

Second Session - Thirty-Eighth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
IRVIN-ROSS, Kerri	Fort Garry	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon	Riel	N.D.P.
VACANT.	Minto	
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa	Seine River	N.D.P.
PENNER, Jack	Emerson	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
VACANT	Turtle Mountain	
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 25, 2004

The House met at 1:30 p.m.

PRAYERS

Speaker's Statement

Resignations

Mr. Speaker: Order. I have a couple of statements for the House.

I must inform the House that MaryAnn Mihychuk, the honourable Member for Minto, has resigned her seat in the House effective May 21, 2004. I am therefore tabling her resignation and my letter to the Lieutenant-Governor-in-Council advising of the vacancy created in the House membership.

Also I would like to inform the House that Mervin Tweed, the honourable Member for Turtle Mountain, has resigned his seat in the House effective May 25, 2004. I am therefore tabling his resignation and my letter to the Lieutenant-Governor-in-Council advising of the vacancy created in the House membership.

ROUTINE PROCEEDINGS

PETITIONS

Minimum Sitting Days for Legislative Assembly

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

The background to this petition is as follows:

The Manitoba Legislature sat for only 37 days in 2003.

Manitobans expect their government to be accountable, and the number of sitting days has a direct impact on the issue of public accountability.

Manitobans expect their elected officials to be provided the opportunity to be able to hold the government accountable.

The Legislative Assembly provides the best forum for all MLAs to debate and ask questions of the government, and it is critical that all MLAs be provided the time needed in order for them to cover constituent and party duties.

Establishing a minimum number of sitting days could prevent the government of the day from limiting the rights of opposition members from being able to ask questions.

We petition the Legislative Assembly of Manitoba as follows:

To request the Legislative Assembly of Manitoba to consider recognizing the need to sit for a minimum of 80 days in any given calendar year.

Signed by C. Elisma, M. Mallari and Percy Gutierrez.

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

Alzheimer's Disease

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Alzheimer's is a debilitating disease.

Cholinesterase inhibitors are known to slow or even prevent the progression of Alzheimer's.

The provincial government asked for the development of an Alzheimer's strategy in 2000 and was presented with nine recommendations in 2002, none of which has yet been implemented.

In the absence of a provincial Alzheimer's strategy, the Winnipeg Regional Health Authority put in place a policy in November 2003 whereby Alzheimer's patients entering personal care homes are being weaned from certain Alzheimer medications in a move that the WRHA's vice-president of

long-term care has referred to as a financial necessity.

The administrative costs of the Winnipeg Regional Health Authority have more than tripled since 1999, to a total of more than \$16 million a year.

In a move that amounts to two-tier medicine, the families of Alzheimer's sufferers in personal care homes may request that the drugs continue to be delivered at the family's expense.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Mr. Chomiak) to ensure that his attempts to balance his department's finances are not at the expense of the health and well-being of seniors and other vulnerable Manitobans suffering from this debilitating disease.

To urge the Minister of Health to consider reversing his decision to deny Alzheimer's patients in personal care homes access to certain medications.

To request the Minister of Health to consider implementing a provincial Alzheimer's strategy.

Signed by Heath Luce, Jamie Weiz, Sean Cox and others.

Proposed PLA—Floodway

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The Province of Manitoba has tabled legislation in the Legislature that may result in the \$660-million expansion of the Red River Floodway by the summer of 2005.

The Premier of Manitoba plans to subject all work related to the project to a Project Labour Agreement (PLA).

* (13:35)

The proposed PLA would force all employees on the project to belong to a union.

Approximately 95 percent of heavy construction companies in Manitoba are currently non-unionized.

The Manitoba Heavy Construction Association has indicated that the forced unionization of all employees may increase the costs of the project by \$65 million.

The chair of B.C.'s 2010 Construction Leaders Taskforce has stated, "Major industrial projects built under project labour agreements from the energy sector in Alberta to off-shore development on the East Coast have repeatedly incurred cost overruns, labour disruptions and delays."

Organizations including the Winnipeg Chamber of Commerce, the Canadian Taxpayers Federation, the Manitoba Heavy Construction Association, the Canadian Federation of Independent Business, the Merit Contractors Association of Manitoba, the Winnipeg Construction Association, the Construction Association of Rural Manitoba and the Canadian Construction Association have publicly opposed the Premier's plan to turn the floodway expansion project into a union-only worksite.

Manitobans deserve an open and fair competition that protects taxpayers from unnecessary costs and respects workers' democratic choice.

Manitobans support the right of any company, both union and non-union, to participate in the expansion of the Red River Floodway.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier of Manitoba to consider ending his government's forced unionization plan of companies involved with the Red River Floodway expansion.

To request the Premier of Manitoba to consider entering into discussions with business, construction and labour groups to ensure any qualified company and worker, regardless of their union status, is afforded the opportunity to bid and work on the floodway expansion project.

Signed by Cliff Wasyluk, Brian McMillan, Roy Nichol and others.

Highway 227

Mr. Ralph Eichler (Lakeside): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition.

It is unacceptable for the residents of Manitoba to travel the unsafe gravel roads of Highway 227 in the constituencies of Lakeside and Portage la Prairie.

Inclement weather can make Highway 227 treacherous to all drivers.

Allowing better access to Highway 227 would ease the flow of traffic on the Trans-Canada Highway.

Residences along Highway 227 are not as accessible to emergency services due to the nature of the current condition of the roadway.

The condition of these gravel roads can cause serious damage to all vehicles, which is unacceptable.

Residents of Manitoba deserve a better rural highway infrastructure.

We petition the Manitoba Legislative Assembly as follows:

To request that the Minister of Transportation and Government Services to consider having Highway 227 paved from the junction of highways 248 and 227 all the way to Highway 16, the Yellowhead route.

To request the Premier of Manitoba to consider supporting said initiatives to ensure the safety of all Manitobans and all Canadians who travel along Manitoba highways.

Submitted on behalf of Gail Sorenson, Ron Sorenson, Brent Sorenson and others.

Proposed PLA–Floodway

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

These are the reasons for this petition:

The Province of Manitoba has tabled legislation in the Legislature that may result in the \$660-million expansion of the Red River Floodway by the summer of 2005.

The Premier of Manitoba plans to subject all work related to the project to a Project Labour Agreement (PLA).

The proposed PLA would force all employees on the project to belong to a union.

Approximately 95 percent of heavy construction companies in Manitoba are currently non-unionized.

The Manitoba Heavy Construction Association has indicated that the forced unionization of all employees may increase the costs of the project by \$65 million.

*(13:40)

The chair of B.C.'s 2010 Construction Leaders Taskforce has stated, "Major industrial projects built under project labour agreements from the energy sector in Alberta to off-shore development on the East Coast have repeatedly incurred cost overruns, labour disruptions and delays."

Organizations including the Winnipeg Chamber of Commerce, the Canadian Taxpayers Federation, the Manitoba Heavy Construction Association, the Canadian Federation of Independent Business, the Merit Contractors Association of Manitoba, the Winnipeg Construction Association, the Construction Association of Rural Manitoba and the Canadian Construction Association have publicly opposed the Premier's plan to turn the floodway expansion project into a union-only worksite.

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companies involved with the Red River Floodway expansion.

To request the Premier of Manitoba to consider entering into discussions with business, construction and labour groups to ensure any qualified company and worker, regardless of their union status, is afforded the opportunity to bid and work on the floodway expansion project.

Signed by Russ Plett, David Harder, Henry Peters and others.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today members of the Manitoba Library Association. These visitors are the guests of the honourable Minister of Family Services and Housing (Ms. Melnick).

Also in the public gallery we have from Riverside School 17 Grades 4 to 6 students under the direction of Ms. Martha Penner. This school is located in the constituency of the honourable Member for Lac du Bonnet (Mr. Hawranik).

Also in the public gallery we have from St. Maurice School 27 Grade 11 students under the direction of Mr. S. McCaffrey. This school is located in the constituency of the honourable Member for Fort Garry (Ms. Irvin-Ross).

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

ORAL QUESTIONS

Health Care System Medical Errors

Mr. Stuart Murray (Leader of the Official Opposition): According to news reports, this Premier and his government do not think that Manitobans should panic or overreact to news that as many as 24 000 patients died in Canadian hospitals in 2000 after preventable medical mistakes. This is not just a number. These are 24 000 mothers, fathers, sisters, brothers, uncles, grandparents, aunts and friends. When 38 percent of the medical mistakes that happen in our health care system are said to have

been preventable, how does this Premier justify telling Manitobans to not overreact?

Hon. Gary Doer (Premier): I did not say that.

Mr. Murray: Mr. Speaker, what this Premier does not understand is it is the people that he puts in place who give that kind of information. This is the Premier for all of Manitoba. He is responsible for the health care of all Manitobans.

I would remind this Premier of three Manitobans: Dorothy Madden, a cardiac patient who died because she had to wait too long for care in an ER; Sharon Horn, a woman who was found dead in a field after being released from care without proper supports put in place; Nicolas Danyluk, a patient who suffered horrific, inhumane treatment in the final days leading up to his death.

Mr. Speaker, in 1999 this Premier said that he would fix health care with \$15 million. He has failed to deliver for Manitobans the same way he has not delivered when he promised to bring an electronic medical system into Manitoba. Electronic medical records reduce medication errors and improve patient safety. This Premier has been promising one for years. Why has he not delivered?

Mr. Doer: Mr. Speaker, we are concerned as all Manitobans are on any preventable death situations and what we can do to improve health care services. I would note that the study that the member opposite is yelling and screaming about was conducted in five provinces in the year 2000, not here in Manitoba. I would also note that Doctor Wade and Doctor Baker yesterday said one of the examples that is illustrative of success in dealing with preventable deaths was the tragedy of the preventable deaths that were identified in the Sinclair report, the 12 babies that died, all of which were identified as preventable deaths in the 1990s. As a result of that, action taken by this health minister has put in place a cardiac pediatric care program in Manitoba, Saskatchewan and Alberta.

* (13:45)

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. We have put in place a system in western Canada, in co-operation

with Saskatchewan and Alberta, that according to the authors of the report and the researchers have indicated, has had the best results anywhere for success of children's pediatric services in North America. Having said that, there is nobody in this Chamber that believes that we should not work as hard as we can to ensure our health care system has the least number of preventable deaths for the people of Manitoba.

Mr. Murray: Well, Mr. Speaker, that is cold comfort for those families who have suffered under this Premier during the fact that he has been the Premier of this province for five years. Dorothy Madden, Nicolas Danyluk, Sharon Horn, these are not just names. They were real people who did not receive the respect or the dignity that they deserved under this Premier's watch.

Every federal leader is promising more money for health care. Unfortunately, Manitoba has a Premier whose spending habit is out of control and we are not seeing better health care in Manitoba because of his spending habit. He simply lacks the courage to make meaningful reform in health care. Just spending more money will not fix our health care system and improve patient safety.

If the Premier will not listen to this side of the House, will he at least listen to Roy Romanow who talked about innovation in health care and do the right thing and improve patient safety in Manitoba?

Mr. Doer: I am pleased the member has had a conversion on the road to the long weekend, Mr. Speaker. He was out there with other surrogates ranting and raving about the Romanow report. I am glad to see there is a conversion today. We will see how long that lasts, but we are glad to see the conversion has taken place today.

The member opposite in his previous question dealt with the issue of electronic records. He also dealt with the issue of spending. In January of 1999, the former government wrote off SmartHealth. There are members of that Cabinet that sat here quietly, silently wrote off a \$35-million investment and the people of Manitoba in electronic health records did not find out until the government changed and was sworn in on October 5, 1999. It is unfortunate, Mr. Speaker, and one of the concerns we raised when we were in opposition was the whole area of going into alpha-stage developments and its reckless spending

of money. At that point it was with the Royal Bank and then, before that, with the Perot company. There was \$2.5 million left as an asset out of a \$35-million investment in electronic equipment.

There is no question some of the issues raised in the report that was produced for Canadians on more effective electronic tracking are very, very important recommendations and ones which we take seriously. We have discussed this with other premiers and with prime ministers. We do believe that the Romanow recommendations on a more appropriate electronic tracking system would be good for patient care but, unlike the members opposite, we want to make sure that if we invest \$35 million it is going to be for patients not for something else, Mr. Speaker.

Health Care System Medical Errors

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, a landmark study just released paints a disturbing picture of staggering numbers of adverse effects including patient deaths after preventable medical errors. In Manitoba we have seen patients die waiting for cardiac surgery or waiting for care in Winnipeg ERs or die because the mental health system failed them. In fact, we are aware of 14 deaths and that is just the ones we know about.

Does this Minister of Health still agree with previous comments he made that up to 350 patients die each year in Manitoba because of medical error or are these numbers now higher, based on the information from this new study?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, first off, I have been touting and talking about this study for several years and I have been advising Canadians and Manitobans of this issue. One of the reasons that we have been able to do that was because we were ahead of the curve as a result of the tragedy that occurred in the mid-nineties with the baby deaths.

We were ahead of the curve in terms of consent forms. We were ahead of the curve in terms of providing patient information in the form of a handbook to every single Manitoban. We were ahead of the curve in sponsoring four conferences with all caregivers to talk about dealing with these issues, not blaming but learning from the mistakes. We are ahead of the curve in announcing a patient safety

institute in Manitoba. When members opposite hid for 11 years those kinds of things, we were ahead of the curve on that.

Mrs. Driedger: When I warned this Minister of Health there were safety issues with cardiac surgery, he ignored that so for him to be so arrogantly putting this position forward today is totally unacceptable.

Saskatchewan has passed legislation that will make reporting medical mistakes mandatory. Québec has also adopted legislation that requires doctors to inform patients or their families of mistakes. I would like to ask this Minister of Health if he is planning to introduce similar legislation to make reporting mandatory in Manitoba, or is he of the same view as his head of the WRHA who said that we should lower our expectations, a comment that this minister in fact made to the Romanow Commission. He said that Manitobans expect too much, that they should lower their expectations. Is he on the same line right now as the head of the WRHA?

* (13:50)

Mr. Chomiak: Mr. Speaker, not only did I have the honour of introducing Roy Romanow last week when he spoke in Manitoba, but I had the honour of appearing with the Province when members opposite did not, to make a presentation, when members opposite did not recognize Romanow. Today is the first time I actually recall the word "Romanow" crossing the lips of members opposite, and I admire the fact they finally converted because there is an election going on and recognize the significance of Romanow.

We have been on this issue for several years, ever since the Sinclair-Thomas inquiry talked about the difficulty of hiding errors. That is why we have reports. That is why members opposite have information, Mr. Speaker, because information is given from the caregivers to the family when a mistake occurs. It is not covered up. It is not buried. It causes difficulty, but you can only learn if you are willing to admit mistakes. I ask members opposite if they were believing in that, why they never passed the protection of persons in care, as we did when we came into office, that has whistle-blower legislation.

