathy Buzunis, Linda Richardson; Ness Middle School: Dorie Johnson, Scott Johnson; Oakview Place: Jules Selymes; Optimist Club of Assiniboia: Catherine Fry, Stanley Fry, Curtis Vezina, Kay Vezina; Royal Canadian Legion No. 4: Marion Thayer, Mike Thayer; Senior Centre: Audrey Lebedeff, Nick Lebedeff; St. Charles Sharks: Warren Klassen, Dave McNeil; St. James Assiniboia 55+ Centre: Eunice Apps, George Apps, Gerry Berryere, Catherine Compeau, Linda Shook; St. James Elderobics: Evelyn Gordon, Lil Malcovitch; St. James Rods Football Club: John Hart, Dave Lindberg; Voyageur School: Kim Anderson, Alana Demler; Winnipeg Airport Authority Goldwing Ambassador Program: Rita Cropo, Jeanette McDonald; Winnipeg Military Family Resources Centre: Bianca Fortin, Karine Villeneuve; Kiwanis Club: Caroll Dalke, Harvey Dalke.*

### **Stroke Awareness Month**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, I would like to take this opportunity to discuss Stroke Awareness Month. This month and every year in June it is our chance to be reminded of the importance of heart health since prevention of heart disease is the best medicine.

Mr. Speaker, we have come a long way in our knowledge of stroke and heart disease. Since a greater understanding of the causes and treatment of stroke is vital in our progress to reduce the incidence and severity of this disease, I would like to commend the Heart and Stroke Foundation of Canada for their leadership role in research and education for preventing and minimizing the harmful impact of heart disease and stroke.

\* (14:30)

Still, there is more work to be done since Canadians experience more than 50,000 strokes each year, and over 300,000 Canadians are living with the effects of a stroke. Since many may be unaware, I would like to particularly emphasize the threat of stroke in women, since strokes are a bigger killer among women than in men. Greater awareness of the causes and symptoms of this disease are key, as women are too often left undiagnosed. Since women today are living longer and healthier lives, it is particularly important to take action in preventing a stroke since it can be avoidable.

We are also urging this NDP government to set up an acute care stroke unit in Manitoba. This

specialized unit would provide focused treatment on recovery and prevention and would be an integral part of treating and preventing strokes in Manitoba, and would be an incredible asset within our health care system.

So, as the health critic, I would like to encourage everyone to take just a little bit more time to do the things that will help protect against cardiovascular disease and stroke. In—particularly, even exercising for short periods of time, but a more frequent basis would be also—exercising to one's ability and increasing dietary consumption of amount of fruits and vegetables.

And, Mr. Speaker, despite leading very busy lives, it is important that we all strive to make small changes that can prevent heart disease and stroke altogether.

Thank you, Mr. Speaker.

### **Hapnot Collegiate Students**

**Mr. Clarence Pettersen (Flin Flon):** I'd like to inform this House about an inspirational group of high school students from Hapnot Collegiate in Flin Flon. From May 20th to 25th, three grade 11 students, Crystal Hiebert, Beverly Hiebert and Sandra Kritzer were accompanied by their teacher, Robyne Mansell, in attending the Green Mining workshop at McMaster University in Hamilton, Ontario.

To qualify for this amazing educational experience, each student and advisor had to submit a rationale outlining their desire to attend this cutting-edge workshop. In total, 20 schools across Canada applied, and Hapnot was one of four schools accepted to take part in this prestigious opportunity. The students from Hapnot joined schools from Glovertown, Newfoundland; Nelson, BC; and La Ronge, Saskatchewan.

During the time spent at McMaster University, students had the opportunity to learn about the process involved in acid mine drainage associated with metal mining activities. The students also had an opportunity to generate smarter bio-based remediation approaches.

In addition, the Hapnot group participated in university-level lectures, as well as second-year undergraduate-level lab activities. The days were filled with lectures, labs, tours of electron scanning microscope and X-ray diffraction facilities, as well as a tour of McMaster's own nuclear reactor.

Once the labs were completed, the lab groups had to interpret their data and present their findings to all participants, including dignitaries from McMaster University, RBC Blue Water Foundation and the Ontario 'geomonic' institute.

Mr. Speaker, the development of sustainable practices in mining sector is necessary for moving forward with projects that not only benefit economic and social development, but also do not adversely affect the environment around which these projects take place. By encouraging young people in the process, the Green Mining workshop gives us all hope for the future of mining in Canada and in Manitoba. I hope all members will join me in congratulating the hard work that these Hapnot Collegiate students have undertaken to improve our mining future.

Thank you, Mr. Speaker.

## ORDERS OF THE DAY GOVERNMENT BUSINESS

### House Business

**Hon. Jennifer Howard (Government House Leader):** Firstly, on House business, could you just canvass the House for agreement to transfer Bill 13, The Renewable Energy Jobs Act, to the Standing Committee on Social and Economic Development from the Standing Committee on Human Resources for tonight's meeting.

**Mr. Speaker:** Is their leave of the House to transfer Bill 13, The Renewable Energy Jobs Act, to the Standing Committee on Social and Economic Development from the Standing Committee on Human Resources for tonight's meeting? *[Agreed]*

**Ms. Howard:** Would you please call second reading of Bills 20, 31 and 32.

**Mr. Speaker:** We'll now call debate on Bill 20, 31 and 32.

Starting with Bill 20, The Planning Amendment Act (Inland Port Area).

### SECOND READINGS

#### Bill 20—The Planning Amendment Act (Inland Port Area)

**Hon. Ron Lemieux (Minister of Local Government):** Mr. Speaker, I move, seconded by the Minister of Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 20, The Planning Amendment Act (Inland Port Area); Loi modifiant la

Loi sur l'aménagement du territoire (zone intermodale), be now read a second time and referred to a committee of the House—of this House.

#### *Motion presented.*

**Mr. Lemieux:** Mr. Speaker, this bill is the next step in the government's commitment to ensuring that CentrePort Canada is a significant contributor to Manitoba's future economic well-being. CentrePort Canada covers about 20,000 acres, land north of—and west of Winnipeg's international James Richardson airport, both within the city of Winnipeg and the rural municipality of Rosser. Because the land straddles both municipalities, development, control and approval is currently administered by two different planning authorities with different standards and different approval processes.

To establish consistent development standards and approval processes through CentrePort, the government intends to designate CentrePort Canada as a special planning area under The Planning Act. The bill also ensures that key municipal and planning stakeholders, specifically the City of Winnipeg, RM of Rosser, South Interlake Planning District, are also consulted prior to the designation of CentrePort's special planning area. The City of Winnipeg, the RM of Rosser, South Interlake Planning District, along with CentrePort Canada Inc. and Winnipeg Airports Authority were part of a special planning area working group that met a total of nine times between June 2011 and November 2011.

The following adoption of this minor planning amendment act, enabling the special planning area provisions to be applied to the City of Winnipeg, the department will continue consultations with key stakeholders such as CentrePort, to collaboratively determine the ultimate structure, roles and responsibilities of a CentrePort special planning area authority and the consistent planning and development approval process for Manitoba's inland port. I look forward to the debate and passage of this important legislation. Thank you.

**Mr. Stuart Briese (Agassiz):** Mr. Speaker, I rise to speak to the—to Bill 20, The Planning Amendment Act, that the minister's brought forward. As he's already stated, that it refers to the inland 'mort' area, and the inland port area covers some 20,000 acres in the northwest corner of the city and into the RM of Rosser.

The RM of Rosser and the City of Winnipeg have different nuances to their planning documents,

and this bill is—my understanding this bill's designed to produce a new development plan for the area of the inland port and the area of CentrePort, so that there's a consistency throughout that area in developing all the things that it is the hope of, I think, everyone in this province that develops there—the transportation hub, the trade and manufacturing and distribution warehouses and the logistic centres that are proposed for that area.

As I said, the area encompasses roughly 20,000 acres, 8,000 of it which is under the Winnipeg Airport Authority and controlled by the—basically, the federal government. So it's already a restricted area and it's managed by the Winnipeg Airport Authority.

The province's—appears to be committing to putting a separate development plan in place there, and there's some things that I think maybe need to be kept in mind while they're doing it. A large part of the area is agricultural and is farmland and farmed and growing crops. And when the separate planning authority is placed there, I hope the province is well aware that they want to keep in place the assessment at a farmland rate as long as it's being used as farmland, because if they go in and assess that whole 15—or 12,000 acres that is outside of the WAA—if they go in and assess that all at a commercial or industrial rate, it'll be impossible for the agriculturalists in the area to basically pay their taxes. They don't get the kind of return you get out of commercial and industrial development, so I would caution that that be—that the Province keeps that in mind.

\* (14:40)

The other thing, I think, that needs to be really considered is the building permits and where the fees go in the area. And I do think setting up a separate planning authority there will probably 'expediate' that somewhat, and the RM of Rosser, as, too, the City of Winnipeg, are entitled to their—to the building permit revenues out of the area.

The—we're all very supportive of the inland port area or the CentrePort area, and we see the potential and the good that it can do this province. And that kind of development, we want to encourage and see that it proceeds forward. I did in backing—back up to speaking on this bill, I did talk to the RM of Rosser and they're very much in favour of this bill going through. I don't—you know, the devil is always in the detail on these bills, but they're very much in favour of seeing this bill go through and actually would

have liked to have seen it sooner than now. It's been actually to the point where it's somewhat slowing them down.

So, with those few words, I certainly do look forward to this bill proceeding to committee and public input, and look forward to speaking out at the third reading.

Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, just a few words on Bill 20, The Planning Amendment Act, related to the inland port area. This inland port area is of tremendous potential for the future. I think it's an area which we need to be very conscious of and be assured that the development there is done as it best possibly can be for people all over Manitoba.

I mean, it has the potential to bring very significant economic benefits, new businesses and attached industries. It has the potential to provide and ensure that Winnipeg continues as a major transportation hub for air cargo, but also for trucking, for distribution. And we are, in Winnipeg and in Manitoba, known as a centre of the trucking industry and of the transportation industry.

And this is—it's very important that we get this planning around the inland port area done well. It has the potential to be an important link in trade with other parts of the world—China, Russia—where we link up by plane, but also to link that trade by rail and truck along the mid-continent corridor down going south, and, of course, up north to Churchill, and east and west to areas which are east and west of us in Canada, as well as important markets: Minneapolis, Chicago, and so on. And so it's very, very important that we get this particular piece right, right?

And I think that this is the right direction to have a special planning area. And I think that the initial phase, which is, you know, moving forward this—with this after discussions with the council of the City of Winnipeg, the council of the RM of Rosser, and the board of the South Interlake Planning District, but I also think, Mr. Speaker, that, you know, in terms of before the plan is rolled out, that it's going to be very important that there be broader consultations, that people within Winnipeg and around Manitoba have the opportunity to put forward their ideas and their suggestions in terms of this plan. And I think that there are some particular constitutional requirements with regard to First

Nations and Métis, and they should be included in consultations; not, perhaps, in the setting up of the planning district, but in—when the planning district is set up, that the consultations need to include broader consultation.

I think that, to date, although there's been a lot of progress been made and there has been quite a bit of money spent, that it's important at this stage—when you're engaging and developing a plan for this special planning area, that that plan be reaching out to people, to businesses, to people in different parts of the province who may be part of this important circle of trading area, and have—you know, it's an opportunity to look at the trade links near and far as we develop and engage on this important initiative.