Mrs. Driedger: Mr. Speaker, for the minister's comment about the protection of persons in care, for

the record, we were very supportive of that legislation.

Physician Profiles Legislative Requirement

Mrs. Myrna Driedger (Charleswood): Almost two years ago the Minister of Health introduced amendments to The Medical Act which would lead to physician profiles. In fact, Mr. Speaker, this came about because of the 12 baby deaths. He said then it was urgent. It was about accountability. It was about improving safety.

Now, here we are, two years later, and I would like to ask the Minister of Health, if he is so committed to patient safety, where are those physician profiles he committed to two years ago.

Hon. Dave Chomiak (Minister of Health): I remind the member opposite that I introduced as a private member the bill, protection for persons in care, for two years when the member opposite was the assistant to the Minister of Health and they buried that bill. The bill became law that had whistle-blower legislation that protects Manitobans when we came into government in 1999.

Mr. Speaker, the point is, as I have said many times in this House, we are not recognizing medical error. We sponsored four conferences. We now recognize it. We are in the process of tracking it. We are in the process of going public with it. Of the preventable deaths identified in the study, about one third actually could be worked on. We started working on that several years ago which is far more than happened during the 11 lean years when matters of that kind were allowed to be buried under the carpet and were not talked about. We are open and we want to learn from those errors and improve the situation, and that is what Canadians have come to expect.

Red River Floodway Expansion Report Tabling

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, two weeks ago it was expected that Wally Fox-Decent would submit his floodway expansion project mediator report to the Province. Due to personal reasons, we understand that the report was delayed and instead was expected by the end of last week. Can the Premier tell us if the

government has received the report from Mr. Wally Fox-Decent?

Hon. Steve Ashton (Minister of Water Stewardship): As I outlined in the House before, there were some personal circumstances, Mr. Speaker, and we certainly appreciate that. Mr. Fox-Decent also had to cancel a number of hearings that were related to the Workers Compensation review. We have always indicated that we trust in Mr. Fox-Decent's judgment. We certainly are anxiously awaiting the report, but its filing will be up to Mr. Fox-Decent. As soon as that report is received it will be acted upon.

Master Labour Agreement

Mr. Stuart Murray (Leader of the Official Opposition): Well, we too, Mr. Speaker, respect Mr. Fox-Decent's judgment. We do not respect the judgment that was issued by the Minister of Water Stewardship who said that all members that work on the floodway should be forced to pay union dues.

Mr. Speaker, this Premier (Mr. Doer) has said no to the key recommendations in his Education Finance Committee's report and he has said no to recommendations in Earl Backman's MLA compensation report. In the same way that the Premier has said no to the recommendations of these experts because he said it is the right thing to do, will he commit to not supporting any recommendation in Mr. Fox-Decent's report that would allow forced unionization and/or forcing companies to pay union dues?

Hon. Steve Ashton (Minister of Water Stewardship): There has been a great deal of public support for the process we put in place. Members opposite should consider the involvement of the stakeholders as well. Wally Fox-Decent is a well-respected Manitoban who has a great deal of expertise in dealing with matters such as this. We put in place that process. It was delayed unfortunately because of some personal circumstances affecting Mr. Fox-Decent. We are expecting that report imminently. We will act on it at that time, but I sure hope members opposite are not questioning a process that has received wide support from Manitobans.

Mr. Murray: Mr. Speaker, the Premier said no to the experts he hired in two recent reports because he said it was the right thing to do. And he should say

no to Mr. Fox-Decent if he is proposing forced union rates or forcing companies to pay union dues.

Manitobans have grown increasingly frustrated with governments such as the federal Liberal government who are more interested in paying back their political friends than spending taxpayers' dollars responsibly, Mr. Speaker. The floodway project can be achieved on time and on budget without forcing anybody to pay union dues or without forcing any companies to be part of a union.

* (13:55)

I would ask the Premier if he will stand in his place today and ensure that no companies will be forced to join a union and that no workers will be forced to pay union dues on the expansion of the floodway project.

Hon. Gary Doer (Premier): Well, Mr. Speaker, it looks like the member opposite is anxious to join into the federal election frame and the—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, it remains to be seen whether Mr. Fox-Decent will recommend as far as former Prime Minister Mulroney went in the creation of the work management agreement when the member opposite was working for him. It is interesting to note that in their petitions they want some of us to get directly involved in these discussions, as opposed to the person like Mr. Fox-Decent who they trust. I do not know whether he will go as far as Brian Mulroney did in a labour management agreement or whether he will have something else, but why do we not stay tuned.

Red River Floodway Expansion Master Labour Agreement

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, weeks have gone by, petitions have been said, ads are running and still the Minister of Water Stewardship does absolutely nothing on the issue of floodway workers. Instead of showing the leadership and direction that Manitobans expect on a project as big as the expansion of the floodway, the Minister of Water Stewardship hides behind the mediator. He hides behind the floodway authority while he

contemplates using taxpayers' dollars for a kickback to his union-boss buddies. Why will the minister not finally take ownership of the issue and state for the record that forced union dues and forced unionization is off the table?

Hon. Steve Ashton (Minister of Water Stewardship): If you ever want to see, in about one minute or less, capsulization of the Conservative interest in the floodway, you just saw it, Mr. Speaker, the kind of outdated rhetoric we heard from members opposite, the kinds of statements supporting the process but then asking questions which ask us to totally get outside of the process.

We are working very hard in terms of moving ahead with the design stage, the environmental assessment stage of the floodway. We are holding public hearings. We are building the floodway. That is the most important part, not the politics. We are quite prepared to trust in the judgment, the process we put in place in terms of Wally Fox-Decent. I wish members opposite would support that excellent Manitoban in a process, I think, that most Manitobans will support.

Mr. Goertzen: Mr. Speaker, the minister talks about judgment but he has very poor judgment. The Minister of Water Stewardship has bungled the floodway expansion file before dirt has even been turned. His lack of direction, his poor judgment and his desire to provide a payoff to his union-boss buddies have done nothing to improve the safety of Winnipeg residents. That is what the floodway expansion is about. It is about safety for Winnipeg residents.

Will the minister today make it clear that no forced union dues and no forced unionization will be part of the agreement for the floodway project?

Mr. Ashton: Mr. Speaker, I hope that someone is keeping track of how many questions the members opposite have actually asked about the floodway construction, the environmental assessment, all the important issues. They have asked dozens of questions, followed this kind of rhetoric. They show no interest in the floodway, and that shows once again that it is this government that has committed to building the floodway. They want to play politics and we are committed to building the floodway expansion.

Mr. Goertzen: Mr. Speaker, we are asking questions on behalf of the taxpayers of Manitoba and the minister refuses to answer the questions. This minister has dithered, he has delayed and now he is deflecting. Manitobans are coming to realize that the problem with the floodway project is not the process, it is not industry. It is this minister. If the minister is what stands between Winnipeggers and better flood protection, why does he not just get out of the way and let this project go forward?

Mr. Ashton: Mr. Speaker, the member opposite can repeat his rhetoric a thousand times over, but the floodway expansion is proceeding. We have signed a \$240-million cost-sharing agreement with the federal government. We have put in place the pre-design stage. In fact, we are not going to have to deepen the floodway as much as was expected. We are now going to be able to widen it which will have much better impact in terms of ground water. We have started the environmental assessment. We are working towards getting the environmental improvement approvals that will allow us to construct this starting next year. We are proceeding with a floodway. They are playing politics. That is the bottom line.

Budget Accounting Principles

Mr. John Loewen (Fort Whyte): In this year's budget the Minister of Finance indicated that he is, and I will quote from his speech, "Introducing infrastructure capital accounting practices with this budget." This is a recommendation that the Auditor General has been making for years, and it is certainly agreed to by this side of the House and the Institute of Chartered Accountants. What the minister did not tell the people of Manitoba is this also brings a considerable windfall to the province in terms of its budgeting process.

I wonder if he could tell the people of Manitoba today how much money the government is saving in the '04-05 budget as a result of this change in accounting policy.

Hon. Greg Selinger (Minister of Finance): The short answer, Mr. Speaker, is very little. The member will understand that we have to bring on previous assets to the books that need to be amortized, and in the future, as we invest in new assets, we have to amortize them as well. The difference is in the order of about \$4 million. In addition to that we have

committed to an additional \$10 million in expenditure and infrastructure this year for a net increase in our commitment to infrastructure.

* (14:00)

Mr. Loewen: Mr. Speaker, again I would refer the minister to page B12 where he indicates that there is going to be over \$85 million of infrastructure assets that are going to be funded by the government this year. In fact, those assets are going to be funded as a matter of course, and all that will show in the budget is the amortization and the interest costs.

I would ask the minister again to explain to the people of Manitoba how he would have balanced his budget if he had not changed the accounting rules.

Mr. Selinger: Mr. Speaker, I do not think the member understands what has happened. The change in accounting policy makes no material difference in the ability to balance the budget this year. We are in fact amortizing new infrastructure as we bring it into the system and provide it to the public of Manitoba, but in addition we have to bring old infrastructure onto the books. The net difference is in the order of about \$4 million. It makes a very small difference in our ability to balance the budget. We are spending \$10 million more this year on infrastructure in addition to the \$120 million we had committed to, which was in itself the highest commitment ever made in the province of Manitoba. Next year we have committed to an additional \$20 million in addition to the \$10 million this year.

Mr. Loewen: Mr. Speaker, again it is a significant amount to the people of Manitoba. You know he is forecasting a \$3-million budget surplus and yet he is saying he changed the accounting rules so he would not have to account for \$4 million in expenses. We will find out 18 months from now when the auditor reports on the '04-05 statements. It is unfortunate that the minister is going to make us wait that long.

My next question is to the minister. I would like to ask him if he took this step in order to comply with generally accepted accounting principles, why did he not go the whole way and produce the financial statements according to GAAP as the Auditor General has asked him to do?

Mr. Selinger: Again, the member seems to be stuck in a time warp. Our financial statements, since we

have come to government, have been done according to GAAP, never done by the government when they were in power, but we have done the financial statements according to GAAP and we have done them for at least the last three years. The members opposite know that. I wish they would get up to date.

Gaming Policy Social Costs

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, for weeks the Minister of Lotteries has refused to even agree to answer questions regarding a public study into the costs of gambling in this province. This weekend the province's Chief Medical Examiner stated his concern over the Doer government's plan to spend a hundred million dollars for new VLTs and the effect that it will have on families in this province.

Mr. Speaker, will the Minister of Lotteries today listen to the province's Chief Medical Examiner and cancel plans to expand gaming in the province and instead take a public look at the costs of gaming on families and Manitobans?

Hon. Scott Smith (Minister charged with the administration of The Manitoba Lotteries Corporation Act): During the large expansion in gaming from 1990 through 1999, when there were over 5000 VLTs brought into the province of Manitoba, two new casinos brought into the province of Manitoba, Mr. Speaker, what were members on the opposite side's idea of responsible gaming?

It was nothing, Mr. Speaker, in fact they had quotes of saying from the members opposite that it is up to people in communities to make their decisions. The first responsible gaming policy in Canada was introduced by this government in 2001, and those initiatives are beginning to work.

* (14:10)

Mr. Goertzen: Mr. Speaker, that minister's back-to-the-future answer is disgusting. In defending his government's indefensible expenditures of \$100 million in new VLTs, the Minister of Lotteries stated that the new VLTs would include responsible gaming features, but the CEO of the Addictions Foundation of Manitoba said these features will not really help true, addicted problem gamblers.

Mr. Speaker, will the Minister of Lotteries today listen to the CEO of the Addictions Foundation of Manitoba, cancel plans for the new VLTs and instead take a serious look at the public cost of gambling to Manitobans in our province?

Mr. Smith: As the rhetoric grows on the opposition benches, Mr. Speaker, they had no policy. This government introduced policy in 2001 listening to professionals in the fields, of all walks. We have listened to the AFM—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Smith: In fact, Mr. Speaker, we have put 77 percent more funding into AFM and into addictions counselling in the province of Manitoba.

When you take the members opposite having no policy, this government having a policy, funding it, listening to AFM, and, in fact, with the new machines that the member speaks about having the best electronic gaming technology for responsible gaming in Canada, Mr. Speaker, this side of the House has listened to the professionals. This side of the House is making a difference, while that side of the House did nothing.

Mr. Goertzen: Clearly the minister is not listening to the CEO of the Addictions Foundation. I wonder if he will listen to the Member for Burrows (Mr. Martindale), who in 1999 said that the social costs for gambling are greater than the revenue. I wonder if he will listen to the Minister of Water Stewardship (Mr. Ashton), who said that every day he meets people who express concerns about the personal costs of gambling.

Mr. Speaker, is there anyone in the Doer government who will listen to the concerns raised by the Chief Medical Officer, who will listen to concerns raised by the CEO of the Addictions Foundation, who will listen to concerns raised by the Member for Burrows, who will listen to concerns raised by the Minister of Water Stewardship and undertake a public review of the cost of gambling in this province before more people are harmed?

Mr. Smith: Mr. Speaker, it is interesting to note the member when he rambles on and on and he brings quotes. It is interesting to note that the member

opposite sitting beside the Opposition Leader was known to say, "Here is their responsible gaming policy."

One of the issues is that VLTs offer rural hotels and lounges a much-needed resource of new revenue through increased tourism dollars. It also ensures money generated for rural Manitoba, Assiniboia Downs and the community in general. Mr. Speaker, it seems to have changed the reverse to the back bench from the members in the front bench.

The only difference that this government has is we actually have a responsible gaming policy. We are funding, working with professionals and making a difference for Manitobans, not an unfettered expansion of gaming with no solutions from the members opposite.

Mr. Speaker, we take responsible gaming in the province of Manitoba seriously. We have initiated a policy and, in fact, it is one of the best templates in Canada.

Health Care System Medical Errors

Hon. Jon Gerrard (River Heights): Mr. Speaker, a study in other provinces shows disturbingly high rates of adverse events among hospitalized patients. The problem of improving quality in our health care system is one I have raised here many times. It is at the heart of Justice Murray Sinclair's report. I pushed the minister some years ago on the need for good data from our province.

How many medical errors are occurring each year in Manitoba? I ask the Minister of Health to provide us today with the results of a high-quality study in Manitoba which shows how many serious medical errors are occurring each year in our province.

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, I am glad that the member recognizes this study had part of its roots in Manitoba insofar as John Wade, who is on the board of the Winnipeg Regional Health Authority, was the author of the original study with the federal college of physicians and surgeons, that set this up, that set in motion these studies.

Prior to that even occurring, we had launched a patient safety initiative across the system in terms of

consent forms, in terms of some tracking, in terms of putting in place resources and the establishment of our own patient safety committee. We are one of the leaders in the country with respect to dealing with this issue. We will continue to listen to the National Patient Safety centre that has been set up in Edmonton at the urging of the provinces of Alberta, Manitoba and Saskatchewan, finally funded by the federal government, in the Honourable Anne McLellan's constituency.

Minister of Health Resignation Request

Hon. Jon Gerrard (River Heights): Mr. Speaker, the minister has not given us any data. It looks like we do not even have any measurements in this province, in Manitoba, right here. For four and a half years the Minister of Health has been there. If the minister cannot table today a study showing how many medical errors occur in this province each year, the minister should tender his resignation.

I ask the Premier, if that information is not before this House today after four and a half years, will he ask his Minister of Health for his resignation.

Hon. Gary Doer (Premier): I would like to ask the member opposite, sanctimonious as can be in this House, he cut \$240 million out of the health care budget in Manitoba in 1995. How many doctors did we lose? How many nurses did we lose? What was the impact on patient safety in Manitoba?

Mr. Gerrard: Mr. Speaker, this is not about how much money you spend. This is not about how many doctors and nurses. This is about process and whether the government has some basic information as to how many medical errors and adverse events are occurring in Manitoba.

I ask the minister either to table that information today, because surely after four and a half years he would know it, or to hand in his resignation.

Mr. Chomiak: Mr. Speaker, from 1993 when the member opposite was a member of the federal cabinet until 2000, no national study was undertaken in this country on adverse events. We urged it for several years. Now we have a national study and, I might add, we have a critical incident reporting policy that is broader than adverse events the member talks about that we have had in place for

several years. We put in place the recommendations of the Sinclair inquiry. We made public that information. The member opposite would not even know it if we had not made it public.

Mr. Speaker, it is surely abominable that the member opposite, part of a national government, would not only cut health care but would not cover it, would now stand up and say, "Where is the Manitoba data?" I suggest there is some federal electioneering in the air and that is one of the reasons why the member opposite is no longer a member of the federal party.

Mr. Speaker: Order. We need to be able to hear the questions and we need to be able to hear the answers. We have guests that came down here to listen to Question Period, and I am sure they would like to hear the questions and the answers. I ask the co-operation of all honourable members.

Devils Lake Diversion International Opposition

Mr. Bidhu Jha (Radisson): The Manitoba position on Devils Lake has been very clear. Could the Minister of Water Stewardship inform the House what international support has come supporting our stance?

Hon. Steve Ashton (Minister of Water Stewardship): I think all Manitobans are aware of what is at stake with the proposed Devils Lake diversion and that is why we have been working very aggressively in opposing both a proposed federal outlet and a state outlet that is under construction as we speak. The key message we have taken on this very important issue, the key issue the Premier (Mr. Doer) took both to Ottawa and to Washington is it is not Canada versus the U.S., and, in fact, there are many Americans, including the Governor of Minnesota, the Governor of Missouri, many national organizations in the U.S. that are also opposed to the Devils Lake outlet.

* (14:20)

Mr. Speaker, we will take whatever action is required to defend Manitoba's interests, but the right thing to do is to have it referred to the IJC. That is the message for Manitoba, for Missouri, for Minnesota and for many residents of the United States as well.

Organized Crime Reduction Strategy

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, the Justice Minister has been quoted numerous times as being determined to create a hostile environment for organized crime in Manitoba, yet the NDP awarded a government contract to a towing company owned by the head of the Zig Zag Crew with links to the Hells Angels.

Is it the plan of the minister to create a hostile environment for organized crime by offering government-funded contracts to companies owned by organized crime?

Hon. Ron Lemieux (Minister of Transportation and Government Services): Well, the short answer, Mr. Speaker, is no. Notice was sent to the company on Friday advising that the contract would be cancelled.

Mr. Hawranik: Mr. Speaker, last Saturday this Justice Minister was quoted as saying that criminal organizations and their challenges demand new approaches. That is what he said on Saturday. Can the minister advise whether one of the NDP's new approaches is to award government-funded contracts to criminal organizations?

Mr. Lemieux: The member from Lac du Bonnet must be hard of hearing. I have already mentioned that, Mr. Speaker. We have moved on this. Officials are reviewing our tendering process to make sure that we have the highest security standards and those are maintained. Also with regard to Manitoba announcing its measures that we want to strengthen its commitment to ensuring that business activities are in the manner such that it attains the highest level of security in its operations.

Mr. Hawranik: Mr. Speaker, on the one hand this Justice Minister stands in front of the media and talks tough against organized crime and states that he will create a hostile environment against organized crime. On the other hand, the NDP allowed the Hells Angels to establish a chapter in Manitoba. Then the NDP allowed them to open a retail store. Now the NDP are hiring them. Is this the minister's idea of a hostile environment?

Mr. Lemieux: Maybe the member from Lac du Bonnet could stop reading his script and listen to the

answer. There is no contract, and we tried to be absolutely clear on that particular point. Once again, I just want to say that our system, we want to ensure that it is fair, accessible and transparent. We are going to ensure that takes place, Mr. Speaker.

Workplace Safety and Health Review

Mr. Ron Schuler (Springfield): Mr. Speaker, during Labour Estimates, the Minister of Labour indicated that the Premier (Mr. Doer) had taken all responsibility for the forced unionization of the floodway from her and made Mr. Lloyd Schreyer and Mr. Eugene Kostyra responsible.

All Manitobans are now concerned that the Minister of Labour may also be on the sidelines with the Workplace Safety and Health review as well as The Workers Compensation Act review. Can the minister inform this House what is the status of these two reviews?

Hon. Nancy Allan (Minister of Labour and Immigration): The status of the Workplace Safety and Health review is that right now we are looking at our regulations and we have done a serious consultation on them, Mr. Speaker, and we had recommendations made. They are not government policy. They are recommendations from the advisory council. We will make sure when we bring in our regulations they are fair, practical, affordable and in the Canadian mainstream.

Mr. Speaker: The time for Oral Questions has expired.

MEMBERS' STATEMENTS

Skills Canada Manitoba Competition

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, it is always a pleasure to rise in this House to pay tribute to young people in our province. I find it unfortunate that the Minister of Education, Citizenship and Youth (Mr. Bjornson) did not see fit today to rise in the House to pay tribute to young people of our province and to young people who will be visiting Manitoba from all across Canada in the days ahead. I find it especially unfortunate that the minister chose not to recognize this very important event for our province in the way of a ministerial statement to show Manitoba youth that the

government cares about their future. Perhaps the reason for this is because this government lacks a strategy to keep young people in Manitoba.

Mr. Speaker, this week marks the 7th Annual Skills Canada Manitoba provincial competition as well as the 10th Annual Skills Canada national competition to be held at the Winnipeg Convention Centre from May 26 to 30. The competitions will host over 400 students from across the province and country. These youth will compete in 40 different skilled trades and technology contests. Some of this year's Manitoba contests include computer animation, robotics, cabinetmaking, hairstyling, worksite safety and aircraft maintenance, among many others.

As the skilled trades and technology sectors become increasingly vital to the health of our economy, one of the government priorities should be in the education and retention of young workers in these respective sectors. The skills competition is one of the ways we can stimulate the creative potential of a future workforce, find greater linkages between training and labour in an emerging workforce in Manitoba and ensure that present and future labour market needs are being met in our province.

The skills competitions also encourage young people to excel in their given fields and develop their entrepreneurial goals for the future. Most importantly, these competitions give our youth the opportunity to showcase their talents and network with past participants and industry experts, acquiring valuable skills applicable to the modern-day workforce.

I would like to take this opportunity, Mr. Speaker, to wish all participants the best of luck in this year's Skills Canada provincial and national competitions. Thank you.

Margaret Head

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, I rise in the Legislature today with sadness to speak about the life and passing of a wonderful elder from northern Manitoba, Margaret Head. Margaret passed away on May 17, two days after her 87th birthday. Her wake and funeral were held in Cranberry Portage on May 22. I was fortunate to be able to visit Margaret in the hospital before her death and I was

one of the hundreds of mourners to participate in her wake and funeral.

Margaret was a great friend of mine and of many people. I relied on her wisdom. She was like a second mother to me. Margaret was a warm, loving, inclusive person and a proud Métis elder. She celebrated the positives in all languages, religions and cultures. Margaret accomplished so much in her life. She was very active in her church and in many other organizations.

Along with her husband, Alfred (Curly) Head, she was very involved in the Manitoba Métis Federation. Margaret was a founding board member of Native Communications, Inc. for almost 20 years. She was also a founding board member of Rosaire House alcohol treatment centre in The Pas. She was a pioneer as one of the first Aboriginal women on CBC Radio in northern Manitoba. She was instrumental in establishing the first Cree Crisis Line and worked extensively to promote a Cree language AA program in northern communities. Most recently she was a member and elder of the West Broadway Aboriginal Resident Group. In recognition of her many contributions, she received a Queen's Jubilee Volunteer Medal in 2003.

Margaret had a great love for her family and mourning her loss are her children, 32 grandchildren, 61 great-grandchildren and 29 great-great-grandchildren, as well as numerous nieces, nephews and friends. Margaret was predeceased by her husband, Alfred (Curly) Head, and her daughter, Irma Head. Margaret, dear friend, rest well.

Cameron Hicks

Mrs. Leanne Rowat (Minnedosa): I would like to bring to the attention of this Assembly the remarkable accomplishments of Cameron Hicks, a 15-year-old up-and-coming filmmaker from Souris. Forming all of the characters in his film from Plasticine, each scene was filmed in segments to create a short animation.

Cameron's film, *Edward's Dog*, tells the story of an elderly man who finds and falls in love with a stray dog. I am proud to say that Cameron's giftedness and creative spirit have not gone unnoticed. At such a young age, Cameron has already received national attention from the film community. For his work in *Edward's Dog*, Cameron

was chosen by the National Screen Institute Film Exchange to take part in the Canadian Film Festival, a contest that attracted over 100 submissions from across Canada. Cameron's work was then short-listed with 11 other films by a judging panel represented by the Winnipeg entertainment industry. As part of the festival, *Edward's Dog* was shown to a large viewing audience at the Globe Cinema in Winnipeg. Not only was he a finalist in this contest, his film found favour with the voting audience members. Cameron Hicks left the event with top awards including Best Screenplay and Best Film from Manitoba.

Cameron also took part in the Freeze Frame Awards where he received many praises for his work on *Edward's Dog*, adding two more awards for his shelf. He was successful in the Best Animation and Most Promising Young Filmmaker in Manitoba categories.

Mr. Speaker, as a Souris native, I am very proud to put on the record the accomplishments of this truly gifted young man. As a Manitoban, Cameron's success provides us with much to look forward to since it is young, talented and creative people like Cameron who ensure Manitoba will remain a strong presence in the national arts community. Thank you.

*(14:30)

Urban Circle Training Program

Mr. Doug Martindale (Burrows): Mr. Speaker, I am pleased to welcome a new addition to the constituency of Point Douglas. Recently, the Urban Circle Training Program began offering courses at their new location at 519 Selkirk Avenue. This program had humble beginnings at North End Community Ministry in 1990, then moved and expanded several times until they relocated back on Selkirk Avenue.

The grand opening was on May 20. It was attended by Premier Doer and the Minister of Aboriginal and Northern Affairs (Mr. Lathlin). The federal government was represented by Dr. Rey Pagtakhan and the City of Winnipeg by Mr. Mike Pagtakhan. I am told that about 500 people attended in this beautiful new facility.

Urban Circle is a non-profit, community-based adult learning centre that has been offering training programs for 14 years, however, with this new

facility they will be able to expand their programs and provide a positive presence in the neighbourhood.

The training program offers a wide variety of programs which range from 13 to 16 months. There is an Adult Basic Education Program as well as an Aboriginal Teacher Assistant pilot program. Students can also learn what it takes to be a health care aide or family support worker.

The Health Care Aide Program was developed in conjunction with the nursing, continuing education and Aboriginal education division of Red River College. Successful graduates will receive nationally recognized accreditation and are qualified for employment in a variety of settings including personal care homes, home care agencies, extended care hospitals and acute care hospitals.

Urban Circle has an enrolment of over 130 students each year. These training programs will expand certified training and long-term employment opportunities for Aboriginal women and men. I would like to thank all the capital donors, the institutional partners and the program's supporters for contributing to this worthy project and I wish the Urban Circle Training Program continued success. Thank you.

Mr. Speaker: Before recognizing the honourable Member for Lakeside, I want to once again remind all honourable members when making reference to members in this Chamber, ministers by their portfolios and other members by their constituency.

Western Canada Summer Games

Mr. Ralph Eichler (Lakeside): I rise today to talk about the 2003 Western Canada Summer Games. These games were hosted by several communities who shared not only in their planning but also their implementation and successful completion.

Each of these communities of Stonewall, Selkirk, Beausejour and Gimli participated last year in the event, which united countless young athletes aged 15 to 18 from all the western provinces and territories in Canada.

This event brought together over 3000 volunteers who donated many hours and their summer holiday time to ensure that this event was a

success, and as recently reported in the *Selkirk Journal*, the Western Canada Summer Games carried a surplus of over \$360,000 which will be donated back to these communities.

Mr. Speaker, not only were these games a tremendous success for the Interlake but also gave communities such as the town of Stonewall a new baseball diamond and the city of Selkirk a new waterfront and community stadium.

The economic spinoffs or long-term advantages of such a venture are evident in the fact that Selkirk hosted its first and not last Waterfront Festival as part of the many attractions. The festival gave many amateur performers a chance to showcase their talents for thousands of people.

Mr. Speaker, in closing I would like to commend the people of these communities for working together to accomplish such a feat. I encourage them to build on their successes, utilizing the capital projects to better their communities and undertake similar ventures in the future. Thank you.

* (14:30)

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please call debate on second readings of the bills in the following order: Bill 10, Bill 25, Bill 32, Bill 36, Bill 34, Bill 44, Bill 37 and Bill 30.

DEBATE ON SECOND READINGS

Bill 10—The Gaming Control Amendment Act

Mr. Speaker: Resume debate on the proposed motion of the honourable Minister of Energy, Science and Technology (Mr. Sale), Bill 10, The Gaming Control Amendment Act. It was standing in the name of the honourable Member for Turtle Mountain (Mr. Tweed), so the debate is open.

What is the will of the House?

Some Honourable Members: Stand.

Some Honourable Members: Pass.

Mr. Denis Rocan (Carman): I move, seconded by the honourable Member for Lac du Bonnet (Mr. Hawranik), that debate be adjourned.