I know that there's also been a look, because I've been at some sessions that—you know, what's happening in Regina and various other places in terms of setting up what may be a little comparable to the inland port area here, but I think that we need to, from a Manitoba perspective, make sure that we are being inclusive as we proceed, and before we have the plan in place that, in fact, we have listened to people well and made sure we're paying attention, and then I'm sure that we will end up with a better plan as a result.

Thank you, Mr. Speaker.

**Mr. Speaker:** Any further debate? House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 20, The Planning Amendment Act (Inland Port Area).

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

#### **Bill 31—The Bilingual Service Centres Act**

**Mr. Lemieux:** I move, seconded by the Minister of Family Services and Labour (Ms. Howard), that Bill 31, The Bilingual Service Centres Act; Loi sur les centres de services bilingues, be now read for a second time and be referred to a committee of this House.

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

**Mr. Speaker:** It's been moved by the honourable Minister of Local Government, seconded by the honourable Minister of Family Services and Labour, that Bill 31, The Bilingual Service Centres Act, be

now read for a second time and be referred to a committee of this House.

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

**Mr. Lemieux:** This bill is designed to guarantee a permanent role for the Bilingual Service Centres.

Le projet de loi vise à garantir un rôle permanent pour les centres de services bilingues. Ces centres sont des guichets uniques, et les citoyens et citoyennes peuvent obtenir des services des gouvernements en français ou anglais.

#### **Translation**

*This bill is designed to guarantee a permanent role for the Bilingual Service Centres. These centres are single windows where citizens can obtain government services in French and in English.*

#### **English**

The bill focuses primarily on enshrining principles and practices that are already in existence for the operation of the Bilingual Service Centres. This made-in-Manitoba concept have—has proven very successful and has served as a model for other jurisdictions throughout Canada. One of the attractive features of the bill is that it would be beneficial for both English- and French-speaking communities.

One of the recent measures in this regard is to—is the enactment last year, where the government has taken an incremental approach at introducing a set of practical and concrete measures with a view of fostering the development of French-speaking communities in a number of different sectors, as I mentioned, recent measures in this regard, the enactment of last year's legislation granting greater autonomy for the St. Boniface College, Bill 26.

\* (14:50)

This current bill designates a number of bilingual services regions based on the existing map of designated bilingual areas under the French Language Services policy.

The bilingual services centre are currently located in the following communities: St. Boniface and St. Vital, St. Pierre-Jolys and Notre Dame de Lourdes, and Ste. Anne, Manitoba, as well as a temporary centre in St. Laurent. Furthermore, provisions have been made for the delivery of outreach services to French-speaking communities in surrounding areas.

Also, I would mention that a broad definition of francophone, which is, among other things, encompasses immigrants whose first official language spoken is French, although it is not their mother tongue, is the language used in this bill. I look forward to this debate and the passage of this important legislation, and I look forward to my critics and opposition supporting this bill. Thank you.

**Mr. Briese:** I'm pleased to rise to speak briefly to Bill 31, The Bilingual Service Centres Act. It's my understanding that this is legislating which is already happening, and I kind of wonder if it's a more of a feel-good bill or—than anything else. I'm not sure the legislation is necessarily needed, but it's going to be there in all likelihood so I certainly look forward to making some comments on it.

I understand that it's providing bilingual services and now legislating bilingual services that have already been being provided, that all services won't necessarily be provided in those listed communities, but whatever is provided will be provided bilingually, both in French and English. And in communities—it's my understanding that communities that do not have bilingual services, they'll be referred to those services in these communities that are listed here.

You know, whenever we talk about bilingual services and things like that, I think back to my—when I was a child growing up in the town of Neepawa. To the north of Neepawa were—and some other areas, but mostly in an area to the north and the west, there were Ukrainian and Polish and Czechoslovakian people, and when I—and Saturday night was always a big night in the town of Neepawa. Everybody took their families in, and the kids went to the show, and Mom went grocery shopping, and Dad, if he could make it, ended up in the pub.

And when you walked down the street, the Ukrainian and Polish spoken on the street was almost as dominant as the English that was spoken there, and as the generations go by, those languages are lost. And I've always regretted that. The younger people in those families don't speak the old languages any more, and you very seldom hear them anymore. And I always thought that was a key part of our community, and so I think it's probably a pretty good idea to—even to maintain the bilingual services that we have.

And we are a bilingual nation, so I would actually like to see more languages maintained throughout the province, and now when I walk down the street in Neepawa, because of immigration, we have a very large Filipino community. And so I'm hearing different languages again on the streets, and I always enjoy that. It gives me a sense of community and a sense of what the community's made up of and the multiculturalism that goes on in communities.

With the restructuring of the constituencies this last change in boundaries, I unfortunately lost the only two francophone communities I had. Laurier and Ste. Rose du Lac have now been unceremoniously cut out of my constituency and placed in the constituency of Dauphin, and I do miss them, and definitely Ste. Rose, very much a francophone community, and certainly you hear the—hear French spoken on the streets and in the stores and in the restaurants and coffee shops.

And I—unfortunately, I'm one of those people that—I took French in school, and I can actually do not too badly reading it and I can speak a few words of French, badly, but when somebody starts speaking French to me, I'm lost. Actually, I was in Québec a few years ago and down in Québec City at the winter festival, and I found down there every time I started speaking French, they quickly switched to English because they didn't like what I was doing to their language.

So it's—providing the services is certainly a bonus to the province, and anything we can do that keeps some of the extra—the other languages, bilingualism, but beyond that, anything that keeps other languages going in the province, I think, adds to our multiculturalism. It's just a total bonus to us as a province and something we should be doing.

This bill will be going forward to committee, and I presume there will be some presentations made at committee. I have already talked, not personally, but I have already had contact with the francophone municipal organization. They seem to be quite in favour of this, so I look forward to whatever may come out of presentations at committee.

And, with those few words, I'll thank you, Mr. Speaker.

**Mr. Gerrard:** Mr. Speaker, I rise to speak briefly on Bill 31, The Bilingual Service Centres Act. I'm in strong support of legislation to ensure that there are bilingual services in the three regions which are in the schedule which is attached. That is the regions,

particularly for region 1, rural municipalities of Lorne, Grey, Cartier, St. François Xavier, and St. Laurent; region 2, which is the rural municipalities of Piney, La Broquerie, Ste. Anne, Taché, Ritchot, De Salaberry, and Montcalm; and region 3, which is the areas of St. Boniface, St. Vital, and St. Norbert in the city of Winnipeg.

I think it's important that we continue to be a province which is offering bilingual services where we have people who are of francophone background as well as anglophone background, and I think it is a credit to the government that these services are offered at these centres in both languages as needed by individuals who are using these facilities. And the minister has made that clear in some of his comments, I know.

This is, I think, important not just for residents but for people who are coming from elsewhere, notably from Québec or from France, who are visiting our fair province and want to be able to have services in areas where there's significant numbers of people who speak French, to be able to feel welcomed and at home, and particularly, I should add, under circumstances where, you know, people have a stress, a car accident, you know, an issue that they are dealing with, if under those conditions, it becomes particularly important for people to be able to feel comfortable speaking either English or French, whichever they would prefer.

And, of course, there are major tourism routes and locations where this, of course, is particularly important. And I think it's something which, as we move forward on the building of the Canadian Museum for Human Rights, and when it opens, we will have significantly more people coming to visit Manitoba, and it becomes even more important that these services are in place, that they are performed well and of a high quality.

\* (15:00)

I would suggest to the minister, that, in addition to putting in place the local physical centres in these three regions, that there are, of course, three other areas in Manitoba: the rural municipality of Ellice, the rural municipality of Ste. Rose, rural municipalities of Alexander and Victoria Beach, and portions of the rural municipalities of St. Clements, where there are significant francophone population.

And I think that there's an opportunity to have what—or to use, what could be a virtual bilingual services centre. It could even be operated, quite

frankly, out of one of these existing bilingual services centre. But, there would be, I would suggest, at that site, easy access to information on these three other regions which don't necessarily have a physical bilingual service centre within their physical regions, and that this could also be important in the provision of services to tourists who are coming and who want to be able to speak French.

Now, to some extent, these services are currently available, but they are not so specific, and not so built up as people in these three regions might like. I think having that specific information, for example, as the member who used to represent Ste. Rose and now represents Agassiz, has pointed out, that, you know, people in Ste. Rose, there are many who speak French and it would be nice to have information which is specific for that area; handy, readily available, for people at such a virtual bilingual service centre. And, I think there's an opportunity, even without setting up a physical service centre, to do something that could be useful in these other locations, and also useful for tourists who are coming, particularly those for France or Québec or other French-speaking company—countries.

So, with those, you know, few comments, I would look forward to this bill going to committee and will continue to provide strong support for this legislation being passed and becoming effective.

Thank you, Mr. Speaker.

**Mr. Speaker:** Any further debate on Bill 31?

Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 31, The Bilingual Service Centres Act.

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

We will now proceed with Bill 32, The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic).

**Bill 32—The Highway Traffic Amendment Act  
(Powers of Traffic Authorities over  
Cycling Traffic)**

**Mr. Lemieux:** I move, seconded by the Minister of Infrastructure and Transportation (Mr. Ashton), that Bill 32, The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic),

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

***Motion presented.***

**Mr. Lemieux:** Mr. Speaker, I'd like to put a couple comments on the record.

The government of Manitoba recognizes and applauds the emerging trend of active transportation from a healthy living, environmental and community development perspective.

This legislation is really enabling municipalities—and cycling mostly happens within our communities, villages and cities. Many municipalities have already created cycleways as a means of promoting bicycle use. We want to encourage municipalities to continue to plan for active transportation.

The term "cycleways" refers to road treatments and infrastructure intended to provide dedicated space for cyclists on the road, including bike lanes, bus, bike diamond lanes, sharrow lanes, et cetera.

The amendment encourages municipalities in the promotion of active transportation by enabling them to develop cycleways on roadways within their jurisdiction by bylaw. The amendment also allows municipalities to establish rules for the use of cycleways as long as they do not contradict that provisions of The Highway Traffic Act.

With regard to highway shoulders the amendment also recognizes the government of Manitoba to regulate the positioning of bicycles on the roadway through regulation. It is expected that this regulation will permit bicycles to operate on highway shoulders because many cyclists already operate on highway shoulders; the amendment simply reflects what is already common practice. Government has a policy of paving shoulders on high-volume provincial highways. As the highways come up for reconstruction or rehabilitation, shoulder treatments are examined to ensure that they are appropriate.

Mr. Speaker, this is also modernizing The Highway Traffic Act. The amendment reflects what is already going on, as I mentioned, in communities in Manitoba and what is already common practice for many cyclists in our province. Some municipalities have already established cycleways and this amendment encourages and enables them to continue to do so.

In conclusion, Mr. Speaker, bicycles provide a variety of health benefits including increased fitness and cardiovascular health. Bicycles also provide a virtual carbon-free means of transportation which may help Manitoba overall reduce its greenhouse gas emissions. As such, through this amendment the government of Manitoba supports and encourages bicycle use as a means of active transportation.

So, with this, I ask my critic and members opposite to support this and thank you for allowing me to make a few comments, Mr. Speaker.

**Mr. Briese:** I'm pleased to rise to speak to Bill 32, The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic).

This bill was briefed to me as that it allows municipalities to pass bylaws governing bicycle traffic and also includes pedestrian and ridden and herded animals.