Motion agreed to.

Bill 25—The Amusements Amendment Act

Mr. Speaker: Bill 25, The Amusements Amendment Act, standing in the name of the honourable Member for Lac du Bonnet, who has 19 minutes remaining. What is the will of the House?

An Honourable Member: Stand.

Mr. Speaker: Is it the will of the House for the bill to remain standing in the name of the honourable Member for Lac du Bonnet? *[Agreed]*

An Honourable Member: Oh, no. That is the wrong one.

Mr. Speaker: It is standing in the name of the honourable Member for Springfield (Mr. Schuler), who has 19 minutes remaining. What is the will of the House?

An Honourable Member: Stand.

Mr. Speaker: Is it the will of the House for the bill to remain standing in the name of the honourable Member for Springfield? *[Agreed]*

Mr. Kelvin Goertzen (Steinbach): It is a pleasure to stand to speak today on The Amusements Amendment Act. Certainly, this is a bill which has received some amount of public scrutiny, and I think that that is good, that it has been before the public and it has been before Manitobans to get some feedback. This is legislation which I think will find a public debate within the community, and that is certainly a good thing.

I think that it is important that we as legislators have an opportunity to debate the bill and the substance of the bill and also some of the possible ramifications and side effects of the legislation. Now that it has kind of come before this House and come before the public, we as legislators have an onus to listen to what our public has to say and what the concerns are that are raised. Certainly, I have had the opportunity within my own constituency to speak about this particular piece of legislation and to get

some feedback regarding the bill and what its impacts are. I think that has been positive, and I want to thank my own constituents who have given me that feedback. I have asked them in coffee shops and in the community, because I know that they are always interested in telling me their views on legislation that will affect Manitobans for years to come.

This particular bill arises out of the motivation, out of the desire to ensure that our children are protected. I do not think that any member of this House would be opposed to the principle of legislation, though I am sure that there is that type of protection in place. We look to more than that, than protection. Obviously, it is a key component, but we have to ensure the Legislature that everything that we do, everything that we bring forward in terms of legislation, is appropriate and we ensure that it will stand the test of time. That is a phrase I have heard in this Legislature before. That is a comment that has been used before within the Manitoba Legislature, in terms of standing the test of time.

I think when that phrase is used by both members on this side of the House and members opposite, they are using it with the best intentions. They are doing it with the intention that it will not only stand what we sometimes look at as a constitutional challenge, but I do not think that there is a question in that regard. But, whether or not it will stand kind of the public test of time, I think that is important because, as legislators, we do not just bring forward legislation that, of course, will conform with the overarching principles that is the Constitution of our Charter of Rights and Freedoms, but that we also bring forward legislation that will meet, of course the public standard. We are judged by that in terms of an electoral judgment, but also that it will pass the judgment of good legislation to ensure that it is not just legislation that will be here today and has to be changed tomorrow and has to be changed a month from now. I do not think that there is any Manitoban who would expect that that would be the type of legislation that we would bring forward.

So this particular piece of legislation needs to be examined within that light. It needs to be examined within that particular context. I think that it is appropriate that it is examined in that fashion.

*(14:40)

When we are looking at this particular piece of legislation, I know that there has been consultation with a number of groups and organizations in terms of its effect. It is not surprising that when one brings legislation, any type of legislation to the House and brings it of course to the public for comment that there would be a variety of different opinions, that there would be a variety of different responses back.

I think that that is appropriate, Mr. Speaker, because often that is where we get, or most often, I would dare say, our most appropriate comments back from those individuals who are closely connected to the individual piece of legislation or closely connected to the individual regulation or discussion that is happening.

So I think that, when we talk about legislation like Bill 25, The Amusements Amendment Act, it is important to look at it within that context. I believe that the government and the minister responsible have done that. I believe that they are looking to respond to a particular concern that has been raised in terms of the classification of video games now in the province.

That expanded power to include the government to regulate or restrict the sale or the rental of video games is something that I think it is time for that debate. It is time for that discussion. When we talk about different types of legislation that protects children in the province, I think all Manitobans and all legislators here in the House would say that is a good debate, that it is a valuable debate, that it is a debate that is worth time on.

Protection, of course, of children in Manitoba crosses party lines, of course, but there are a lot of different discussions that happen, of course. We know it crosses different levels of government. The provincial level of government here is stepping in to make a decision. We know that there is also the federal level of government which makes decisions.

I applaud, I think, the members opposite, who have joined with us as a party on certain issues, whether it is the legal age of consent in Canada, moving it from 14 to 16. I think that members opposite—I believe the Minister of Justice (Mr. Mackintosh) has spoken out in favour of that change. I think that that is something that is worth applauding.

The general public and sometimes members in this House do not always recognize how often we agree on specific issues, that we join together and see something as appropriate, whether it is legislation or whether it is a lobbying effort of a higher level of government.

Certainly, when we talk about issues like the age of consent, which is a child protection issue, I think that there has been that bridge that has been built across this House, this bridge that has been built across party lines. I think that Manitobans would applaud that, and they would be heartened by the fact that we can join together on those particular kinds of issues, that we can say that, yes, this is something that we agree with and this is something that we will take to heart. All legislators should be commended for that.

In issues with child protection, I think, we often find that type of common ground, because, I think, we all want, whether as individual Manitobans or speaking as parents, which I am not, but I know others in this House would speak as parents to say what more can we do to ensure that there is protection of our children, which, of course, has elements of the justice system and now the particular minister bringing forward this under the Department of Culture, Heritage and Tourism in our province.

That is an important point to remember, that we as legislators, that we as lawmakers are crossing that divide that sometimes the public sees. We are crossing that particular division of party lines because we see something as important and we see it as important to children and to the protection of children in our province.

Now, when we are talking specifically, as Bill 25 does, in terms of the classification of video games, of violent video games, of acts that depict particular things that we as a society might find offensive, I think that, generally, people within the public would say, "Well, it is a good thing." Now, they would not, of course, and I think this is also an important point to remember that no one in the public would say that this is a replacement for active parenting, for good parenting.

Mr. Speaker, I think all of us would agree, those in the Chamber who have children, those certainly who have children within the family, that they have responsibility for at times in terms of supervision.

All of us would say it is critically important that we play an active role in the lives of these children, critically important that we know what it is that children are listening to and what it is that children are doing. Certainly, I know and I think members opposite have also put out cautions in the form of news releases or in the form of articles and papers which I have seen, cautions regarding the Internet and what is available on the Internet and the age appropriateness of a lot of the different things that appear on the World Wide Web.

Certainly, there has been an advancement, I think, over the years, advancement regarding the protection of children, filters that are available in software. There is an advancement in terms of what can actually be seen on the Internet, the ability of parents or supervisors of children to block out a number of the different things, the many, many things that are on the Internet that are not appropriate for young children and sometimes even for young adults.

I think that, as we look at legislation like this, there are always different views. There are certainly some in the public who will caution us and not want us to have a type of Big Brother mentality of government that comes over and monitors everything that happens in individuals' lives and monitor every action that individuals take. I think we recognize in the House, in this Legislature, that this is something quite apart from that, that it is not specific to that concern, Mr. Speaker, that distinctions can be made because, in fact, we know that there are a number of tools that parents use at this point, whether it is parental warnings on music that is being sold, or warnings or restrictions actually on the types of movies that can be watched. Those are appropriate restrictions. Those are appropriate limitations that we as a society have said, "This is where we need to draw the line."

This is where we as a governing body, quite apart from political parties, need to step in and say, "Here is where we think something is acceptable and here it is not." Let us use this as a tool for parenting, not as a replacement for parenting.

Certainly, that is a point that I think members on both sides of the House would agree, that legislation like this or this particular piece of legislation is never intended to replace the type of active parenting that not only protects children from activities that might

expose them to material that is inappropriate, but also that will ensure that there is that type of guidance and interaction and relationship between guardians and parents and the children that they parent or look over.

So I know there are a number of games, and I am certainly not a connoisseur of video games. I have not, for a number of years, been active in participating and playing video games.

I think members will know that I am not that old in the Legislature in terms of political years or even actual years, but my experiences with video games are more along the lines of the *Space Invaders* type of video game with the little triangle that represented a spaceship that shot away enemies from the sky. That is quite different, of course, from the reality not that many years ago of what young people have access to today in terms of the violence and in terms of the graphic nature of video games that currently exists within the community and are available for people to go forward and rent.

So that is the spirit, I think, that this particular piece of legislation, Bill 25, is brought forward. I think that all Manitobans, regardless of where they would fall on the spectrum of support for the legislation or not support for the legislation—I think it is fair to say that all members of society would welcome the debate, at least, would welcome the discussion that is happening within this Legislature.

There are many things that are discussed within the chorus of debate in this particular House. I suspect that different members of society would see those discussions of different value, that would see them as different levels of worthiness. I do not think there are any Manitobans, or very few Manitobans who would question the fact that we are having this discussion, this debate here today on this particular piece of legislation because it involves our children.

I know that there are other jurisdictions which have similar pieces of legislation. We look to the west coast and British Columbia, or we look at our neighbours to the east in Ontario who have introduced similar pieces of legislation as a tool, not as a coverall for all parents or for all kinds of activity, but, simply, as another thing parents have within their toolbox to ensure that their children have access to the things that the parents certainly would

consider appropriate and that most likely the broader community would have agreement with.

* (14:50)

Of course, with any piece of legislation, there are always concerns that are brought forward from citizens and from industry, and those concerns, I think, are appropriate. This is the time and the place to bring those particular concerns forward, questions regarding licensing, whether or not a separate licence is required now for video outlets and what would the additional costs be to retailers.

I know we do not frame the discussion generally of safety, most generally, and safety particularly for children in the context of a cost issue, of a cost driver. But there is a reality. There is a reality that industry wants to ensure that the cost of a particular program like this is actually something that will not unnecessarily impede their business.

There are always issues around enforcement. We have seen legislation that has been brought forward in this House over the past number of years, not just in the context of the time that I have been elected to the Legislature, but in years prior. I would say graciously, among all different parties, legislation that is brought forward that does not necessarily have the teeth of enforcement.

Enforcement is always an issue when you bring forward legislation, because all of us would agree on specific kinds of issues of deterrence, whether we are talking car thefts in the province, whether we are talking about organized crime in the province, or today, when we are talking in the context of Bill 25, The Amusements Amendment Act, and the rating of video games, violent video games.

I think, then, that it is important that we remember that, while this is not an issue of great debate, we have questions regarding enforcement. Is it enough to simply put a label on a particular video game? What will that do?

Certainly, there are young people who have access to these video games quite apart from the renting or the purchasing of violent video games; they might have access to the World Wide Web. I understand that a lot of material can be downloaded from there. So it is certainly not going to be a

measure of great prevention if there is not enforcement that goes along with it.

Questions of enforcement always come to issues whether relating to resources and how you put the resources within the enforcement. We know that our more traditional police forces, when we talk about municipal police forces, or the federal level of police enforcement, are not flush with resources at this particular time. I hear it almost on a weekly basis from members of law enforcement within my community about the struggles that they have in terms of ensuring they have resources to respond to people who are in a crisis and to respond to people who have a need, an emergency, an immediate need. To do the regular type of monitoring and there is a key element of presence for the police force to do those kinds of things. There are not the kinds of resources available already for those levels of enforcement.

So one wonders will there be enough enforcement. Will there be any enforcement in terms of this particular legislation? If there is not enforcement, what in fact is the end result? What, in fact, is the purpose then of the legislation? "Could it do more harm than good?" a member asks. I think that that is an important question. Will there be a false sense of security given by parents that perhaps, with this legislation now in place, they do not have to do the type of active parenting, the type of responsible parenting that I spoke about earlier in my address?

I think that that is a valid concern, and it should not be lost by all legislators here that this is not something that will be intended to cover off all ails. It will not be everything to all parents. Just like warnings that appear on the various other mediums that young people have access to, this will not be enough simply to put out a warning on a particular video game and then hope, then, that there will be the type of enforcement of the particular rules or hope that young people will essentially police themselves.

Certainly, while we would hope that young people would have the direction not to partake in things that would be harmful to them, I would say in the long run or the short term, we know that one of the difficulties of youth is that there is not always that sort of self-discipline within individual youth. So this is where this particular piece of legislation, I think, has come forth.

We know again that there is segregation, or there is a limitation I suppose, among certain kinds of film, whether it is, of course, adult films of which we are aware of where there is strong legislation and regulation against, but here we are looking at something quite different. I suspect that there are various types of studies that have been done that would probably give different types of opinions about the effect of violent video games.

None of us, of course, would argue with the intent of the legislation. All of us want to ensure that young people and our children have the type of upbringing, are not needlessly exposed to kinds of gratuitous violence and those types of medium that so many young people are today exposed to.

So I do not have great concern with the legislation from its motivation, from its intention, Mr. Speaker, but, certainly, we know that there have been some in the industry. I know an owner of a particular video store was quoted in our local media saying, "It's a total waste of time and money, and I don't think it is going to make a lick of difference." Is that not really the test?

I kind of come back to how it started, as the test of all legislation, the debate in the Legislature here about what difference it will make. Is it enough to just bring forward legislation so that we can put out a press release jointly as legislators and say, "Well, look what we have done. We have done something. We brought forward legislation that we think will help to protect young people, that we think will help to protect those in society who need more direction because of their tender age."

If it does not make a difference, then why have we done it? Certainly, the more cynical, the more jaded perhaps in our society would say it is simply a political decision, simply something that is good politics is I think sometimes a phrase that is used. But I think we are called to a higher standard as legislators than to simply do things that are done for good politics, that we are called to a higher bar than to do things that are simply for expediency.

We are called to do things for a better reason than just to be able to put out another news release, Mr. Speaker. I think that that is not something that our general public, that people in Manitoba would hope would be the reason for our particular legislation.

So the concern that is raised by the particular video game rental retailer about "I don't think this is going to make a difference" is a valid one, and, I hope, that when this bill moves forward to its other stages in the Legislature, people will come forward and give ideas about how this particular piece of legislation maybe can be strengthened. Maybe there is a different way to do things, and that is really I think what we will be looking for.

Is there a way that we can ensure that the intention of the legislation is maintained? Are there things within the particular piece of legislation that can be changed in maybe subtle ways in terms of a friendly type of an amendment that might make it stronger, that might ensure that we are not just passing legislation to pass legislation? We are not just moving forward on something so that we can say, "Look, we have moved forward on something." So we can go out to the public in Manitoba and say we have done something when, in fact, it has not truly made a difference, Mr. Speaker.

But there is the recognition, I think, that this is a very serious issue, and I think that individuals, people on the film board have made that point clear, that it is a serious issue, that video games are becoming very realistic and that the video games that I spoke of earlier in my presentation I had the opportunity to access as a youth are worlds apart, worlds apart, Mr. Speaker, from what our youth are exposed to here today. When we look at what young people are faced with in terms of their choice of entertainment today, we want to ensure that we give them the responsibility, the latitude as it were, to make decisions, to make good decisions about their own entertainment, about their own participation in a variety of different activities, but we want also to ensure that there is guidance involved so that we can help in making those decisions.

I think that all of us kind of look back on times when we were younger and can point to various times in our life where we relied on that particular guidance, that particular advice and that it was helpful, that it was helpful to us as young people. I think that it has helped make us better adults. I think that I will look to some of my colleagues who are parents that have probably made them better parents as well because they have been able to learn from the experiences that they had.

*(15:00)

So will this particular piece of legislation give that type of guidance, will it give the parents a significant tool to ensure that their young people are not only excessively exposed or needlessly exposed to violence within the video game industry, Mr. Speaker? I think that that is truly the question that we need to look at.

To simply pass the legislation so that we can say that we have tried to do something, that we have responded to what is a public concern is probably not what most Manitobans would be asking us to do. It is not what they would be expecting us to do. So, when we look at different video games, I think the one that has sparked the most controversy in the Legislature or in Manitoba is the game *Man Hunt*, which has been rented and sold to minors, which is extremely graphic from what I understand. I have not had the opportunity nor am I looking for the opportunity to play the particular game, but I have certainly seen clips of it on the television. I have seen clips of it in different medium, and I was shocked, I think, Mr. Speaker, is probably the simplest way to say it and the most honest way to say it.

I was shocked by the content of that particular video game. I wondered, of course, what the long-term effects were of that type of graphic participation in violence, not a physical participation, but in a distance participation, where it is that that would leave many young people. If we look back in 20 years or 30 years, I think we as legislators, none of us want to say that we were negligent, that we did not play a role in ensuring that there was good legislation in place to help us as parents, that would help us as Manitobans and that would help young people. None of us want to be held responsible for that.

I suspect that most of us will not be here in 20 or 30 years to face that particular judgment, but certainly I think that wherever we are, individually or collectively as legislators, we will want to look back and say we did the right thing. We will want to look back and say that we made a difference. We will want to look back in hindsight and feel good about the decision that we made not only on this particular piece of legislation, Mr. Speaker, but of course on all pieces of legislation that come before this particular House.

We know that there are, I believe, penalties that also are included in this particular piece of

legislation. I think that the current act reads that any person who wilfully contravenes any provision of the act or the regulation is guilty of an offence of \$5,000. That is, I think, another area that needs to be examined in terms of the enforcement of the particular piece of legislation, certainly the issue of wilful.

We know when we talk about wilful in law, we often talk about knowingly or unknowingly, about kind of the mental ability of an individual, that they participated in a particular crime. So here we would be looking at retailers, retailers who are going about their daily business and what effect it would have if this particular legislation went in, if they would be found as wilfully contravening the act, Mr. Speaker.

So I know that the retailers have wondered about this course. They have wondered about the licensing end, and they want to ensure that this is not just simply a tax grab by the government. You know, I know that there are probably members of the public and maybe members opposite who would look at those kinds of comments to be made by retailers and say that is a sad comment to make when we are talking about the protection of children, but I think that it is important to remember the context because retailers across this province in a number of different areas have been faced with tax increases and fines and licences from this particular government that really did not have a relation to the legislation that was being brought in.

I think that the vast majority of retailers would say that, well, if there is a way that we could better protect children, that we could ensure that young people are not needlessly exposed to violence, they would be willing to do that.

The fact that there would be a nominal charge, and I use the word "nominal," might be something that would be considered, but it has to be more than that. It cannot be just legislation for the sake of legislation. It has to be something that is truly valuable and that will add to the safety of our children in Manitoba.

So I think that the intention of the bill is supported generally by members of the public and members on both sides of the House, but intention only gets us so and so far. We have to ensure that the legislation has real teeth. We have to ensure that the legislation is doing something that really protects

young people but never to take away the key responsibility of parenting that is held within the province with all of us as supervisors of young people or as parents.

With those words that have caution within them, I would like to thank members of the House for giving me the opportunity to say just a few words on this particular piece of legislation. I have been looking forward to speaking to this bill for some time. I am glad that I have had the opportunity now to put words on the record. Thank you very much. I know all members have enjoyed my comments, and I am hopeful that they will hear more in the future.

Mr. Speaker: Are there any other speakers? When this matter is again before the House, it will remain standing in the name of the honourable Member for Springfield (Mr. Schuler), who has 19 minutes remaining.

House Business

Mr. Speaker: The honourable Official Opposition House Leader, on House business.

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, I was wondering if you would canvass the House for agreement to revert back to Bill 10, The Gaming Control Amendment Act.

Mr. Speaker: Okay. Is there agreement to revert back to Bill 10, The Gaming Control Amendment Act? Is there agreement? *[Agreed]*

Bill 10—The Gaming Control Amendment Act

Mr. Speaker: Bill 10, The Gaming Control Amendment Act, standing in the name of the honourable Member for Carman (Mr. Rocan). What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Carman?

An Honourable Member: Stand.

Mr. Speaker: It will remain standing in the name of the honourable Member for Carman.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I would like to thank the Member for Seine River (Ms.

Oswald), who was very happy to hear me rise in this House again to put a few more words on regarding legislation.

The Member for Lac du Bonnet (Mr. Hawranik) mentions that it has been a long time since he has heard me speak in this House. I know that three minutes can seem like a long time in politics and in the Legislature and, certainly, within the House, but I am happy that I can fulfil the wishes of the many members in this House who are asking me to stand again and put some words on behalf of the residents of the Steinbach constituency on and of course Pembina.

The Member for Pembina (Mr. Dyck) mentions that I should put some words on the record for his constituents. The Member for Emerson (Mr. Penner), I see, wants me to put words on the record for his constituency.

Indeed, I sometimes think of the Emerson constituency, and the Pembina constituency, as a sister constituency to Steinbach, that we share many of the same values and we share many of the same interests. We share many of the same principles of hard work and entrepreneurship. I think that is why we have a community that has been successful, vibrant, the Member for Pembina (Mr. Dyck) says.

I think that it is appropriate that, when we look at the map of Manitoba and we look at the most successful communities in the province of Manitoba, we see the communities of Steinbach and Niverville and Winkler, and we see communities in Emerson and Morris, the southern part of Manitoba driving this constituency.

So those words of encouragement that I received from the Member for Emerson and from the Member for Pembina give me great heart as I go forward and put words on the record about Bill 10.

The Gaming Control Amendment Act, Bill 10, which we are speaking about today, is in relation to, well, certainly one of the issues that are brought forward in the bill is the responsible gaming policy.

I find it, I think, somewhat ironic, though perhaps sadly ironic, that we would talk about a responsible gaming policy here today in light of what happened not that long ago in the Oral Questions part

of our routine proceedings in the Legislature here today.

I think that it is disappointing that when questions have been raised by members of this House—and I had the opportunity to pose a question earlier today regarding gambling in the province and what the social impact of gambling is on Manitobans. I asked the question about whether or not there was a clear direction from the government about doing a study, about looking at what the cost of gambling is to Manitobans.

I had the opportunity to look back at some of the comments that were made from members opposite in years past and I guess things have changed for members opposite. I hope it is not just the fact that they now sit on a different side of the Legislature. I hope that it is not just simply because they have been roped into or whipped into party discipline that they no longer want to speak their heart about issues.

You know, I read comments earlier in Question Period regarding the Member for Burrows (Mr. Martindale) who, in 1999, made statements about the social costs of gambling. *[interjection]* The Member for Inkster (Mr. Lamoureux) appropriately points out that that was then, and this is now, and that things have changed. But then, of course, the Member for Burrows said that the social cost of gambling in our province was more than the revenues that were brought in to the province. What an interesting statement for the Member for Burrows to make because we do not really know, I do not think, Mr. Speaker, that is why we have been asking. That is why we have been asking the Legislature for a true study, a public study to see what the true costs of gambling are in the province.

*(15:10)

It is an appropriate time. I think that the gambling or the gaming industry in Manitoba has reached a stage of maturity at this time. It has reached a particular stage where it is time to take a step back, to take a look back and to ask ourselves the question, "What, now, is the cost compared to the revenue?" A great deal of attention has been brought forward, a great deal of attention is given to the fact that lots of revenue comes into the province from gaming in our province. Nobody would dispute that. There is not a member in the House who would say that gaming or gambling in the province is not a

significant source of revenue for this government or any government in the past number of years.

That is not the issue that is being discussed. The issue is about the cost. It is a little bit like looking at a balance sheet and somebody has taken a look at the asset side of the balance sheet but nobody has taken a look at the liability side. No businessperson in this House or in Manitoba would say that that would be an appropriate way to value a company.

No businessperson, and I know there are many on this side of the House who have run businesses or formed businesses who know that, when you look at the totality, when you look at the costs of any particular venture or any particular investment, there are always two sides to that ledger. There is the asset side, of course, which, when we refer to lotteries and gaming in the province, we know that there is a significant revenue side, asset side, to gambling in the province of Manitoba. But has there really been any kind of clear consideration of the costs of gambling?

I do not believe that there has, Mr. Speaker. So the Member for Burrows (Mr. Martindale), when in 1999 he said that the social costs of gambling are greater than the revenue for gambling, I wonder what report he was looking at. I wonder if he would bring forward that report. I wonder if he would show us where he got that information, because, clearly, the government does not have that particular information today and is unwilling to do the things that they need to do to get the information. To put a stop on gambling and gaming in the province just to say, you know, now is a good time to pause. Now is a good time to take a sober second thought, if you will, about where we are in terms of gaming within the province, to stop and to say let us take a look back now and see what the impact has been of gaming in the province before we move forward at any greater rate.

I know that the members opposite are quite sensitive about this particular issue, that they at one time had a very pompous kind of attitude about gaming and gambling and that that balloon has kind of been deflated since they have been in government. I guess it is embarrassing for them to go to their individual constituencies and face the questions that we pose here in the Legislature about the direct contradiction between the comments that were made by the Member for Burrows in 1999 and his silence

today on this particular issue. He has been whipped into silence by, probably, party discipline, by the Premier who says, "Oh, we cannot say the kinds of things that we said in 1999." But that was then and this is now.

I think, Mr. Speaker, that Manitobans are discouraged by that type of attitude that the current NDP has shown. It is not just the Member for Burrows. I do not mean to pick on the Member for Burrows, who, I think, is an honourable member and whom I certainly have a degree of personal respect for inside of this House and outside of this House, as is the Minister of Water Stewardship (Mr. Ashton) who also said—I think the Minister of Water Stewardship's comments—I do not have them right in front of me, but it was something to the effect—he made this comment in 1996 or 1997—that every day he met somebody who approached him about the social costs of gaming and gambling in the province, every day. "Not a day went by," I think, were his actual words.

Well, now that the particular current NDP government has increased gambling in the province, now that they have added to the hours of the VLTs, now that they have said that the hours of operation and the days, now we are going to gamble on Sunday. The Minister of Lotteries talks about keno. Now we are going to put keno in Laundromats and possibly in hallways.

Anywhere where there is a Manitoban alive and breathing, we are going to put in a keno machine to try to hope that he is going to put whatever change he has in his pocket, whatever ATM money he might have, put it into these machines. Now that they are going forward with these kinds of statements, I wonder if the Minister of Water Stewardship, does a day still not go by that he hears from somebody about the social costs of gambling, of gaming?

I find it hard to believe that now that there is expanded gambling in the province, that he does not have that same kind of response. Perhaps he is not out as much. Perhaps he does not find himself on the street as much. Perhaps he does not talk to his constituents as much. Perhaps he does not raise the issue. Maybe that strikes to the heart of the matter. Maybe the Minister of Water Stewardship does not go about and ask the question anymore because he does not want to hear the answer.

I am not sure what the alternative is. I guess members could speculate about whether or not he truly was having those experiences in 1996 or 1997 when he made those comments. Was he truly having that, or did he just raise that as something that was good political fodder? Not that, of course, the Minister of Water Stewardship has ever been accused of being somebody who would just raise issues for political fodder.

I wonder, Mr. Speaker, what has changed now, between 1996, when the minister made those statements, and the year 2004. Well, there is one clear change that we have seen. There has been a change in government. I wonder if that is the only change. Gambling has expanded in the province, so the Minister of Water Stewardship is still talking to those same individuals. I am assuming he is having the same experience. So I wonder why he would not stand up in the House today in the year 2004 and say, "You know what, not a day goes by that I do not come across somebody who talks to me about the social costs of gambling or gaming." I would challenge the Minister of Water Stewardship. He had the gumption to stand up in this House and say those words in 1996-1997. Is he still the same individual? I think he should stand up and say the same thing.

Maybe things have changed, Mr. Speaker. Maybe he does not have those kinds of experiences anymore. If that is the case, then he should tell the House. He should tell the House why he does not come across anybody anymore who does not say that they have the same kind of negative impact on gaming or gambling. He should tell the House that it is not every day anymore, maybe it is every other day, maybe it is every third day. Maybe it is every week, or maybe he just does not ask anymore.

I think that would be disappointing, because then we talk about issues of responsible gaming policy. Here is a nice phrase that sounds very good and that very few people could have any kind of difficulty with. Yet we have a government that does not really want to take a look at the cost of gaming. Manitobans, I think, and I was talking to a constituent on the weekend about this very issue, about the fact that we do not truly have a handle on the social costs, and the constituent asked me, "What do you think the government has to hide?" I thought, you know, that is the very kind of comment that, I think, ordinary Manitobans would have when they hear this debate, when they hear what is going on in

the Legislature, about our calls for the government to just simply halt what they are doing and to take a look at what the costs are. What does the government have to hide? What are they scared of finding out?

The Member for Burrows (Mr. Martindale) might have information. He said that the social costs of gaming were higher than the actual revenue for gaming. He must have known something in 1999 that he does not know now. What has happened? Did he throw away the report? Did he shred the report when they came into government? I would be very curious in reading that, where he got the information, where the statements were from, what the methodology of it was—[interjection]

Well, now the Member for Burrows yells across the House, "Do your research," he says to me. Is that not interesting? It is almost an evasive kind of comment. It is also the kind of comment where he does not want the true facts to be brought forward to Manitobans. If he truly was concerned about the social costs of gaming, he would not say, "Do your research." He would provide me with what he has, because that is the kind of debate we could have, one that would rise above partisan bickering, one that would rise above the kind of usual to-and-fro that we hear in the House. We could have a real discussion about what those costs are.