Now, I just had an email this morning from the RM of Victoria Beach and it was over the issue of power bicycles, power-assisted bicycles, I think they're called. And a few years ago the RM with the blessing of the Province passed a bylaw that allowed only bicycles and power-assisted bicycles in certain areas of their municipality for the summer months, and that seemed to be consistent with The Highway Traffic Act too.

Now the municipality is putting forward a bylaw that will remove the power-assisted bicycles from those pathways, is what my understanding is. And I think if they do that, unless I'm reading things wrong, if they do that I think they're going contrary to The Highway Traffic Act. Because I don't think you can—a municipality can pass any kind of a bylaw, unless this bill is allowing them to do it, pass any kind of a bylaw that overrides The Highway Traffic Act.

In this case I would suggest that the municipality can do basically whatever they want to do by bylaw on their own roads and laneways and properties in the municipality, but I don't think they can pass a bylaw that overrides what The Highway Traffic Act does.

Similar to—a municipality can't go out there and stick up speed zone signs in certain parts of their municipality without the permission of the Highway Traffic Board. So I'm a little unclear on that. I hope some of it will be cleared up in committee and it looks to me like there's probably some kind of a, at the very least, a disagreement on this.

The thing I also found rather strange and I did comment to the 'munister' at the briefing is the inclusion of herded animals. I've raised cattle all my life. I have had occasion to move them up and down roads in the municipality and across the highway. And this bill suggests that herded animals have to be herded on the shoulder of the road and if you got a hundred head of cattle moving that's maybe not as bad as herding cats, but it's pretty hard to contain them to the shoulder of the road.

\*(15:10)

I think education to the travelling public is far more important in situations where there's herded animals on roads than putting in a rule that they have to follow—they have to be kept to the shoulder—because it just doesn't happen. And you can dream it and you can think it and you can include in the legislation, and it's still not going to happen. The travelling public has to realize when there are herds of animals being moved to and from their summer pastures on roads, slow down. Use a little common sense, and you'll have a lot less problems and you'll cause the farmer or rancher a lot less problems too.

It's—I've mentioned cattle, but it says ridden animals too. And ridden animals, yes, they are under your control, and they're very much under your control, and you can keep them on the shoulder.

Pedestrians, I think, are pretty good at staying on the shoulder.

Bicycles, sometimes they—it would help a lot if we had paved shoulders all over the province, because in a lot of places they can't. The edge of the lane of traffic is where those bicycles have to be, and they're in contention with every huge semi and every vehicle that goes by. And I think it's extremely dangerous.

A few of our highways have paved shoulders, but very few, and I think it—probably, paved shoulders should become the norm rather than the exception in this province. And I know we hear they can't afford this and can't afford that, but I think a paved shoulder would certainly be to the advantage of cyclists.

And if we're going to see more and more cyclists as time goes on, it's certainly important to the safety. It does, this bill does, say that they have, cyclists have, to travel single file. I think that's important. I think that's something, actually, I thought that was already there, and I guess it isn't, but that's something I do think is important. They—I believe, in a number

of the accidents that have happened in the province over the last few years, where cyclists have been injured or killed, they have been riding side by side, and—rather than a single file along the edge of the highway. So that's extremely important.

Once again, I will look forward to public input at the committees. And I would hope there is some on this one, because, I think, there needs to be some clarification on these on what's happening out in the RM of Victoria Beach and on—regards to the power-assisted bicycles.

With those few words, I thank you very much, Mr. Speaker.

**Mr. Gerrard:** Yes, Mr. Speaker, I have been looking with interest at Bill 32, The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic), which gives the powers—municipalities and First Nations the explicit authority over cycling traffic on the highways that are under their jurisdiction.

I'm looking forward to having further, you know, understanding, explanation from people who are presenting at committees. You know, on the face of it, it would seem to be a considerable potential problem if we have each local authority, each rural municipality making their own bylaws with respect to how bicycles are to be operated. You know, are we going to have a sign whenever we come to a change of municipalities? In this municipality, these are the rules for bicycles. And then you come to another one, and it's, here, these are the rules for bicycles. You know, I would be interested to know to what extent it looks like it's the full authority to set all sorts of rules with regard to bicycles.

I suggest, Mr. Speaker, that there are enough problems at the moment with cycling safety—with the safety for cyclists in Manitoba.

You know, I have an article here which appeared in the *we-Free Press*, "My Life as a Cyclist". And this is somebody—Amanda San Filippo, who had been used to cycling elsewhere and found that in Manitoba, that the sort of courtesy she expected from people here was not nearly as good as it was in other jurisdictions where there was better respect for cyclings and better care for safety of cyclists.

I think, you know, that we need to be looking at this with some concern before we proceed along this route, because, well, I'll give you an example: The previous member for Burrows. You know, this is an example of the lack of understanding of what the

provincial rules are with regard to cyclists. The previous member for Burrows, Doug Martindale, got up to speak about bicycles on one occasion, and he talked about how he, in certain places, took his bicycle on the sidewalk. And he commented, I think that's probably illegal. And, yes, that's the normal rules, but if these rules are to be changed from one community to another, then one has to wonder about how that's going to be communicated with many different rules.

And there's, I think, over 300 municipalities. We could have 300 different rules, one—sorry, 197—197 different rules in Manitoba. Not quite as many as 300, but 197 different rules is enough. Oh, add on the First Nations and that's another 60, so, you know, about 260. It's getting closer to 300.

But I think that, you know, what is most important and the bottom line is that we've got to have safety for cyclists. And we've got to have a cycling infrastructure in terms of bike trails and so on, that enhances safety. Let's look after those things first—and there could have been more emphasis on that, and let's be sure that we don't complicate things for cyclists more instead of making it easier for it to be safe for cyclists, because they know what it is on a uniform basis around Manitoba.

With those comments, Mr. Speaker, I pass this on. I look forward to comments at committee stage. Thank you.

**Mr. Speaker:** Any further debate on Bill 32?

**An Honourable Member:** Question.

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

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 32, The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic).

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

**Hon. Dave Chomiak (Deputy Government House Leader):** And, Mr. Speaker, I wonder if you might call for second readings: Bill 10, The Securities Amendment Act; Bill 18, The Affordable Utility Rate Accountability Act; and Bill 32, The Highway—no pardon me—and Bill 27, The Insurance Amendment Act. That was Bill 10, 18 and 27.

**Mr. Speaker:** So we'll now call bills 10, 18 and 27, starting with Bill 10, The Securities Amendment Act.

### **Bill 10—The Securities Amendment Act**

**Hon. Stan Struthers (Minister of Finance):** I move, seconded by the Minister for Infrastructure and Transportation (Mr. Ashton), that Bill 10, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières, be now read a second time and be referred to a committee of this House.

### ***Motion presented.***

\* (15:20)

**Mr. Struthers:** Mr. Speaker, I was pleased to introduce Bill 10 back on April 24th. And in light of the recent ruling by the Supreme Court of Canada that the regulation of securities trading in Canada is a provincial responsibility, it has become more important than ever to demonstrate that securities laws in Manitoba continue to provide investor protection and a system of regulation that is highly harmonized throughout Canada and globally.

Proposed amendments to The Securities Amendment Act are necessary to achieve these objectives. Amendments will ensure Manitoba's rules can adapt to changes in markets, ensure Manitoba's securities market continue to function seamlessly with other provinces, and maintain protection for investors.

Legislation includes changes in three areas: one, point of sale disclosure for mutual fund purchases; two, a limitation period for action for security market liability; and three, derivatives regulation and G-20 commitments. Each of these proposed amendments have been or are in the process of being acted in all—in other provinces. And I hope that members opposite will support this legislation, as it will allow Manitoba to do its part to ensure appropriate oversight of the securities sector.

I also think, Mr. Speaker, it is important that Manitoba and all provinces continue their work to ensure Canada's national securities system, the passport system, remains one of the best and most effective in the world.

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I'm pleased to rise and put a few words on the record with respect to Bill 10, The Securities Amendment Act. This bill amends The Securities Act to allow for the regulation of over-the-counter derivatives, along with a few other areas as well. Other areas include that it resolves a problem with the limitation period

facing persons seeking to commence lawsuits on the basis of secondary market disclosure or misrepresentation. It also allows for the use of alternative disclosure documents for mutual funds and other such funds. It also modifies some French language sections to better reflect the intent of the act and has also in this act some general housekeeping issues—some general housekeeping initiatives to help modernize the act.

So, Mr. Speaker, just in some of the areas, I just want to put a couple of comments on the record with respect to each of these areas. But before I do, I just want to start off and say that I appreciate the briefing that I had in the minister's office on this bill and from his colleague, the Manitoba Securities Commission. I thought it was a good briefing, and it was very informative on some of the things that are taking place across Canada with respect to many of the issues that we have been facing around the world as a result of, certainly, in the over-the-counter derivative trading that took place in Europe back in 2008. And some of these initiatives have been said to have led to—partially led to the world economic crisis that we faced shortly thereafter.

And so these are very important initiatives. I know the G-20 has come forward and said that this is something that they want to see all countries that are a part of the G-20 be on the same page when it comes to over-the-counter derivative trading, to prevent that kind of a crisis from happening again, Mr. Speaker.

So I know other provinces across Canada have already taken the initiative to implement some of these changes, which is a good thing. And, indeed, the government of Canada has already taken a very strong stand with respect to over-the-counter derivative trading in Canada. So we're happy to see the government finally moving in this direction, and so we're in support of that, Mr. Speaker.

One of the things, over-the-counter derivative trading is not very prevalent in Manitoba. There are other commodity trading that is regulated already in Manitoba that are just regular derivative-type trading that are regulated under the commodities act in Manitoba. And this is something that's separate and apart from that. This is over-the-counter trading of derivatives. So this is something that did not previously—and was not previously dealt with under any acts in Manitoba. So this will allow that to happen, Mr. Speaker. But again, it's not something—over-the-counter derivative trading in Manitoba is

not something that's very prevalent and it's—it will not affect that many consumers in the province of Manitoba nor will it really affect any derivative traders or commodity traders in Manitoba as well.

But, again, having said that, most other provinces have moved in this direction. The Government of Canada has moved in this direction. Indeed, countries around the world and who are part of the G-20 have moved in this direction. It's an important thing to send that message to consumers in Manitoba.

So, Mr. Speaker, the—another area in—with respect to this bill where some changes are made are regulators are developing rules which will permit a member of the public purchasing investment fund securities such as mutual funds to receive a fund facts document instead of a prospective—instead of a prospectus. It is intended that the fund facts document will be more user-friendly than the detailed information provided in the prospectus.

And so, I know, I recall when I was in the investment industry myself and we had to go by way of—when we were selling mutual funds to our clients and for their portfolios, often we had to provide them with a full prospectus on what was in the mutual fund itself, the various securities that are there and all the background for those securities. And one of the things—one of the changes that was made at the time, and this was many, many years ago that I was involved in that, but they went to a simplified prospectus which was a couple of pages. So it was much easier for consumers to be able to understand exactly what it is that they are purchasing in their mutual fund and for their portfolios. So we felt that was a good decision at the time, moving towards that simplified prospectus, but this takes it one step further which is—even the simplified prospectus is drafted by lawyers. And I have, you know, no problem with lawyers. I'm married to one, but often the language that is used is not as user-friendly for consumers.