I think that all members have to realize what we are talking about. We are talking about simply halting the expansion of gaming, gambling. Stopping the studies. We know the Minister of Lotteries is looking at doing a study now. He wants to do a study about the feasibility of building a casino possibly in Brandon where there was a referendum already, where citizens of Brandon said, "You know, we have looked at this proposal and we are not interested. We do not want it."

* (15:20)

I think there were two sides to that particular referendum; one, of course, was regarding Aboriginal casinos, but there was a broader question about whether you want any casino at all. I believe and if the minister or any member from Brandon would be happy to stand up, to give me the facts, I would be happy to hear them. But I believe that a majority of people in Brandon said, "We do not want any casino at all, under any conditions, any type of

casino." Yet what do we see from the government? Well, we hear comments from the Minister of Lotteries who says, "Ah, we are going to look at about what expanding, gambling and gaming. Let us see if there is any more appetite"—I think the word was "feasibility"—"for more gambling in the province."

We know there is no more appetite for gambling in the province. There is kind of an odd position because on one hand we see that there are revenues that are declining from gaming, and the government stands and it raises concerns about its decreased revenue from gaming; some would say that is maybe not a bad thing. Some, of course, attribute it to the smoking ban. Others are attributing it to the fact that there is just simply not that kind of an appetite for gaming anymore, that it is almost like an industry cycle. That it is almost as though there is a natural reduction in gaming.

Well, I mean, I have not seen the study and I have not done a study, Mr. Speaker, so I do not know what the answer is. I doubt that the government necessarily knows what the answer is. But they are so concerned, they are so worried about any reduction in gaming that, what do they do?

They say, "Oh, we have to find a way to ramp up gambling in the province, so first let us find money, some \$75 million or \$100 million, for new VLTs and we will quickly put those in and lure more people into the gaming casinos in the province and get them hooked on this new kind of VLT, this new crack cocaine." I think members used to refer to VLTs, to call them the crack cocaine of gambling.

Well, what is it now? It used to be the crack cocaine of gambling. It seems to be something far more warm and fuzzy to members opposite.

An Honourable Member: Their economic plan.

Mr. Goertzen: The Member for Arthur-Virden (Mr. Maguire), I think, correctly points out what it is. It is their economic plan. It is their economic plan for Manitoba. We have not seen any other kind of economic plan from the Province.

I remember, and this was kind of more as an observer, I think, in the 1990s about the then-Conservative government that was there. But I remember the government looking around and trying

to see how we can find ways to grow the economy. Where is it and things in Manitoba? Where are the things that we can find in natural niche and where can we develop things? They looked in rural Manitoba and talked about diversification. They looked in the city and they talked about a film tax credit and they built an industry, the film industry in Manitoba, built it to 10, 20 times what it was then because they saw an opportunity and they said, "How can we develop this? How can we make this work for all Manitobans?"

I know that that was introduced in the mid-1990s and not all members want to recognize that and not all members want to give proper credit for that. It bothers members that this particular film tax credit was brought forward. I heard a member say, "Oh, they tried to take credit for everything." I think if she checked her records she would see that that particular initiative was brought forward under the old Conservative government. But I will give credit where credit is due because I am the kind of member who wants to give credit where credit is due, and I would say I am glad that the tax credit has stayed. I would say that I am glad that the tax credit has been maintained by this current government. I am glad they have not done away with it. They did away with a lot of other initiatives that were good for industry in Manitoba.

Mr. Conrad Santos, Deputy Speaker, in the Chair

So I say, Mr. Deputy Speaker, that that is the kind of government that Manitobans expect. They want their government to look around for opportunities, to look around for things that can develop industry in the short term and in the long term.

The Member for Arthur-Virden (Mr. Maguire) mentioned a few minutes ago that that is not the kind of government this is. This is the kind of government that simply says, well, here is an opportunity to expand gambling. That is the only thing that we know works for us. Nothing else has worked for us. We cannot do anything else, you know. We have looked around and tried to tax everything that moves. We tried to expand the GST. So what next? Oh. Let us build some more casinos. Maybe there are some Manitobans out there; maybe there are a few Manitobans out there; maybe there are 100, 10, 5, 3 Manitobans who do not think they have proper access to gambling in the province. Could one

believe that? Are there that many Manitobans who do not have access to gambling or gaming? But this is where the government is going. Then it brings forward legislation like Bill 10 and says, "That is a responsible gaming policy; we want to talk about responsible gaming in the province."

Well, if they wanted to do the right thing, if they wanted to be responsible, they would do what we have been asking for the last number of weeks: to stop, to take a step back, and to look and to ask themselves what is the cost, what is this costing us? We have done the revenue side. We have done the analysis. We have done the asset side of this particular industry, but where is it coming from? Who is it coming from? What is it costing us in the long term?

So to bring forward legislation that moves responsibility around, provides for certain things in terms of a responsible gaming policy, which I am not suggesting is not necessarily needed, but we are not looking at a broader picture. We are not looking at more than that. We are not looking at anything different from that, Mr. Deputy Speaker. We are not taking a look from 30 000 feet, as it were. The ministers and the members opposite are in the trees. They are down on the ground in the forest, and they look around and they just see a tree in front of them. They cannot see the broader picture, and the broader picture is what is it costing us in Manitoba? Well, we do not know.

The Member for Burrows (Mr. Martindale), in 1999, thought he knew. He thought it was more than what the revenue was. He thought he had the answers back then, but there are no answers from the government anymore. We do not hear that kind of discussion any more. We hear the Minister of Lotteries go on television and say that we stand to lose \$20 million to \$30 million because of a particular piece of legislation that is going to hurt gaming in the province. You hear him go on and talk about how do we get more people to gamble and to go into these casinos, not just people outside of the jurisdiction. I understand that at one point, when there was discussion of expansion of gaming in the province, it had a great deal to do with the fact that there were other jurisdictions outside of Manitoba who were expanding their gaming and we were looking to keep some of that revenue that was flowing outside or flowing across the borders in Manitoba.

That is not the debate here today, Mr. Deputy Speaker. That is not the debate that is happening here today because the current government has decided that it is not enough to provide options for Manitobans who would otherwise go elsewhere. It is not enough just to say to those Manitobans here is an option in Manitoba, a made-in-Manitoba option.

They started to advertise in Manitoba. They started to do things to bring other people in who might not otherwise have that same type of inclination for gaming and gambling, bringing it forward to them and saying, "Here is something we would like you to do. Go for the fun of it." Well, I certainly did not hear the Minister of Lotteries when he was on TV discussing the revenue decline from gaming. I did not hear him talking about the fun of it. I did not hear him talking about entertainment. I did not hear him talking about those kinds of initiatives. What I heard him talking about was money.

There was a member opposite, I think it was actually the Member for Burrows (Mr. Martindale) again, who said the gaming is about greed. Those were his comments not that long ago, six or seven years ago. At that point, he thought gaming and gambling was about greed. I guess the Member for Burrows probably was correct when you listen to the Minister for Lotteries because when he talks about gaming and gambling in the province, the signs say go for the fun of it. But what does he talk about when he is on TV? He talks about the money. We have lost \$20 million. We have lost \$30 million.

Now, any Manitoban would say that \$20 million or \$30 million in the context of a \$7 billion or \$8 billion budget is a lot of money, Mr. Deputy Speaker. I do not think anybody is suggesting that \$20 million or \$30 million is not a significant amount of revenue for the government, for any government. But what we are suggesting is there is no other plan, that nobody else is looking around in the government side and saying that it is okay that \$20 million or \$30 million has been lost in gaming for whatever reason, whether it was the smoking ban, or whether it was just a simple and natural cycle in the loss of appetite for gaming.

Nobody is suggesting on that side that they have done any real further analysis in terms of other industry, to look around. I used the example of the film industry before. I talked about diversification in agriculture that happened in the 1990s, but there is

not that kind of analysis that happens from the current NDP government. They will look at this as an easy, quick fix. You have a problem in gambling, a hundred million dollars for VLTs; not sure if there are enough people going into casinos, build another casino. We have concern about our Aboriginal population, the involvement that they have within our economic system, build them a casino.

I mean, what kind of a plan is that for the Aboriginal community within Manitoba? Is that the sustainable vision that members opposite have for our Aboriginal community? I have more faith in the Aboriginal population of our province than to simply say, "Let us slap up another casino for them and see what happens."

I believe that they are innovators. I believe that they are entrepreneurs. I believe that they have the skills to build for themselves a sustainable, real economic growth that they can be full participants in the economy without just saying, "Oh, let us put up another casino and, hopefully, that will solve the problem."

* (15:30)

What problem does that solve, Mr. Deputy Speaker? Does it just create more problems? Is it trading one addiction and giving one addiction and then trade it for a different problem, or does it make sense? I do not think it makes sense for Manitobans. I do not think Manitobans generally would say that that is a true way to help the Aboriginal population within our province. I do not think that they would think that that is an appropriate way to treat any group of people, to say, "Well, we are not sure if you are doing well enough, so we will put up a casino. That will help your problems. That will solve your problems."

It is almost embarrassing to think that that is the kind of plan that a government would come up with for any group of people who are looking for assistance, who are looking for long-term economic solutions for their particular area. I find it difficult to believe. I do not think that that is compassion. I do not think that that is caring government. I do not think that that is a government who is looking out for the best interests of anybody.

I think that there has to be more than that in Manitoba. I believe in the population of Manitoba,

all groups in Manitoba. I believe in them more than to say, "Well, we will involve you in the gambling industry of Manitoba and that will solve your problems." I believe in Manitobans far more than that.

I am disappointed the members of the NDP do not have that same kind of belief, that they do not care enough to look around for a real solution, to look for a real plan economically for Manitobans, in general for all Manitobans and for any disenfranchised group as well.

So to look at legislation, Bill 10, The Gaming Control Amendment Act, how do you look at legislation like that without taking a step back and looking at the broader context of what we face in Manitoba, to look back and say, "Well, on the one hand the government, the Doer government, says we are going to bring in a particular piece of legislation, but we refuse to study what the costs are."?

It is almost as though they put the horse before cart, or the cart before the horse. I wish they would have put the horse before the cart, but they put the cart before the horse on this particular issue.

They are looking at expanding gaming and they are looking at bringing in amendments to a control act, but they do not know what the costs are. They have not laid the foundation. They have not put down the cement for this particular structure. They do not know what the real costs are.

Before you do that, how can you make large decisions like large changes to a particular act? How do you make large decisions about building casinos, about expanding gambling, about putting seventy-five to a hundred million dollars into new VLTs? How do you do that on the basis of poor information?

Truly, I think that that is what it is, poor information, the unwillingness to take the time to step back and say here is where the industry is at today, here is where it has been developed in the province of Manitoba, and now where do we go from here? What needs to be done from this step? I do not know where the harm of it is.

Members opposite, I am not sure what it is that they are concerned about, what it is they are afraid about, from learning about doing that kind of a study,

from doing that type of an analysis. What are they concerned about finding out? I mean, the worse thing that we could have is that they would find out that we have a really, really significant problem in the province, that there are many, many Manitobans whose lives are being negatively affected by the perpetuation and the growth of gambling in the province. That is the worse thing that they could find out.

That is the most difficult thing that they could find out, but would you not want to know that? As a government, would you not want to know that information before you made decisions in terms of gambling, in terms of gaming? Would you not want to have that kind of analysis in front of you before you made large decisions?

Of course, the best outcome from that particular study is that there is not that type of difficulty, that there is not that type of problem. If the study was done appropriately, if the study was done in a way that had degrees of public input, that had a proper methodology to it, then we would say that that is good news. Then we would say that that is important information as well, just as important as having the flip side to that particular information.

But why would you not want the information? Why would you not want to know what impact it is having within the province? Why would you not want to have the information? What would the government lose?

Here is another question. I mean, of course, I guess I am concerned that perhaps members like the Minister of Water Stewardship (Mr. Ashton) and the Member for Burrows (Mr. Martindale) do not want to be forced to eat their words I suppose that they had in this House not that many years ago.

But, from a governmental policy point of view, what would they lose? Now the Minister of Lotteries who has a particular fixation perhaps on the revenue side of gaming or gambling in the province would say, "Well, we stand to lose \$20 million to \$30 million."

Would it not be worth finding out the information? What if it took a year? What if it took a year and a half? Would it not be worth saying, "Okay, let us stop now and let us find out what the true economic impact is"? I think that Manitobans

would say it is worth the time. I think that Manitobans would challenge the government to find other ways to fulfil the money that they think would be lost, that they are speculating would be lost by not having more casinos. I think Manitobans would agree, it is the right thing to do.

Mr. Deputy Speaker, I know you are indicating to me that my time is short here now so I would just conclude by challenging members, members who spoke out passionately in the past, members who said in 1999 that this was wrong, that we had a look at the costs of gaming. Where are they now? Why are they silent? Why are they muzzled? They need to stand up and stand by the words that they said not so long ago. Thank you very much.

Mr. Kevin Lamoureux (Inkster): Mr. Deputy Speaker, before I start my comments on Bill 10, I was wondering if you might ask a question, or I would call for a question of quorum inside the Chamber right now.

Mr. Deputy Speaker: Members, please take your seats. I would ask all the members of the House present to rise in the place of their seat, and that the Clerk at the table call out and record the names of those members present.

Point of Order

Mr. Deputy Speaker: The member from Inkster rises on a point of order. What is the point of order, please?

Mr. Lamoureux: On a point of order. Mr. Deputy Speaker, I had asked for a quorum. When a member asks for quorum, my understanding is that then the Chair asks individuals to take their seats and there is a quorum count.

Since I stood up, we have seen a flood of New Democrats enter into the Chamber. So I would suggest to you that members that can be involved in this quorum count are members that were here prior to me standing, requesting the quorum count.

Mr. Deputy Speaker: The member from Inkster is informed that the direction the Speaker had given the Clerk is that the members may come in before the actual counting of the quorum.

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Deputy Speaker, the member from Inkster rose requesting a quorum count. Now, I have been in this House for 18 years, and when a quorum count is requested, the immediate action of the Speaker is to call members to their chairs, not to sit in his chair with a blank expression on his face and allow members to come into this Chamber.

Now, Mr. Deputy Speaker, that is a breach of practice and a breach of the rules. A quorum count was called, and members are to take their chairs without the doors swinging open and floods of members coming in at that time. That is what a quorum count is all about. This has been a serious breach of the rules in this Chamber.

Hon. Steve Ashton (Deputy Government House Leader): Mr. Deputy Speaker, having on occasion in a previous life had quorum called, the key point, I think, in this particular case is that the Chair, when the call is requested, at that point in time, then calls the quorum.

I think if you were to look at what has happened, there have been many occasions where people have gone around counting out loud, made the call, and at the time the quorum call is placed, that is when the Chair determines whether there are sufficient members in the House to maintain quorum.