And so I think this is a good and important initiative that, again, has been taken in other provinces across Canada, and I believe that this is taking a step in the right direction. It's good for consumers because they'll be able to more easily understand what it is that they are purchasing, and it is a tool that can be used for brokers as well to ensure that their clients understand what it is that they are purchasing and the reason for the purchasing of those securities within their portfolios,

Mr. Speaker, So I do agree with that area of change within this—within the act.

The other area is that—is—deals with the secondary market liability limitation date. And, Mr. Speaker, shareholders of a reporting issuer have rights under section 176 of the act to sue a public issuer for damages when the issuer has provided false or misleading information to the market. The shareholders must first make an application to civil court for permission to start the action. The act also has a limitation period after which shareholders are legally prevented from starting a civil action against the issuer.

And so, Mr. Speaker, the amendment, or the changes that will be made within this bill, it changes the calculation of the limitation period for a shareholder against—for a shareholder action, sorry, against an issuer to remove the time period during which an application for permission to commence the action is before the civil court. So this will provide a shareholder action from inadvertently—and I know the member opposite, the Minister of Finance (Mr. Struthers) likes that word so I thought I would put that in here—but from inadvertently becoming statute barred because of a delay in a court deciding whether the shareholder action can proceed.

\*(15:30)

So we would agree with that too. It is more of a user-friendly, providing more time for someone to—a shareholder to take action against an issuing company and it gives them the ability to—if something is held up in the court system for other reasons, that that won't be included as part of the time frame. So we believe that is good for consumers, Mr. Speaker.

So, the other area of this act that will be amended within this bill has to do with ensuring the consistency of expression in the French version, in light of the amendments respecting the over-the-counter derivatives, Mr. Speaker, and it also modifies some French language sections to better reflect the intent of the act.

And so while I'm not as wonderful as many other members in this House are with respect to the French language, I would—I know that there are experts within the department, within the government, within the community that will have an opportunity to look at these areas, and if there are issues with those areas, then I'm sure they will come forth to committee and let us know.

But as of date—I have had the opportunity to consult various stakeholders within the investment community, various consumers, Mr. Speaker. There don't seem to be too many people who are opposed to the amendments that are being made within this bill. So I do look forward to this bill coming forward to committee. Perhaps there are people who have—I have not been in contact with who do have some issues with this bill and that would like to come forward to speak to those bills, but I think the intent of it in all of these areas is certainly good. It does leave a number of things to be dealt with by way of regulation that will come into play at a future time period, and by way of—and will be enacted by way of proclamation.

So I just hope, Mr. Speaker, that, as I do with all legislation that is brought forward in this House, that we—that the government ensures that they put forth the proper consultation process to various stakeholders within the industry, to ensure that those regulations that they enact are reflective of those in the industry and, indeed, in consumers in Manitoba.

So, with those few words, we are prepared to have this bill pass forward into committee and we look forward to hearing members of the community coming forward and speaking out on this bill. Thank you.

**Mr. Gerrard:** Mr. Speaker, I want to speak briefly to this bill brought forward by the Minister of Finance, and at the same time express certain concerns, perhaps not necessarily about just what's in the bill, but about the implementation of certain of these things and whether there needs to be some additional items actually added to the bill.

My concern here in the regulation of derivatives deals in part with the fact that there are a number of places where the commission can put on terms and conditions, and of course these terms and conditions are very important. And it is also important for the general public who may be involved and may consider, or anybody who is working in the securities interest, to know what terms and conditions have been imposed by the Manitoba Securities Commission, by the director.

I give you an example recently that I came across, where a individual who is registered with the commission had terms and conditions posed upon his ability to sell and buy—well, sell, in particular, to people at the securities which were part of their life savings. Remember that the investments that people are making—we are not just working with people who

are highly experienced investors; we're also working with people who are new investors, although probably with derivatives. We are working more in the areas of experienced investors, but that doesn't mean that we don't need to take into account what is happening and make it very clear to those who are investing that—what any terms and conditions may be.

And, in this case, this was an individual who was—and I will speak directly to the minister so that he is aware of this particular problem—individual was found to be, you know, using his ability to sell or market investments in a way that had been found by the commission to be inappropriate, and this individual was then given a—terms and conditions, which put this individual under, you know, restricted abilities and under situations where there was some supervision, as you might expect, when there was a situation which had arisen where this individual had been found to be not, perhaps, serving people optimally.

And—but the problem was this: For new investors who wanted to work with this individual, finding out what these terms and conditions was, was not simple or easily—was not readily made publicly available, this information by the Manitoba Securities Commission. And, you know, as a result, this individual that I'm talking about went ahead and made some significant investments. This individual, who'd already been given notice of issues beforehand, continued to do things that were inappropriate and, as a result, these—this particular individual and, I understand, a number of other individuals lost significant amounts of money because they were not served as you would expect. And one of the basic problems was that the Manitoba Securities Commission did not make publicly available the terms and conditions under which this individual was licensed to sell securities.

And, had they known and had they been able to get, easily, these terms and conditions, they would have approached this investment much more cautiously. Now, if this is a problem for the types of investments they were making, it becomes even more a problem when you're working with derivatives. And, indeed, I think some of the investments that they may have made were actually derivatives, but it becomes really, really important that terms and conditions, Mr. Minister, as under this act, when they are put by the Manitoba Securities Commission, be made public and be made readily available.

And one of the logical ways to do this—I see the minister is talking and not listening, and I would ask the minister to pay attention a little bit, because this is his bill and if he doesn't get it right there will be a lot of flak from people because he's not got it right. What I would tell the minister, who is actively engaged in other conversations, that one of the problems in being able—I would tell the minister that one of the problems—all right. One of the problems that people had in finding out about the terms and conditions that somebody was under, is that when they went to search under this particular individual's name, they found nothing. When they went to ask the person at the Manitoba Securities Commission if there were any terms and conditions or if there were anything under this particular individual, they were told they couldn't find this individual, because they were trying to search, it turned out, under the business name, not under his real name under which he was listed with the Securities Commission.

And, therefore, it was possible to find out that he had been involved in practices which were very concerning. And we need to make sure we have a situation where the public can trust the people that they are making investments with, because they are getting full information from the Manitoba Securities Commission.

\* (15:40)

Turned out that at one stage it was not possible to get the information and terms and conditions from the Manitoba Securities Commission, but it was only possible to get them by going to the Canadian securities commission, because the Manitoba Securities Commission was not doing its job proper. And clearly, there is a problem in the act when the Manitoba Securities Commission is following the act, but this information is not made public.

And so I would ask the minister to look at where it says terms and conditions, and make sure that all such terms and conditions are easily available on a website, that they are easily searchable, and that they are searchable if you are looking for a person's business name or real name, so that you can't be, you know, off on a wild goose chase because you're searching the wrong name. I think it's very important that we get this right.

The minister's already put, obviously, a lot of effort, right, into this Securities Amendment Act, which is an important piece of legislation. And it's particularly important given what has happened economically in North America over the last number

of years with trading that probably should not have been done and got us into a big problem economically. And I think the minister is trying to address this, but we need to make sure that we get it right, and that where we've got terms and conditions that it is explicitly 'strated' that those have to be made public, and they have to be readily searchable and not hidden and not somewhere where they are very hard to find. And so I would ask the minister as he takes this legislation forward that this be one of the things that he pays some attention to.

Thank you, Mr. Minister, for listening a little more carefully now, and I look forward to any amendments that the minister may be bringing forward at committee stage. Thank you.

**An Honourable Member:** Question.

**Mr. Speaker:** Any further debate on Bill 10?

**Some Honourable Members:** Question.

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

Question before the House is Bill 10, The Securities Amendment Act.

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

We'll now proceed to Bill 18, The Affordable Utility Rate Accountability Act.

### **Bill 18—The Affordable Utility Rate Accountability Act**

**Mr. Struthers:** I move, seconded by the Minister for Innovation, Energy and Mines (Mr. Chomiak), that Bill 18, The Affordable Utility Rate Accountability Act; Loi sur la responsabilisation en matière de tarifs de services publics abordables, be now read a second time and be referred to a committee of this House.

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

**Mr. Speaker:** It's been moved by the honourable Minister of Finance, seconded by the honourable Minister of Innovation, Energy and Mines, that Bill 18, The Affordable Utility Rate Accountability Act, be now read for a second time and be referred to a committee of this House.

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

**Mr. Struthers:** This bill is designed to provide a transparent and accountable means for the

government to report to Manitobans on the promise Manitoba families will pay the lowest combined bills in the country for electricity, home heating, and auto insurance. Manitoba is one of the most affordable places to live, work, and raise a family. This is one of the very real benefits that Manitobans enjoy as a result of our public ownership of Manitoba Hydro and Manitoba Public Insurance.

To maintain this advantage for the benefit of Manitobans, this bill requires the Minister of Finance to table a report each year that lists the comparative costs of a utility bundle consisting of electricity for home use, natural gas for home heating, and automobile insurance in each province. The composition of the utility bundle will be determined on the advice of an independent accounting firm, and will be specified by regulation. The regulation will also specify how the comparable costs in other jurisdictions will be calculated. In each year, an independent accounting firm will create the report that lists the comparable costs of the utility bundle for each province as specified in the regulation. The Finance Minister will be required to table this report when the public accounts are tabled. If in any year Manitoba's combined cost for this bundle of utilities is not the lowest in Canada, the bill also requires that the minister must also table a plan to return Manitoba to the lowest cost position.

I'm quite satisfied, Mr. Speaker, that this bill will be an important step in maintaining Manitoba's affordability advantage. I'm looking forward to hearing what other members of this Legislature have to say about this meet—about this bill, especially the member for River Heights (Mr. Gerrard)—

**An Honourable Member:** You got to listen.

**Mr. Struthers:** Yes. And I do look forward to this moving ahead to committee and moving into law as soon as possible.

Thank you, Mr. Speaker.

**Mr. Reg Helwer (Brandon West):** Thank you to the minister for his bill briefing for his—him and staff that they presented to us a little while ago. Unfortunately, I'm the one that's going to speak to it, not the member from River Heights. So I'll—he'll just have to put up with that.

Obviously, you know, everybody wants to have a better value, better rates and everything, that type of the—of thing, but we want to make sure that it's done well. And, I guess, at the end of the day we want to make sure that is this bill going to actually

improve the lives of Manitobans? And that questions out there, Mr. Speaker, and I'm not sure that we can really get a clearer statement from the bill on how that's going to happen. It's not all Manitobans, obviously, it's for residential not for commercial. So, again, there's a question there why we have low rates for residents but not for the commercial operators in Manitoba. So we only talk about one side of the balance sheet here and we'll make sure that the minister's aware of that.

Transparent and accountable—it's very good words that we like to see in legislation. I'm not sure that I can really find it in there, but I'm appreciate that the minister talks about those two things and those are the things that we've been asking about in Public Accounts and in other areas.

So the things that we have some questions on in here is, obviously, it's talking about utility costs, electricity for home use and natural gas for home heating, and automobile insurance. And we did see a large increase this year in some of the fees that MPI was able to levy on Manitobans. And, I guess, that would be a question in there. We talk about automobile insurance, but it doesn't seem to maybe include the vehicle- registrations fees, which is administered through MPI but levied by the provincial government. And those fees have gone up considerably over the past several years, at 220 per cent, I think, from 1999. So those can be very, very onerous, and that's one component of making sure that Manitoba is an affordable place to live, Mr. Speaker, not just automobile insurance.

So we have a basket of these things here and I was surprised when we met with the minister. He talked about the hiring an accounting firm, an independent accounting firm, and that's all very, very admirable, but that this tender had already been let and awarded. And the legislation I don't believe has passed yet, but we're still working on that. So I'm just a little confused, I guess, on how the process worked here. I thought that maybe you might have to pass something before you awarded a contract for actually undertaking it. So, you know, a little bit concerning there that we're putting the cart ahead of the horse here and we're moving ahead with this when we haven't passed it yet. So we'll work on that and see how that all comes together.

Interesting to know what dollars might be available for that contract and how we go in forward—in future years. Will that be retendered annually? Will it be something that is tendered every

five years, or what's the process in that, Mr. Speaker? I think all those things need to be a little bit clearer in the details and, obviously, the regulations.

So plans for lowering the cost of the utility bundle, well, again, he has to present a report to the House here, I understand, and the report is there and we can look at it presumably because this is fair and 'transportant'—parent—and will be available to Manitobans. I hope that's correct. These types of things need to be available for people to see. So once the report is prepared and tabled and we look at it, what if? What if it says we're not the lowest cost bundle? What happens then? Those are the questions. We can table the report. Says it's the lowest cost bundle or it said that maybe we didn't meet those guidelines this year. Then what? Do we move along into the following year or are there some repercussions, or does the minister—he has to put a plan together? Does the plan have to be enacted? Some of those details, I think, are missing from that and they will be probably apparent in the regulation. But I guess those are things that we're really concerned about, is how much is going to be in regulations and how much is missing from this act. So there's some things there that, I think, what we really don't have enough information on and I'm sure that will come forth probably in committee.

\* (15:50)

You know, one of the things we need to make sure is this government has credibility, and what we've seen over the past several years that they have gone in and they've raided the accounts of some of those Crown corporations to finance other things in Manitoba. You know, over \$2.3 billion from Manitoba has been taken out, and now Manitoba Hydro is struggling to make sure that it can provide adequate services to Manitobans who are having trouble in the southwest corner of Manitoba getting power to people that want to expand in there through Virden and other areas of the province. And Hydro is telling people that they don't have the manpower, they don't have the money in order to provide adequate service to Manitobans. And those are concerns when the government goes in and takes the amount of money that they have out of Crown corporations like Hydro.

*Mr. Tom Nevakshonoff, Deputy Speaker, in the Chair*

And, of course, we have things that are happening in the international arena. Obviously, the changes to how the United States is functioning in their economy has had a detrimental effect on Hydro.

It used to be the cash cow where we could sell just about any extra hydro we produced at a pretty good rate in there. There were contracts in place and the spot market was a thriving, rewarding market for Manitoba Hydro. That is certainly not the case now where we see some of the spot prices from 2.9 to 3 cents a kilowatt hour, far under the cost of production—far under the cost of production for any future dams that are under construction or in planning.

And will that rebound? We don't know. We've got lots of shale gas out there. Will that be something that hydro utilities in—or electricity utilities in the US are going to use to produce electricity at lower the cost than we produce hydro? Those are things that we don't know moving forward with hydro. What is that going to be on the impact of hydro down the road?

Obviously, a decade of debt that Manitoba Hydro is talking about—some \$20 billion or \$18 billion, \$19 billion, you know, those big numbers, they just float out there, and getting a grasp on which is the actual correct number is difficult to grasp sometimes.

But we do know that the government has announced there's \$7 billion in export contracts, but that's a long ways away from the cost of developing those dams and developing any transmission lines.

Now Hydro is very good, as I understand it, they're building dams. They're very good at building transmission lines—amongst the best in the world, as I understand it—and they do those things very well.

But I have been told by other companies, other energy companies, that Hydro doesn't always look at saving electricity. We do have the Power Smart program, but there are other avenues that they can look to save electricity in terms of how you use your electricity at home, whether it's different rates or whether you're using it, you know, when later at night, there's less demand on the system. Can you be compensated for that? But then we need different meters in place in order to do that.

And all those types of things create an incentive for your use that could go a long way to making this a better bill so that you're—you have an incentive for reducing your use as opposed to we're looking at a bundle, and then we're going to decide what to do with that bundle and what we're going to do to decide after the fact. And we're not sure about that—where we're going to go with this.

So I think that's maybe the biggest question is, there's a lot of unknowns on this particular bill. We're going to go put the numbers together. We're going to present the numbers, and the accounting firm is going to do a fabulous job, I'm sure of that, and we'll look at the numbers and we'll go hmm, well, it's not the smallest basket, so we should do something about that. Well, I wonder what we should do—hmm, well, then, maybe we'll have to think about that and maybe we'll have to hire another committee to decide—hire another firm to decide we weren't going to do that.

You know, other organizations in other provinces has tried this type of thing. Saskatchewan had this—not in legislation—they had it just as they pledged to their residents, and they tried to do it way back in '03, and in '08 they decided that it wasn't really working, so we're not going to do that anymore.

To put it in the legislation here, I think it forces the government to do some things, and we're not sure, I think, when we're looking at this act; it's not clear. I don't know what those things really are that they're going to have to do.

So they're—that's the biggest unknown there. We've got the plan. We follow the plan. It tells us what the rates are. It tells us we're not the lowest or it tells us we are the lowest, and how do you compare apples to apples, or in the case of the Ag Minister, apples to bananas and apples and oranges? So it's always a question there on what we put together, and if we are, indeed, comparing the same thing all the way along.

So lots of questions on this, and I hope that we do get some of those questions answered down the way and that it's not all just answered in regulation. So, thank you very much, Mr. Deputy Speaker.

**Mr. Gerrard:** Mr. Deputy Speaker, a few comments on Bill 18, The Affordable Utility Rate Accountability Act.

I think it's an interesting bill that the Minister of Finance (Mr. Struthers) is bringing forward. I think that it's one of those bills which is probably more political than otherwise, giving what appears to be accountability and trying to make a public gesture of how that this government is trying to keep things affordable for people.

But I think we should have had, quite frankly, some more details in this bill. In—is this bundle based a standard home, an average family? Based on a

home in Winnipeg or Melita or Thompson or Churchill or Lac Brochet? The—how will the—this be decided, which home you're going to look at?

The next question, which I think is an important one, you know, has to do with not only how you package things but, you know, how you consider whether things are most affordable.

Let me give you an example. When it comes to home heating, if you live in parts of British Columbia or if you live in parts of Nova Scotia because you're by the ocean, you don't have the fluctuation of temperature, the extremes that we do have here, and it's likely that you're home heating will cost you less. And just on the basis of the, you know, environmental temperature around the home, is the minister going to be looking at this question?

And it's, you know, it's going to be good if the minister can show that we've got a lower home heating cost, right, in Manitoba in the winter, than they do have in the winter in parts of BC, which, like Victoria, or along the coast of Nova Scotia, where they don't have as severe temperatures, and I think that it all depends on how the minister and this independent review comes up with what is in that bundle.

And the minister probably should've at least specified a little bit more closely, you know, what he was looking for, so that the independent firm, you know, has some constraints which we could debate to make sure that this is a fair comparison.

I think that the way that the minister is going around it—about this, has quite frankly, it may have an interesting outcome but it may not exactly be what the minister was expecting.

*Mr. Speaker in the Chair*

When it comes to automobile insurance, you know, the things which govern the size of insurance may be in part, you know, the way the insurance itself is provided. It may be what kind of a vehicle you've got, whether it's a, you know, a motorcycle, a car or SUV and the extent to which, you know, damages to those vehicle gives you rising in costs and, therefore, your insurance. Because ultimate your insurance has to be based on what the situation is with your fleet of vehicles, how many accidents they have, how much damage they get and so on.

\* (16:00)

And so, for example, the *Winnipeg Sun* has provided evidence that the photo radar that the

minister and his government have licensed has resulted in increase in collisions of some 53 per cent at sites where there are photo radar. And this is a, you know, concern and, of course, maybe a reason why the insurance rates may go up in this province, because the way that the government is looking and operating things in this province give rise to more accidents rather than fewer.

I think it's also true, and the minister should know—I remember when there was a big hail storm in Dauphin and there was a lineup—a big, big lineup for people to take their vehicles in to get them looked at by MPIC, and the—you know, so there are factors which you are not going to be able to control, like the extent to which you have hail storms. It's not that we shouldn't do everything we can to, you know, prevent hail storms and, you know, do what we can to make sure our vehicles are not damaged, but I think that there are some interesting aspects of this which are not necessarily exactly as straightforward as the minister might have initially thought.

Let me give the minister another example. You know, we, in Manitoba, do what we can with the rates of natural gas so that we smooth things out, which means that at times our natural gas rates, particularly when market rates elsewhere are going up, tend to be lower because we put in a bit of a delay in terms of making that adjustment and, contrary-wise, if the market rates for natural gas go down very steeply, we may be in a situation where we tend to be a little bit higher than market rates. It's interesting, in a moment, that on a North America basis, natural gas rates have been going down partly because of things like shale gas, which is a cheaper form of gas.

And so, making—there may be some interesting things that we discover in terms of how this package is put together, how it is reported. Is this to be done at one point in the fiscal year or is this an average over the whole year.

I think these are important things and, yes, it's important to have this done, you know, in the final analysis, independently. But it's also important that these aspects are looked at carefully and we have an opportunity to discuss them now when it's a pretty important time, because the bill is going forward and, hopefully, some of these matters will be discussed at the committee stage and—so that there's an understanding as a result of what's going through the discussion at committee, an understanding of a little bit more clearly how this bundle will be put

together, how the comparisons will be made from one province to another and, you know, how—what kind of a report we can expect on an annual basis.

You know, I would think that it would be important that, you know, this information be tabled, as it will be with the—at the same time as the tabling of a—public accounts for the year. Then it can be with the other financial matters and presumably, you know, it would be reasonable that it actually be included in the public accounts for the year, just as additional information is sometimes put in the budget. And that might be something the minister could consider, partly because that would be a document which is pretty easily available and searchable, and rather than having, you know, this information somewhere else where it might be more difficult to find.

So, with those few suggestions for the minister and the government, I look forward to the discussion at committee stage and to see what the minister is going to say in committee with regard to some of these matters.

**Mr. Speaker:** Any further debate on Bill 18? Seeing no further debate, the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** Question before the House is Bill 18, The Affordable Utility Rate Accountability Act.

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

We'll now proceed with Bill 27, The Insurance Amendment Act.

#### **Bill 27—The Insurance Amendment Act**

**Mr. Struthers:** I move, seconded by the Minister for Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 27, The Insurance Amendment Act; Loi modifiant la Loi sur les assurances, be now read a second time and be referred to a committee of this House.

#### ***Motion presented.***

**Mr. Struthers:** The insurance industry and insurance regulators across Canada have recommended many changes to improve the act for consumers and for business. Mr. Speaker, we have acted on these recommendations that will support current industry practices, recognize new products, address the Supreme Court of Canada direction to

government to reform rules on multiperil policies in legislation and improve consumer protection.

Mr. Speaker, I would like to just highlight a few of the significant changes that this bill brings forward. First of all, it will consolidate the existing property and casualty parts of the act so that it is clear that purchasers of multiperil policies will have the benefit of all relevant consumer protections. It'll also improve the dispute resolution process between insurers and policyholders. It will include a provision to protect innocent persons from loss of coverage due to intentional acts of co-insureds or other persons and it would provide for recognition of electronic means of communicating in insurance, including its use for termination of contracts and designation of beneficiaries in life and accident and sickness insurance contracts.