I have seen numerous situations, Mr. Deputy Speaker, where people have either miscounted or for some other reason called quorum when in fact quorum was present in the House, and the quorum-called procedure recognizes that there are indeed many responsibilities that these members have and that we are not refer to member's absences.

But, Mr. Deputy Speaker, I think if you were to look at what you as Chair followed in terms of procedure, it is consistent with what has happened in the past and the appropriate thing is once the call for quorum has been requested, at that point in time an assessment is made as to whether indeed there is quorum in the House.

I think if you were to look, Mr. Deputy Speaker, at the time the quorum was called, you would see that there was quorum in the House, but that is not the issue, it is up to the Chair then to assess that based on the request, whether or not the Member for Inkster (Mr. Lamoureux) was correct in his assessment.

I do note, Mr. Deputy Speaker, there were members of this Chamber sitting behind the Member for Inkster so he may not have noticed that, but it is his right to call for a quorum. It is your responsibility to follow through, as you were, in ensuring that quorum is in the House.

Mr. Deputy Speaker: Thank you. I am taking the matter under advisement.

Some Honourable Members: No.

An Honourable Member: You ruled already.

An Honourable Member: He is on the point of order here.

Mr. Deputy Speaker: I have not recognized the member, but before I make that ruling, I would like to make a personal observation that I look around and I notice that there are more than 10 people in the Chamber.

* (15:40)

Some Honourable Members: Oh, oh.

An Honourable Member: He cannot tell us there were more than 10. Take it under advisement.

Mr. Deputy Speaker: The Chair wants to qualify. The issue here is whether or not the people can come in while the quorum is being counted. The issue is not whether there is a quorum or not, because there is a quorum. There are 10 people here.

It is the counting. So, if you want to take a point of order on the issue of whether or not people can come in before the actual counting, I am taking that under advisement.

Point of Order

Mr. Derkach: Yes, on a new point of order, Mr. Deputy Speaker. A grave error has been made in this Chamber this afternoon.

Mr. Deputy Speaker: Member for Russell, please state your point of order.

Mr. Derkach: Yes, my point of order, Mr. Deputy Speaker, is that a grave error has been made in this Chamber. This error cannot be overlooked. When any member stands in this House and requests a quorum count, that means that there is some

suspicion, some information that that member has that, indeed, this House does not have a quorum. And so he requested a quorum count.

Mr. Speaker in the Chair

Mr. Speaker: Order. Before we go any further on this issue, I want to clarify a few things. Prior to the last election, prior to a new official Opposition House Leader, when I was still the Speaker in 1999 to 2003, there had been an instance in this House where a member had stood on her feet and asked for a quorum count, please bar the doors. From that, I asked for a meeting with the House leaders, and I am sorry, but the House leader is no longer with us, and we had the same House leader. The agreement we came to at that time, and which I have not changed or had a meeting about, was that the doors would remain open. The reason was, and the House leaders agreed to it, is because some members could be in there using the telephone. That was the reason that was given.

I am just going to give you clarification, because there are only the two House leaders that were meeting with me as a Speaker, and I am telling you what our agreement at that time was. It was so that when a quorum counted, for example, if the quorum started one, two, three, four, anyone in that row could not take that seat because we had already passed that member's seat, but any other member that walked in on the second or third rows, they could take their seat and be counted as long as we did not have to revert back. That was the agreement we had in place.

So, under the circumstances, now, I will have to have another meeting, obviously, and we will have to have another discussion and we will have to have a new agreement that all members can live with. But, as of right now, the agreement that was in place is what has to guide us until we have a further meeting.

An Honourable Member: I was still on a point of order.

Mr. Speaker: Yes. I will recognize the honourable member. He was on a point of order before I took the Chair, and then I will recognize St. James.

The honourable Member for Russell (Mr. Derkach), on a point of order.

Mr. Derkach: Well, I will continue, Mr. Speaker, because I was not part of that agreement. I know nothing about that agreement. The Minister of

Labour (Ms. Allan) is correct from her seat. She says I was not the House leader, a very intelligent observation.

Mr. Speaker: Order. A point of order is a very serious matter. I would like the co-operation of all honourable members, because I need to hear every word that is spoken. The honourable Member for Russell has the floor.

Mr. Derkach: Thank you, Mr. Speaker, and I apologize for that offhanded comment. I did not mean to provoke any reactions, but let me say this. When a quorum count is called, and this has been tradition in this House up until some agreement was made between two House leaders that I was not aware of, the doors are barred. That is why you call a quorum count. It is because someone has been negligent in maintaining quorum in the House. In this instance, the quorum responsibility is the government's.

The Member for Inkster (Mr. Lamoureux) quite rightly stood up in his place and ascertained that there was reason for a quorum count. The presiding officer in the House at the time sat in his chair and allowed members to flood into this Chamber. We do not know where those members came from. As far as I am concerned, if you are in a cubicle outside of this Chamber, you are not in this Chamber.

Mr. Speaker, if you look at the rulings in the past and how quorum was conducted, it made sense, because it meant that government was caught off guard with respect to quorum. I recall when we were back in government and there was a quorum count, we were caught without sufficient numbers. The doors were barred. I was in the Chamber at the time. The doors were barred as soon as the quorum count was called, and then the count was taken. That is what quorum is all about.

I found it offensive to sit in my place here after quorum had been called, the presiding officer sat without word in the chair, and members flooded into the Chamber. That is what I find so objectionable.

Mr. Speaker, we respect the rules in this Chamber. If I am going to enter into agreement on behalf of my caucus, I am going to have to have the support of my caucus. I have not entered into any agreement with regard to quorum count, so I am assuming the traditional rules prevail.

Now, whatever agreements were made by the former Opposition House Leader, I will not account for, and I have no responsibility for. I think a grave error has been made in this House. I think that this matter has to be dealt with in a very serious way.

Mr. Speaker: The honourable Member for St. James, on the same point of order?

* (15:50)

Ms. Bonnie Korzeniowski (St. James): I am not quite sure. It is the first time I have done this. I want it on the record that I was Acting Whip at the time. I can assure the members opposite that it was tight, and the reason I know is because I had just given permission to the Member for Fort Garry (Ms. Irvin-Ross) to go and use the telephone. I said, "I will wait until you get back, because we will not have quorum." She was back. There was quorum when quorum was called.

Mr. Speaker: Order. We are getting into debate here. That is not what points of order are. Orders are to try and assist the Speaker into making a ruling, not to get into debate. The honourable Member for St. James, to conclude.

Ms. Korzeniowski: I just want to say, and furthermore, the flood, the only flood I saw was the member from Burrows, who came to his seat, and I suggested he sit back there because we did have quorum. That was after that part. We had quorum. You did not look behind you.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Inkster. Then I will recognize the honourable Minister of Water Stewardship.

Mr. Lamoureux: Mr. Speaker, it was interesting hearing how the member from St. Johns responded—*[interjection]* St. James, I should say, responded to the point that has been raised. I must confess, I did not look right behind me, but when I stood up to speak, I did see a low number of MLAs inside this Chamber.

As I have done in the past, Mr. Speaker, when I have seen that, I have requested a quorum and what happens in all cases in the past where I had called for a quorum, individuals were not allowed to enter into

the Chamber. I believe Hansard will clearly show that, because I have seen this Chamber recess, or not necessarily recess, adjourn because of a lack of quorum.

I am quite familiar with the rule, Mr. Speaker, and I truly believe as I stood in my place it was questionable. The member from St. James points it out herself that she was borderline; she was not too sure; and I did not look behind me in terms of the quorum.

An Honourable Member: She said it was tight.

Mr. Lamoureux: She said it was tight. She used "tight." Did I say borderline? She said it was tight. Mr. Speaker, all I know is that I had stood up, I was concerned about quorum, so I requested that there be a quorum count. At the time of the request, individuals should not have been allowed to come into the Chamber.

That is the way in which, and I have called quorum in the past, Mr. Speaker—

An Honourable Member: You have the right to do it.

Mr. Lamoureux:—as I have the right to do so. The government has a responsibility to keep Cabinet ministers and ministers inside this Chamber when we are debating important legislation. They should recognize that by having a physical presence inside this Chamber, and, Mr. Speaker, that is the reason why I stood up to ask for a quorum count.

I was concerned with the numbers and the lack of a presence from this government, and, Mr. Speaker, I do believe that it is all for naught right now because who knows who has been here, but at least we have members here. I would ask that you rule in the favour of our rules in recognizing that you cannot enter into the Chamber once an MLA has requested a quorum; otherwise, it defeats the purpose of calling a quorum.

Mr. Ashton: On the same point of order, and I think it is important, Mr. Speaker, to focus in on the point of order because as I understand the point of order that has been raised by the Opposition House Leader (Mr. Derkach), the essential argument he made is that because he was not House leader when this practice was confirmed by the then-House leaders,

he is not bound by it and then somehow this Legislature is not bound by that.

I would like to remind members of this House that, Mr. Speaker, we have rules and we have practices in this House and that we proceed not based on the views of any of us who happen to be in this House at any given point in time, but what has been the practice, and, in this case, Manitoba rules, for some time, and in fact our rules are rooted in *Beauchesne's*, are rooted in centuries of parliamentary practice.

But rules in and of themselves are accompanied by practices which in this House for the last number of years under many speakers have been confirmed by meetings with House leaders. As a former Opposition House Leader, I can confirm that we have on many occasions dealt with that. I would like to point that out.

I would also like to point out that at the time that the Deputy Speaker was first interrupted on the first point of order, the Deputy Speaker was, in fact, proceeding to the count under the quorum call, which is, indeed, the practice in this House and is the right of members to call. So the Deputy Speaker was, after consultation with the table, proceeding to the quorum call.

So, Mr. Speaker, I would like to ask two things. One is to confirm that, indeed, as you have outlined to this House, we are governed by rules and practices and the practice in this particular case that you refer to was confirmed in the previous Legislature, where those practices can evolve. But they do not evolve when there is a matter of order, in this case, where one member or any member gets up and says, "Well, I was not part of those discussions."

Mr. Speaker, I was not part of centuries of discussions in terms of parliamentary procedure, but we are bound by it in terms of our rules and our practices and, indeed, the practice that was being followed by the then-Chair or the Deputy Speaker is consistent, as you have outlined, with what has been the practice in this House for the last number of years.

If members opposite want to change the rules or change the practices, they can do so in the future, Mr. Speaker, but the Parliamentary system is based in this particular case, as it always is, on rules and

procedures, not on one member saying, "I wasn't there when this was discussed." That is not the way this House functions. That is not how any House functions. I would suggest that we have a ruling on this point of order which, clearly, is not a point of order.

Mr. Speaker: The honourable Member for Pembina, on the same point of order.

Mr. Peter Dyck (Pembina): I, too, want to speak up on this point of order because where I was, I think, fairly well in touch with the previous House leader, to my knowledge there was no change that was made regarding a quorum call. Now I, of course, would defer to the Speaker or his ruling on that and for what he would have written down as an agreement that had been reached between the two House leaders. However, I would certainly question the validity of it. On the other hand, though, if a quorum call is called and I have been a part of that, who is called for a quorum, certainly all the doors are locked and then the call and the count is made. So I would just encourage the Speaker to look into that and to come back with a ruling on it.

Mr. Speaker: On the point of order raised by the honourable Member for Russell (Mr. Derkach), initially raised the point of order, and the Deputy Speaker, I believe rightfully, had already taken under advisement. The new point of order that the honourable Member for Russell raised, I am going to take that under advisement because I have to do some research. I did have some meetings and whenever I meet with a House leader I meet with that member's party as a whole. That is how, when I meet with the House leaders, to me they represent their party.

What information is passed back and forth, I have no control over, but I am going to do some research and I am going to take this under advisement. I see we have a quorum anyway right now. So we will continue where we left off. I will do some research, I will meet with the House leaders and we will come to an agreement that would be, hopefully, satisfactory to all.

The honourable Member for Inkster (Mr. Lamoureux) had the floor.

Mr. Lamoureux: Mr. Speaker, I, with regret, have to challenge the ruling of the Chair.

Mr. Speaker: There is no ruling made because I do not have the information I need to make a ruling. So I have not made a ruling. I am only taking it under advisement. When I bring the ruling back, if the honourable member is not satisfied with the ruling, that would be the appropriate time to challenge the ruling. But, right now on the basis of lack of information, I cannot rule one way or the other. So I have no choice but to take it under advisement to consult all the information that I can get a hold of and then I will bring forward a ruling.

* (16:00)

Point of Order

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

Mr. Derkach: Mr. Speaker, I heard you say that there was a quorum. That is the whole question. The question that was raised by the member from Inkster was that there was no quorum and because of the way in which this House has conducted itself nobody can ascertain whether there was or was not a quorum. We maintain that the member from Inkster was right, that there was, indeed, basis for asking for quorum and that quorum should have been called without additional members.

So, therefore, Mr. Speaker, I would have to challenge the fact that you say there is quorum.

Mr. Speaker: Order. On the new point of order raised by the honourable Member for Russell (Mr. Derkach), I stated earlier that I wanted to have a meeting with the House leaders to get this issue resolved once and for all. What I am going to do is I am going to recess the House and I will meet with the House leaders in my office, and we will ring the bells for one minute before we reconvene in the Chamber.

So I ask the House leaders and also the Member for Inkster (Mr. Lamoureux), who is involved in this, to meet me in my office. We will recess the House and we will reconvene when we have made a decision on procedure.

The House recessed at 4:04 p.m.

The House resumed at 4:20 p.m.

Mr. Speaker: If I can have order, we will now ring the bells. I will ask the Sergeant-at-Arms to ring the bells.

As previously agreed, the bells rang for about a minute. Now, we will pick up where we left off. The honourable Member for Inkster had the floor.

Mr. Lamoureux: Thank you, Mr. Speaker. I would like to put a—

Mr. Speaker: We are on Bill 10, for the honourable minister's information.

Mr. Lamoureux: Mr. Speaker, in regard to Bill 10, The Gaming Control Amendment Act, there are a number of things that come to mind right off hand in regard to it. The primary purpose is so that we can establish a responsible gaming policy and there has been a significant history to the province in regard to gaming. It should be noted that it actually goes well back into the seventies, in fact, when I believe it was the Pawley government, possibly, that established gaming over at the Winnipeg Convention Centre. It was not every day, but it was a portion of the year.

Then it was expanded significantly during the nineties. The government of the day, today, took great opposition to the way in which gaming was being expanded. At the time, I had raised concerns in regard to the whole debate on the social costs of gaming.