Mr. Speaker, new regulation-making authority will allow for the licensing of incidental sellers of insurance, the regulation of the use of credit scores to deny insurance and market conduct if insurance market or sell products electronically. These last two issues are being examined by provincial insurance regulators right across Canada.

In other changes, the amendments will extend a limited privilege to insurance—insurers to encourage them to undertake self-assessment compliance audits. It'll remove the current requirement for hail insurance to file insurance commissions and premiums—premium rates and allow a resident special broker to report premiums where unlicensed insurance is placed by an out-of-province affiliate of a special broker. And, finally, Mr. Speaker, it'll clarify the appeal process where an agent appeals a disciplinary decision of the Insurance Council of Manitoba.

Mr. Speaker, with these few comments, I am pleased to recommend this bill for consideration of the House.

**Mrs. Stefanson:** I am pleased to put a few words on the record with respect to Bill 27, The Insurance Amendment Act.

Mr. Speaker, when I first saw this bill on the notice paper and then subsequently for first reading when it was tabled in the House, needless to say, it made me a little bit nervous at the size, the length of the document, given what the minister had just done a few weeks prior with respect to the Manitoba budget that he brought forward with respect to extending the PST to insurance products. I was pretty

sure he was going to list in this bill more products that he planned to extend the PST to, and when I saw the length of it, I thought, boy, we better hold onto our wallets because this Minister of Finance is running fast and loose and trying to get all of our wallets here in Manitoba.

So, needless to say, I was somewhat concerned when I first saw the bill and—but we do know that having spoken with various stakeholders in the community, including consumers and including the Insurance Bureau of Canada and the insurance brokers of Manitoba, that these are some of the things that these organizations have been asking for. Of course, we do get a little bit concerned with the Minister of Finance (Mr. Struthers) when he brings forward things by way of regulation and we know that much of this will come into force on the day to be fixed by proclamation at a later date after various regulations are brought forward.

\* (16:10)

And we just hope, Mr. Speaker, that during the course of—when the Minister of Finance is coming up with the various regulations to deal with this act, that he continues to consult various stakeholders in the community to ensure that those regulations accurately reflect what it exactly is that those stakeholders are looking for.

So we would just hope—it always makes us even a little bit more nervous when things are done by way of regulation, because it leaves it up for interpretation down the road. It's something that's in the act may sound good, but we know that by way of regulations behind the scenes, the NDP has brought forward regulations in the past in other areas where it hasn't necessarily accurately reflected the true intent of what the bill's looking for. So we would hope that moving forward, that that will be the case.

Mr. Speaker, I just want to talk a little bit about what the bill does. It essentially modernizes the wording of approximately one-third of the act's provisions. We know that the act hasn't been opened up in a number of years, and so the insurance industry has been looking for that modernization of the act for quite some time. We know that what happens in the insurance industry—there's more products, more services. Things are done, maybe, a little bit differently than they were, say, 60 years ago or 50 years ago, so we know that it's important to look at modernizing acts to accurately reflect the changes within certain industries. So we would agree with that, as do stakeholders in the industry.

Parts 5 and 6, the life insurance and accident and sickness insurance are harmonized with the insurance act of Alberta. Part 4, the fire insurance, is consolidated with part 3, the insurance contracts. Generally there's a harm—it's harmonized—it harmonizes the statutory conditions, are made applicable to most property and casualty insurance contracts. It also, in parts 3, the livestock insurance—or sorry, part 8 and part—which is the livestock insurance, Mr. Speaker, and part 9, the weather insurance, are repealed. And the risk governed by these parts will be governed by the consolidated part 3.

Consumer protection enhancements include better access for claimants to documents and information about life insurance and accident and sickness insurance contracts. It also—the consumer protection enhancements include enhancements to dispute resolution. Its—it includes protection for innocent persons from loss of coverage for intentional acts of co-insured and other persons. It includes requiring the approval of the superintendent of insurance for fire exclusions and it includes the authority to license incidental sellers of insurance.

Brokers and agents will be permitted to offer reasonable consumer—or customer inducements, such as loyalty reward programs. A broker, agent is no longer prohibited from charging a fee on a commercial insurance transaction and connection with which a commission is also earned.

We know in that area, in terms of the commercial insurance, many of the brokers go out and do a lot of background work. They'll put together proposals for potential clients and this allows them the ability to maybe charge a fee for that service because hundreds of hours are often put into those proposals for the commercial insurance.

And so, we know it's been something that they've been asking for for quite some time, and it makes sense and it's upfront—straightforward. The consumer knows that they are being charged a fee, they enter into an agreement that way, and so it's a more transparent process of doing things, Mr. Speaker.

Insurance to conduct their own compliance audits have a limited privilege in relation to the audit documentation. Amendments are made to facilitate and regulate electronic transactions under the act. Regulations may be made about how insurers may use information about the credit status of

policyholders and applicants for property insurance relating to a residence.

In the procedure for appeals to the insurance agents' and adjusters' licence appeal board is modified, and additional guidance is provided for how the appeal board deals with issues that may arise in connection with an appeal.

So, Mr. Speaker, I just want to say, again, I appreciate the briefing that I was able to have with the minister and his department on this bill, giving us the various—the background of the bill and how it will—how they will move forward with coming about with their—the regulations.

Again, I will just reiterate, we are always a little bit nervous when it comes—when everything is not put into—when certain things are not put into legislation and they are left for regulation. It does leave it somewhat wide open for the NDP to do what they want. And I would just hope and caution members opposite that when they're doing this, that they do consult industry stakeholders, as well as consumers who will be affected by various changes with respect to this piece of legislation and to the act.

So I want to thank the minister for bringing this forward. We do know that through IBC and IBAM, they are in favour of some of the changes that are being made. It does modernize the act, which is a necessary thing. We do agree with that. And we look forward to, again, as in all legislation that's brought forward in this House, we look forward to those that are passionate about some of these changes coming forward and speaking at committee. And so we look forward to hearing what they have to say.

Because of the size of this, we may have, you know, missed something that often we find in committee, where members of the public will come forward and ensure that we understand that there could be something that does affect them and have a negative impact on them. And so we do encourage all members of the public to come forward and speak on these bills, just to ensure that we—that when changes are made, and when the regulations are made with respect to this bill, that it offers their opinion as to how they think that the government should move forward with specific areas to do with this insurance amendment act.

So, with those few words, Mr. Speaker, we are prepared to this time—at this time, to pass it forward onto a committee, to ensure that we have the appropriate—that we're allowed to, you know,

accurately see what the public has, and that that—and that will be reflected at committee. Thank you.

**Mr. Gerrard:** Mr. Speaker, a few words on Bill 27, The Insurance Amendment Act.

First of all, in beginning, I can't speak very long on this bill without making reference to the fact that the government has made it more difficult and more expensive for people purchasing insurance in this province by putting a 7 per cent PST on the 'shale' of many forms of insurance in Manitoba.

I think that the—it is worthwhile to have The Insurance Amendment Act to update The Insurance Act, but it's very important, also, to note that this government, you know, is taxing many forms of insurance in this budget. That—this Minister of Finance (Mr. Struthers) has gone out of his way to make insurance more expensive in Manitoba and, certainly, one of the concerns in his—as a result of his budget, is the fact that, you know, all sorts of insurance are now up 7 per cent. But, in fact, when you look at it, I'm told by people who are involved in selling insurance, that there are a number of other charges which are also going up, and that in some instances you may have insurance costs going up by 20 per cent, 7 per cent of which is this, and then the other additional costs coming from other reasons. And that's quite a hike.

And it's important that the Minister of Finance is aware of this problem that he has created, that he is causing problems for people in Manitoba and that just to make sure that he is aware of that before I get into further details of this act. The minister is laughing, but a lot of people are not laughing when this is more expensive.

\*(16:20)

The other things that I want to say about this bill, The Insurance Amendment Act, I mean I think that, in general, we think there's some quite positive things being done in this legislation and that we look forward—I look forward to hearing at committee stage some of the discussion that will inevitably occur around this bill.

I do want to raise with the minister one concern that I see in this legislation that has also been present and a tendency of this government, and that is to give certain individuals immunity from making bad decisions, immunity against bad management, and in this case, I think it's the clause that relates to the superintendent in which there is immunity provided

to this individual from any decisions made under this act.

And, you know, in my view, it's important that you be able to hold people accountable, particularly if there is gross negligence or gross mismanagement, that these should not be matters which we provide immunity from, because when you do that, you are sending a bad message to managers that people who are in very responsible positions and administering an act like this should be on their toes. They should be alert and making sure that they are not making bad decisions, that they are not causing other people problems as a result of this, that they are, you know, not just doing their best, but they are actually, you know, managing well, that they are making sure and not making big mistakes which are causing other people problems.

I mean, the difficulty that I have as an MLA from time to time is people coming into my office, which are problems with people following an act but not doing things which they really should be doing to help people who are citizens of our province. And there is sometimes a skepticism about politicians or about government, about people who work for government, people who work for organizations which are set up by government because there is not the accountability which there should be, and I believe that we need to make sure that that accountability is there. We need to make sure that people are not given immunity from gross negligence or gross mismanagement, and I think that the minister should look at this clause and should see if there's not a way of modifying it so that there is not so much blanket immunity given because I think that that's a concern when, you know, Manitoba citizens can be poorly treated, can be neglected, where there can be gross mismanagement which causes people extra costs or extra bother, or it doesn't get people the results that they should get. And so I would suggest to the minister that he look at this clause and see if it can't be amended so that it restores some level of accountability.

Oh, the minister just recently brought in a bill which had accountability in its title. It remains to be seen how accountable that bill will be. Sometimes the government is prone to put in legislation which says one thing in the title and the other thing in the legislation, but, you know, I would hope that there be some improved accountability, and that's why I raise this particular point for the minister to consider as this bill moves forward to committee stage and further on. Thank you.

**Mr. Speaker:** Any further debate on Bill 27?

Seeing none, is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 27, The Insurance Amendment Act.

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

**Hon. Jennifer Howard (Government House Leader):** Would you please call bills 3, 5, 25, and 35.

**Mr. Speaker:** We'll now call bills 3, 5, 25, and 35, starting with Bill 3, The Highway Traffic Amendment Act (Speed Limits in School Zones).

### **Bill 3—The Highway Traffic Amendment Act (Speed Limits in School Zones)**

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** I move, seconded by the Minister of Education (Ms. Allan), that Bill 3, The Highway Traffic Amendment Act (Speed Limits in School Zones); Loi modifiant le Code de la route (limites de vitesse dans les zones scolaires), be now read a second time and referred to a committee of this House.

*Motion presented.*

**Mr. Ashton:** I want to thank the Minister of Education for seconding this very important legislation.

This is based on a very straightforward principle and that is the degree to which safety is dependent on speed. Currently, in terms of our municipalities, The Highway Traffic Act establishes restricted speeds near *[inaudible]* city of Winnipeg, 50 kilometres an hour, and the Highway Traffic Board must approve maximum speeds lower than 50 kilometres an hour.

This amendment gives local governments the ability through bylaws to bring lower speed limits into school zones on highways within their community boundaries, and they will no longer have to go to the Highway Traffic Board. These amendments will authorize local government entities—that includes municipalities, First Nations communities, community councils in northern Manitoba, and local government districts—to designate the appropriate school zones.

I want to indicate that the regulations will set out the conditions under which speeds in school zones may be lowered, including requirements for signs that alert motorists approaching school zones of those lower speeds. And we will consult with key stakeholder groups in the development of this.

This has been supported by the Manitoba Association of Chiefs of Police, the Association of Manitoba Municipalities, and the City of Winnipeg. And I do want to note the role of the AMM, and, of course, the City of Winnipeg, in actually putting forward the argument for this over the last number of years.

This is something that will bring us in line with other jurisdictions, including our neighbours in Saskatchewan and in Ontario, which authorize municipalities to deal with this.

Bottom line is this will allow for slower speeds in and around school zones, and I think it's something that all Manitobans can agree is important. That's why I recommend this bill to the House.

**Mr. Ralph Eichler (Lakeside):** I do want to put a few things on the record in regards to Bill 3, The Highway Traffic Amendment Act, and after two years of denying proposals from officials from the Portage la Prairie School Division, the Manitoba government introduced amendments to The Highway Traffic Act that would, in fact, allow municipalities to set speed zones in school zones with their jurisdiction.

We do support the reduction of speed in school zones as a means of increasing safety for children in the province of Manitoba. Currently, Manitoba is the only province in western Canada that does not allow municipalities to regulate the maximum speeds in school zones or does not have a province-wide mandate to lower speed zones in schools. The current law requires drivers to drive at a speed that is reasonable and prudent and slow down when they see a child.

In their initial proposal in 2010, officials from the Portage la Prairie used many investigations and reports that supported the claim that slower vehicle speeds made streets safer. Also, one report entitled child- and youth-friendly land-use and transportation planning guides, released by the Centre for Sustainable Transportation and the University of Winnipeg in November 24th of 2009, stated: Other things being equal, collisions are likely—more likely

to occur and more likely to be severe when speeds are high.

SickKids Canada is a national injury prevention program based out of Toronto's Hospital for Sick Children. They state, a pedestrian struck by a car travelling 50 kilometres an hour is eight times more likely to be killed than a 'pedressian' struck at 30 kilometres, and even small reductions in speed can be significant. For each 1.6 kilometre reduction in the average speed, collision frequency is reduced by 5 per cent.

So, 'ling'—alarming numbers when you look at it overall, Mr. Speaker. So we look forward to the committee being called on this particular legislation. And also, 'sastistics' from SpeedWatch in front of four Portage la Prairie schools released with the initial proposal, the 'sastistics' showed that the average speed for drivers in those schools zones was all between 55 and 61 kilometres per hour in school zones. This is clearly of significant concern, especially—not only in the Portage la Prairie school divisions, but all school divisions.

\* (16:30)

So we certainly do support that fact and we want to keep Manitoba children safe. We want to keep them from any harm's way and if it means giving the authority to the municipalities—and this minister did point out the AMM is in support of this legislation as well.

And, also, I just wanted to put in regards to—in August of 2010, Alfred Rivers, the chairperson for the Highway Traffic Board, denied the proposal from the Portage la Prairie officials. When they contacted the minister in charge at the time they got the same results. We're certainly pleased to see a change in the government's heart in regards to this particular legislation.

Also, the minister responded back then that collisions with children are not confined only to schools zones that—because speed is not always fundamental cause of collision. The reduction in speed may not reduce collisions, but we do know from 'sastictics' that speed does, in fact, give a response time to a number of those individuals that are, in fact, moving faster than they should be. It gives them an opportunity to stop a whole lot faster.

Also, in September 19th of 2011, the leaders' debate, the Premier (Mr. Selinger) stated that he would amend legislation, allow for speeds to be reduced in school zones, and we certainly commend

the leaders for having that. We're glad that the government has changed their mind in regards to this particular issue. And I know that we want to move forward and hear the presenters on this particular piece of legislation. And whenever we do hear from the public in regards to these we always have made it very clear that, in fact, as we do consult with the public that we make sure that the i's are dotted and the t's are crossed in this particular piece of legislation. And I'm looking forward to move it on to committee from here, Mr. Speaker.

**Mr. Gerrard:** Yes, I want to talk about this legislation in the context of safety and what is optimum, and I'm looking forward to some of the discussion at the committee stage. And this is an important bill to consider whether, in fact, this is going to give us the safety that we need or whether, in fact, there are some other things that we should be looking at.

Indeed, I believe that—reports that I've heard is that Edmonton has done much better in terms of ensuring that the signage around school zones is really as good as it can possibly be, and that ensuring that that signage is important and is there has been very important in addressing the issue of safety in school zones.

And I'm informed that in Manitoba one of the problems that we have, and I've looked at this a little bit, is that the signage around school zones in Winnipeg, in particular, could be improved. There are some signs where the sign is obscured by tree branches and leaves, so it's not very visible. There are some places where there should be signs on both sides where there's a boulevard where it's only on one side. There are places where we should make sure that the sign is the right height. It's at the right position relative to the road and not some distance off. And that this—having the signage to make sure that people are adequately aware of this is essentially pretty darned important.

And, notwithstanding the fact that when you lower speeds, generally, it turns out to be safer and so that on the surface that would appear to be a good measure. That I'm also informed that sometimes that when you—and how you handle this—and when you do this in a way that isn't as well signed as it might be, that you create situations where you have people slowing down suddenly, and you have more accidents instead of less.

So I think that this is an area which requires some close scrutiny, some careful looking at. And, we want to make sure that we don't jump in and put this in place, when, in fact, there may be some other things that we should do that are good practices in other cities, that may actually give us larger benefit, in terms of the safety of children. And that, clearly, must be front and centre; that must be the most important concern here—is the safety of children.

So I just put these words on the table and I look forward to discussion of this bill at the committee stage. Thank you.

**Mr. Speaker:** Any further debate on Bill 3?

Seeing none, the House is ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 3, The Highway Traffic Amendment Act (Speed Limits in School Zones).

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

We'll now proceed with Bill 5, The Highway Traffic Amendment Act (Inter-City Bus Service).

#### **Bill 5—The Highway Traffic Amendment Act (Inter-City Bus Service)**

**Mr. Ashton:** Mr. Speaker, I move, seconded by Minister of Family Services (Ms. Howard), that Bill 3, The Highway Traffic Amendment Act (Inter-City Bus Service)—*[interjection]*—pardon me, Bill 5—thanks to my critic—The Highway Traffic Amendment Act (Inter-City Bus Service); Loi modifiant le Code de la route (service d'autobus interurbain), be now read a second time and be referred to a committee of this House.

**Motion presented.**

**Mr. Ashton:** This is an important bill that will provide for bus service to rural and northern Manitoba.

As members of this House will know, we were faced with the potential loss of all intercity bus service back in 2009. At that time, *[inaudible]* my predecessor, the now Minister of Local Government (Mr. Lemieux), we put in place interim supports

which have continue—will continue to the end of June of this year, to maintain service.

But what was very clear is that the existing bus regulatory framework is not sustainable. Under the current rules, the carrier must satisfy an economic entry test and is subject to restrictions on any changes to fares, routes or schedules. We have put in place a more flexible system that will allow both entry and exit. New operators will have an easier access to the market and all carriers will have more flexibility with the types of service they provide in terms of routes, schedules and fares.

The amendments apply only to those provisions dealing with economic factors, so there will continue to be regulations in place to protect the safety of Manitobans.

We consulted, prior to the development of this bill, Manitobans told us that they wanted more flexibility for bus service providers, was an important aspect of what was required. And, particularly, to allow new service providers enter the market more easily.

These amendments will open up the schedule of intercity bus market, Manitoba, and provide bus users with alternatives to meet their transportation needs. We've been working with our stakeholders to develop this. We've also been working at the national level, to develop a national intercity bus task force. And, we do believe that there needs to be work done at the national level to ensure long-term sustainability.

Currently, Greyhound is the largest scheduled intercity bus carrier in Manitoba. It has announced it will make some adjustments to its service on July the 1st. And I do want to indicate that we've also been advised that a Brandon-based bus company will actually be—is proposing to enter into some of the routes that Greyhound was going to be abandoning. So the flexibility, just even through the introduction of this bill, is already starting to bring results.

We do acknowledge there could be some service interruptions while the new entrepreneurs and existing carriers deal with the route but we are also working on that level to ensure that we will continue to have service, particularly for those that require it for health and other essential purposes.

So, we have moved very significantly and I look forward to discussion, as we move this bill along into committee. Thank you, Mr. Speaker.

\* (16:40)

**Mr. Eichler:** In regards to the—Bill 5, The Highway Traffic Amendment Act (Inter-City Bus Service), certainly, we know that, you know, with the Greyhound having the challenges that it had with the economic times it was in and, of course, being from rural Manitoba, we know that lifeline—that is so important for rural Manitobans and, of course, for our friends in the larger centres, for their opportunity to, in fact, come and visit family and friends as well. And I know the minister did talk about the flexibility for bus operators and carriers to be more competitive in the transportation services provided to rural Manitobans.

And I do know very clearly that with those bus lines, being a business owner myself, in my previous life and using those services on a fairly regular basis, I know that not only was the transportation of life important but also a number of the services or goods that were transported from other centres to smaller and rural Manitoba was another lifeline for us. So we're certainly pleased that we're able move forward some of those changes, and I know the bill does go on to say that changes in any discontinued routes is 90 days. That'll give a lot of those communities an opportunity, in fact, to be able to source, hopefully, some other services. And we do hope that the businesses that are important in this transportation have the opportunity to come forward and take up some of the slack that's, in fact, going to be created as a result of July 1st deadline.

And, certainly, I know that a number of places in rural Manitoba where the bus lines have had a hard time. I've know that a number of those communities, in particular, some of the reservations that are within the province of Manitoba, have, in fact, already bought some of their buses and, as a result of that, allow them to be able to continue coming in for medical appointments and do the things that they need to do in order to make their lives fulfilled with the opportunity to come in to the larger centres and return back to their communities in a very safe manner.

And I do want to ensure that when we do get to committee on this bill, which I anticipate it'll be quite shortly, Mr. Speaker, is that whenever we're consulting with those Manitobans and—in fact, I have made a number of calls to most of the people that's in this particular industry and they seem, at this point, very pleased with the opportunity to be able to have some flexibility in regards to this legislation.

In fact, prior to 2009, it was fully regulated and we know that in most of those communities there was only one particular bus provider. So this may give us that flexibility, dependent on the size of the bus, dependent on the needs for those particular areas. It may be more feasible to run a smaller unit there on a regular basis and maybe more often than just once a day. And, in fact, I know in my particular community and in some of those others farther north, a number of those opportunities that have been presented to those that want to get into business weren't able to because they just weren't in a position to be able to meet all the needs. So I'm hopeful that, as we see this legislation move forward and debate on Bill 5, in fact, as I said, once it does get to committee, that we see a smooth transition for those businesses and, in fact, do want to get into that business. So, as we move forward to committee, we want to make sure that, in fact, those people are given that opportunity.

I know there is a couple presenters that have lined up to make presentations. And I take the minister at his word. I hope that we do have some more businesses coming forward. And it's good to hear that we will have those providers come to us and come to government. And, hopefully, they will be able to have a very viable business and, of course, the result of that, all Manitobans will see the benefits of that. So, with that short—we'll look forward to moving on to committee, Mr. Speaker.

**Mr. Gerrard:** Yes, Mr. Speaker, I want to talk briefly about intercity bus service, this act and the changes that it's—being proposed.

First of all, I note that the changes will take effect on July the 1st, which is less than a month away. I'm a little surprised because it wasn't all that long ago that the minister was talking about subsidizing Greyhound for—without putting an end to it, and now he's making the changes very quickly July the 1st.

The—what worries me, or what concerns me is that, you know, there was plenty of opportunity to do this with much more warning, all right, because at this point the bill has not been passed; it's still up for debate, could be modified. There could be changes to what is being proposed for July the 1st. And you know, this—one would have expected that, you know, that this was one of the first bills that we might have been—had for discussion and now where we are, it's one of the last bills that we're bringing forward in this session, with just two weeks to go.

Certainly, from the perspective of advanced passage and warning that this was going to happen, the minister and his government could have started this session before April the 19th so that we're not down to the last two weeks faced with the second reading, the start of second reading occurring with just a few days left in the legislative session and rising, giving rise to some uncertainty about what the situation will be precisely on July the 1st.

So I think that clearly the way that the—this bill has been handled, the slowness with which it was—it's been brought forward, the last-minute nature of this before we're having major adjustments on July the 1st, if new operations want to get into and take over some of these routes so that there's a seamless transition, it would seem to me that there should have been, you know, more warning and more preparation. And that this government should have introduced this, not only introduced this legislation, but have it debated and at committee stage much earlier on in this session.

That's, of course, been, you know, a little bit of a problem this session. This session started—I think it's the latest start date that we have had of any session since we brought in the end date at the end of the second week in June for the spring session. And originally, when we had the agreement to end the spring session, the end of the second week in June, our understanding was that we would start the session earlier so that there would be adequate time for debate and thorough discussion of these bills so that they would have the kind of scrutiny that they should have instead of being pushed through in the last two weeks, you know, without—and then coming into effect July the 1st.

I think that this is an example of poor planning by this government—not that it's the first example, that's for sure. You know, this government could have done a whole lot better in terms of planning, and, as I point out, this session could have started earlier. You would not be in this situation where a very important bill, and I think basically a bill which probably is going in the right direction, is coming to second reading with two weeks to go.

And, you know, we've talked in this Legislature for quite some time about having enough time in the Legislature, and yet the number of days that we're sitting in the Legislature has got shorter and shorter and shorter. And one of the problems is that the implementation of important legislation like that, like this one, you know, may suffer as a result of the poor

management of the session by this government, and, as a result of, you know, the way that they've approached this circumstance, you know, it is not the first time that there have been issues with the way this government has approached the intercity bus service.

\* (16:50)

I see a heading here, the *Flin Flon Reminder* article by Jonathon Naylor—oh, actually, it occurred in the *Winnipeg Free Press*, big heading: NDP bungling northern busing. And in this there is a considerable discussion and, you know, it is a problem that this government, you know, is managing things not nearly as well as they should. You know, the north is being disregarded as are many other rural areas by bills which are being discussed at second reading at the very last minute before the deadline of July the 1st. This article, Jonathon Naylor concludes that for the north the NDP's handling of busing just isn't good enough, that the Province is going to be leaving the future of transportation parity to communities like Flin Flon to chance. And there is concerns in communities like Flin Flon and Snow Lake that, you know, they may or may not, but the concern is that they may not have adequate busing.

Certainly, it would have been better to have a longer time. This legislation could've been introduced last year and then there would've been a year to prepare for the change instead of this being introduced to second reading just days before the end of the session and just four short weeks before the implementation date putting at risk whether, in fact, there is going to be the kind of transition that one would hope in continued service to northern communities.

I certainly think that we should have at committee stage some evidence, some really concrete evidence not just ministers' speculation that there might be some alternative options to ensure that people are going to be able to get transportation in affordable fashion from places like Flin Flon whether they're going to Thompson or to Winnipeg. And, you know, this is not just an issue for the north. There is quite a number—I'm looking at the MLA for Spruce Woods. I think he's got some communities in his constituency where there is—[interjection]—Cartwright. I think there's concerns about bus access from places like Wawanesa, as well, and that, you know, to try as this government is doing and bring in this legislation just at the end of the session with less

than a month before it's going to be implemented, this is putting the service to communities—many of these communities at considerable risk. And there should've been more time, more preparation, better management of the situation with regard to this particular legislation busing to rural communities to make sure that there really is going to be a transition in which there will be service for rural communities.

This government, sadly, has too much of a history of not caring enough about rural communities; that's the bottom line. And of all people this minister should be aware of the big concerns in northern Manitoba in communities like—yes, I can take this article—communities like Snow Lake, Flin Flon, Nelson House, Lynn Lake, Cross Lake, Norway House, Split Lake, Gillam, many northern routes where there are concerns, and bringing in this legislation at the last minute and so that the committee stage will be within days of the end of the session and so that the implementation is going to occur very quickly without an assurance that there's really going to be a solid transition. And, you know, that is the concern here that this government is putting people in rural communities at risk in the way they're handling this, that they are not considering people outside of Winnipeg. And this is, you know, a big change with what'd likely to be quite considerable changes occurring on July the 1st or shortly after and without any guarantee that many communities are going to continue to be able to have service beyond that, just because of the way that this legislation has been handled.

If it had been handled and brought forward last year so that there was a year, there was plenty of opportunity to do that, but maybe the reason that this government didn't bring it forward last year was that it was before an election, and they were concerned that if they brought this forward last year, that they might lose some votes because people in rural areas would be concerned about the access to bus service that they would have in the future without some really strong commitments and assurance that there's going to be other companies which, in fact, will take up when Greyhound abandons a variety of communities, rural communities, throughout Manitoba.

And so, you know, I think that the minister and the government really needs to, you know, be careful, and I send them the warning in terms of how to operate the session next year, that this year they started the session later than they have ever done since we started at the end date already decided in

the middle of June. They could have started it earlier. They didn't necessarily have to start it with the budget, and now as a result of starting this as late as they have, they have put the situation in some peril of many people in rural Manitoba. And I am hoping that at committee stage that the minister and people who present will come forward with some much better assurances than we have at the moment that there are going to be continued service to this government—for this government and for people in rural areas, and that there will be bus service which—

**An Honourable Member:** A point of order.

#### Point of Order

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

**Ms. Howard:** Yes, thank you, Mr. Speaker. I just wonder if I could have leave, we could ask the House if there's leave to not see the clock until the honourable member has completed his statement, and I've had the opportunity to refer this and other bills to committee.

**Mr. Speaker:** Is there leave of the House to not see the clock until the honourable member for River Heights (Mr. Gerrard) has concluded his remarks and then, also, the Government House Leader to refer the bills to committee?

**Some Honourable Members:** Agreed.

**Mrs. Mavis Taillieu (Official Opposition House Leader):** Yes, we can agree to that as long as that would be the end of the day then.

**Mr. Speaker:** That's my understanding.

Is the House—the House is agreed? *[Agreed]*  
Thank you.

\* \* \*

**Mr. Speaker:** The honourable member for River Heights, to continue.

**An Honourable Member:** Eight o'clock is too long.

**Mr. Gerrard:** Yes. I could go on all night, but I won't. I will be considerate of member.

And, Mr. Speaker, I think the basic point has been made that this government has been very disorganized in the way they've managed the session. They're putting rural communities at risk, and that's

something that Manitobans should be well aware of. Thank you.

**Mr. Speaker:** So any further debate on Bill 5?

Seeing none, is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 5, The Highway Traffic Amendment Act (Inter-City Bus Service).

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

#### House Business

**Ms. Howard:** I'd like to announce that the Standing Committee on Social and Economic Development will meet on Wednesday, June 6th, at 6 p.m., to consider the following bills: Bill 3, The Highway Traffic Amendment Act (Speed Limits in School Zones); Bill 5, The Highway Traffic Amendment Act (Inter-City Bus Service); Bill 10, The Securities Amendment Act; Bill 18, The Affordable Utility Rate Accountability Act; Bill 20, The Planning Amendment Act (Inland Port Area); Bill 27, The Insurance Amendment Act; Bill 31, The Bilingual Service Centres Act; and Bill 32, The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic).

**Mr. Speaker:** It has been announced that the Standing Committee on Social and Economic Development will meet on Wednesday, June the 6th, at 6 p.m., to consider the following bills: Bill 3, The Highway Traffic Amendment Act (Speed Limits in School Zones); Bill 5, The Highway Traffic Amendment Act (Inter-City Bus Service); Bill 10, The Securities Amendment Act; Bill 18, The Affordable Utility Rate Accountability Act; Bill 20, The Planning Amendment Act (Inland Port Area); Bill 27, The Insurance Amendment Act; Bill 31, The Bilingual Service Centres Act; Bill 32, The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic).

\* \* \*

**Mr. Speaker:** The hour being past 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 4, 2012

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>			
<b>Introduction of Bills</b>		Maples Community Centre Wight; Lemieux	2066
Bill 301–The Young Men's Christian Association of Brandon Incorporation Amendment Act Caldwell	2059	Highway 59 and PR 202 Schuler; Ashton	2067
Bill 38–The Statutes Correction and Minor Amendments Act, 2012 Swan	2059	West Perimeter Bridge Repairs Driedger; Ashton	2068
Bill 217–The Portage Diversion Compensation Act (Water Resources Administration Act Amended) Eichler	2059	Ebb and Flow First Nation Briese; Oswald	2069
<b>Petitions</b>		<b>Speaker's Ruling</b> Reid	2069
Personal Care Homes and Long-Term Care–Steinbach Goertzen	2059	<b>Members' Statements</b> Trappist Monastery Ruins Gaudreau	2070
<b>Oral Questions</b>		Rosanne Massinon Pedersen	2070
Provincial Sales Tax McFadyen; Selinger Stefanson; Struthers	2060 2061	Assiniboia Community Appreciation Night Rondeau	2071
Cancer Treatment Driedger; Oswald	2061	Stroke Awareness Month Driedger	2072
Addictions Foundation of Manitoba Helwer; Rondeau	2062	Hapnot Collegiate Students Pettersen	2072
Roseau River Graydon; Ashton	2063	<b>ORDERS OF THE DAY</b> <b>GOVERNMENT BUSINESS</b>	
Shellmouth Dam Maguire; Ashton	2064	<b>Second Readings</b> Bill 20–The Planning Amendment Act (Inland Port Area) Lemieux	2073
Regional Health Authorities Gerrard; Selinger	2065	Briese	2073
Personal Care Homes Gerrard; Selinger	2066	Gerrard	2074
		Bill 31–The Bilingual Service Centres Act Lemieux	2075
		Briese	2076
		Gerrard	2076

Bill 32–The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic)		Bill 27–The Insurance Amendment Act	
Lemieux	2077	Struthers	2088
Briese	2078	Stefanson	2088
Gerrard	2079	Gerrard	2090
Bill 10–The Securities Amendment Act		Bill 3–The Highway Traffic Amendment Act (Speed Limits in School Zones)	
Struthers	2080	Ashton	2091
Stefanson	2080	Eichler	2092
Gerrard	2082	Gerrard	2093
Bill 18–The Affordable Utility Rate Accountability Act		Bill 5–The Highway Traffic Amendment Act (Inter-City Bus Service)	
Struthers	2084	Ashton	2093
Helwer	2084	Eichler	2094
Gerrard	2086	Gerrard	2095

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

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