It was interesting hearing comments from the member from Steinbach when he was referring to the member from Burrows. I can recall a number of the New Democratic MLAs talking about the social costs, or what about the social costs of gaming? So I applaud the member from Steinbach in his efforts to get the quotes from the member from Burrows which were fairly concise and to the point, that the revenue is one thing but what are the social costs of gaming.

Mr. Speaker, I do not believe that that debate has really ever occurred. You know, it is nice in principle to see a bill of this nature before the Chamber. I would have preferred to have seen some sort of a dialogue on the social costs of gaming years back. The government should not be trying to fool anyone on this. Gaming is a serious, serious social problem in many parts of our province. Many parts of the social fabric today are being hit and hit hard because of problems directly associated with gambling.

Mr. Speaker, we have seen everything from suicides to family break-ups to kids being denied meals as a result of irresponsible gaming policies. It is really interesting in this particular budget, the government just goes to show its addiction to gaming revenues. At a time in which gaming revenues were going down, when many thought this could be a positive thing in terms of the social side of things, the government's eyes kind of lit up and they decided to make a huge commitment, millions of dollars towards future expansion or bringing in new machines that will, hopefully, bring back people that maybe the government has lost over the years, whether it is because of the smoking legislation or whether it is because, quite possibly, of individuals that had left, that went to some form of Gamblers Anonymous or other self-help groups.

Now what the government is doing is it is moving in the direction of saying, "Look, we want you back. We need more revenue and in order to try to generate your interest in coming back, we are prepared to spend millions and millions of dollars on brand new machines."

The government and agencies, non-profit agencies in particular, but even government agencies across Canada have talked about the damage of VLT machines, Mr. Speaker. It is often referred to as the drug known as crack because once you get hooked in, it is very difficult to get unhooked to that machine. That is why it is very disheartening when we see a government that has been so proactive, so proactive at increasing revenues in the province by coming up with VLT machines that have a little bit more flash, that are going to be able to attract a few more people, maybe a few people that had left because of problems, and that causes just a great deal of concern, I know, for myself and many other Manitobans.

One has to question what has happened to the government of the day. Why has the government changed its attitudes towards gaming in this province, Mr. Speaker? Why did they not initiate some sort of a study that would show the real impact of gaming?

I made reference to suicides. I have had individuals—there are two that come to mind right off hand that happened a number of years back, Mr. Speaker—that committed suicide and there was a direct link. I recall one incident was a young

individual who had just graduated high school, had gone into the VLT machines and gaming and in essence squandered away the money that he was supposed to be using for his tuition, and as a result ended up committing suicide.

I remember there was a rural case where an individual, I believe it was, parked his vehicle in the garage and left it running. They did a background check on the bank. They found that the individual would take money out of his bank, go to the VLT machine, spend it and then the next day be back at the bank, in essence withdrawing his savings. Again, this individual attributed it to gaming. You know, it was a week or so ago when I believe it was out in one of the Atlantic provinces that indicated, I believe, the percentage was close to 10 percent of the suicides in that province were as a direct result of gaming.

Well, Mr. Speaker, Manitoba does exceptionally well on getting people addicted to gaming, I would suggest to you that our percentage is likely equal to that 10 percent or even possibly higher. We really do not know because we have not done any sort of a study.

* (16:30)

People acknowledge that the suicide is one extreme, but there are other things that I made reference to. What about the family break-ups and the hardships within the family? I have talked, as I am sure many of the members of this Chamber have, to individuals that have someone within their family, whether it is a spouse, whether it is a son, a daughter, there is someone within their family that they know very closely that is addicted to those VLT machines.

When we talk about the word "addicted," they are spending money on VLT machines that they do not have. As a result of that, what ends up happening, quite frankly, is in many cases illegal activities in order to get the money. In most cases, whether it is break-and-enters, whatever it might be, we know that there is an increase. I would challenge the government to demonstrate that that is not the case. But I know that they will not be able to do that, because it is the case. To what degree we really do not know.

Well, we could talk about our children. You know, it is amazing, even though children are not

allowed to go into the casinos or into the areas of the VLTs, they sure know about them. The reason why they know about them is because their parents and others are playing it and they see the problem.

You know, it is interesting, I talked to one security rep from the McPhillips Station. This would again have been a while back. He was indicating to me that they had an incident where there was actually more than one child in a car for literally eight to ten hours straight, not eating or anything of this nature, I would suggest to you, being neglected while the parent is in the casino spending money, again, I would argue, in many cases money that they do not necessarily have, and at what cost? What is that child often being denied because of this particular addiction?

You know, there are different ways in which a government can approach the issue. If government wanted to, no doubt they could close every VLT machine in the province, close them all down and shut down the casinos. I do not believe anyone is advocating that. What we want to be able to see is a government that has a gaming policy that reflects the interests of the province of Manitoba. We have not even seen that detailed gaming policy coming from this government. Their gaming policy is adopted on the fly.

The member from Steinbach talked about the Brandon referendum. The question was put to the people in Brandon. They gave clear indication that they do not want one. Now the government is kind of waffling on, well, maybe somewhere just outside the municipality of Brandon. Maybe there are other issues of gaming which the government is contemplating but they are not prepared to share. We had the whole concept of the keno machines, gaming within our laundries.

It confuses me as to why it is the government has taken such a proactive approach at promoting gaming in the province. To me, it is irresponsible. Government should not be proactively promoting individuals to get behind VLT machines. It surprises me because in opposition that was not their position. The other day I had raised the issue about an area that I have a great deal of concern in regard to, and that is the area of Gilbert Park.

Ms. Theresa Oswald, Acting Speaker, in the Chair

For years, Madam Acting Speaker, I had asked for the government to be involved in the Gilbert Park area, and there were members, the member from, I believe it is Riel, Linda McIntosh, who was also a former Minister of Housing.

There were Conservative ministers that gave a very sympathetic ear to Gilbert Park in the North End. I give them credit for doing that. But one would have thought that, with the New Democrats in government and having a government MLA, we would have not only been able to see ideas move forward in Gilbert Park such as tenant management, but we would see those ideas on fast-forward.

The previous government of a different political stripe that had no representation in that area had an interest to try to help Gilbert Park get into tenant management, and try to develop that community, develop a resource centre. Then we see a change in government where there is a change in political party and it seems that there has been a change in policy that has not had, I believe, a positive impact for the residents of Gilbert Park.

In fact, the other day I asked the question in regard to gaming. Now they are going to have bingo every month. That you can play bingo for money in Gilbert Park every month now, I believe, is what has been approved by this government. In the right situation, this could have been a good idea.

But I would challenge the government to clearly indicate in fact, in particular the member from Burrows to clearly indicate that he believes, or the government believes, that Gilbert Park is better off today than it was five years ago.

There is absolutely no indication that is in fact the case. The tenant management seems to have been thrown to the side. Were people consulted? I pose the question to the government, were people consulted?

The residents that live in the area in Gilbert Park, were they consulted before the decision was made? And, if so, to what degree were they consulted? I did get a chance to talk to a few members, residents in Gilbert Park, and I was disheartened to find out that at least they, and they had indicated others within the complex, were not consulted, were not brought to the table to find out if, in fact, that is something that they want to see.

So whether it is the local level, right at the community, to the McPhillips Street Station, to what is happening out on Regent, to the hotels, both rural and urban, this government seems to be wanting to sidestep the whole issue of developing a true gaming policy that would be in the best interest of our province. Their concern seems to be, rather, what about our revenues; the revenues are decreasing and we need to get more money brought in to compensate for those losses of revenue.

As a result, they are going to do what they can to increase the reliance of VLT machines, increase that reliance to challenge those that might be vulnerable to walk away from these new super crack VLT machines that are now being promoted by this government with millions of dollars.

I would look to individuals like the Minister of Healthy Living (Mr. Rondeau)—you know, this is a new portfolio that has been created by this government, Madam Acting Speaker—and ask if this particular minister really comprehends what sort of a social impact it is going to have on our health care institutions, let alone the state of mind of thousands of Manitobans.

I would look forward to hearing from that particular minister and ministers of other departments, in particular, you know, the Minister of Family Services and Housing (Ms. Melnick), the minister, because here is where you can talk a lot about that social side of things, the Minister of Justice (Mr. Mackintosh), these people should be standing in their place and talking about why it is the government's current approach at dealing with gaming in our province is in the best interest of all Manitobans.

* (16:40)

I question as to why it is that they do not stand in their place and speak. I find that it is unfortunate because this government is more intent on implementing what it sees as the immediate needs, not thinking in terms of the future social costs. To me that is doing a great disservice to the province. The sooner that the Province realizes the social cost, if it ever will, or at least acknowledge, you know, I should not be overly critical. I suspect that they do have a good sense of some of the social problems that are being caused because of their gaming policies. What I question is why it is that they are

prepared to stand idly by and do nothing to resolve the very serious addiction problems that have been caused as a direct result of their policy, past policy and policy in the making.

You know, that is somewhat disheartening, and I look to members of the New Democratic Party, whether you are in the backbench or you happen to be in the Cabinet, to voice how you believe your government has actually assisted in getting people off of the VLT machines or, "and" I should say, not just "or," and explain how these new flashing machines are going to be in the best interest of achieving the government's goals that go beyond just increasing revenue.

I suspect the government might be successful in generating more revenue through these new machines and through other possible gaming venues. I suspect that they will garner more revenue, but the question is at what cost.

I would like members of the government to stand up and explain how that cost is going to be minimized. What is the government doing to ensure that we are not going to see more suicides in our province, more families breaking up, more children being denied the basics, whether it is food or clothing?

Madam Acting Speaker, I will suggest to you that that is happening today. It is happening in a very real way and the government is, in fact, not doing enough to be able to address that particular problem and we look forward to government members standing up and try to address that issue.

I believe that this government does not have a strong social conscience, Madam Acting Speaker, because, if it did, I cannot imagine how they would have justified within Cabinet, let alone caucus, spending millions of dollars in order to try to keep people at those crack machines, the VLT machines.

Mr. Speaker in the Chair

It would have been interesting to have been sitting around that NDP caucus when that issue came to debate, but in reality I would go as far as to say that it likely never went to the NDP caucus, because if it did go to that caucus I suspect that they would have received a great deal more opposition. At least I would hope so. I would hope that there would have been more opposition. I base that opposition on

people like the Member for Burrows (Mr. Martindale), who spoke out, saying that the social costs just are not worth it. That is the essence of what he has said.

Well, we realize now that he is in government he has to be a little more careful in terms of what it is that he says. It is good that he has not retracted his comments, but I suspect that had this issue actually gone to the NDP caucus, because it is within the caucus office, as you know, that members do not have to toe the party line, that they can express what it is that they really believe.

I suspect that, had this been debated within the caucus, it would have been members like Burrows, I would like to think, and possibly others who would have voiced their concerns and questioned the Minister of Finance (Mr. Selinger) and the Premier (Mr. Doer) as to why it is that they were taking this approach of trying to beef up the VLT machines. I do not know if they would have gotten it through caucus. Having said that, one has to give the benefit of the doubt to the government in the sense that this decision did go through caucus. That means a majority of those MLAs support this policy. I think that it is not healthy for the province.

When we talk about the primary purpose of the bill, we look forward to the bill actually going to committee to see what sort of public input might be there in regard to gaming policy. Actually, from a personal perspective, I would not even mind to see this particular bill held off over the summer while it is in committee, where we could actually make a point of inviting people to broaden the scope, if you like, invite people to come in and present to the legislative committee their thoughts and ideas about the social costs of gaming.

The primary purpose of having some sort of a responsible gaming policy being mandated for the different operators is a positive thing, and, as such, having it go to committee is good. Hopefully, we will be able to get some public input. With those few words, we are prepared to see the bill go to committee at the will of the Chamber.

Mr. Speaker: Any other speakers? Seeing none, when this bill is again before the House, Bill 10, The Gaming Control Amendment Act, will be standing in the name of the honourable Member for Carman (Mr. Rocan), who will have 30 minutes remaining.

Bill 32—The Provincial Railways Amendment Act

Mr. Speaker: Bill 32, The Provincial Railways Amendment Act, standing in the name of the honourable Member for Arthur-Virden.

Mr. Larry Maguire (Arthur-Virden): I would like to put some words on the record in regard to Bill 32, The Provincial Railways Amendment Act. I just want to bring to the attention of this Legislature that this bill does give the minister a good deal more power than what he presently has in regard to dealing with the issues of short-line railroads in particular. There are some circumstances around which board orders were made in the past. This bill will allow the minister to, as well, have final say in regard to the changes that this bill is bringing forward as opposed to the board that was making these decisions previously—that would be the Motor Transport Board—and now gives the Minister of Transportation and Government Services the ability to rule on or overrule the Motor Transport Board decisions that could take place previously.

Mr. Speaker, this bill is necessary and has been put in place to provide the government a means of being able to deal with the maintenance costs of the billing around the circumstances to do with short-line railroads that have been taken over from the federal legislation. When the federal legislation was changed so that provincial railroads could take over the old federal rules, the bill that came down at that time did not allow for the government to be able to pay the bills of the short-line railroads' maintenance costs or to deal with the circumstances around the costs of new railway crossings and automated arms for railway crossings, lights and that sort of things around those railroad crossings and short-line areas.

So, while I have great concern as to how this bill is going to be dealt with by the government, and I will outline that in a minute, it is a piece of legislation that is necessary to make sure that we can try to encourage short-line railroads in the province of Manitoba.

* (16:50)

I have a concern. My concern is that the government has full authority to change the rules that we are presently operating under, or that the federal railroads were operating under previous to this legislation coming in. Therefore, that is a concern.

This legislation establishes the authority for the Minister of Transportation (Mr. Lemieux) to apportion the costs on short-line railroads, as I have said, and there is no clear authority to do that under the present legislation or presently in Manitoba.

The circumstances on maintenance lines, Mr. Speaker, and I just want to back up. I want to say that this bill will deal with some 50 crossings of short-line railroad tracks crossing provincial highways at the present time and, of some 475 that there are in Manitoba, 50 of them are short-line tracks crossing provincial highways. About 170 of them are short-line tracks crossing in small towns or municipal jurisdictions.

Mr. Speaker, the previous regulations that were in place are what the short-line railroads can probably live with under the changes in this act today in Manitoba, but there is a great concern that I have on their behalf that the government, once they get this bill in place, could then change the percentages of costs that they apportion to the short-line railroads in Manitoba.

Under the previous federal legislation, when a crossing was put in place the federal government would pick up some 80 percent of the costs of installation of automated crossings. This is dealing with new costs in regard to new construction on these crossings. The federal government through Transport Canada would pick up about 80 percent; the municipality or the municipal jurisdiction that the track was going through would pick up 12.5 percent; and the rail company, in this case previously being a federal railroad, would pick up 7.5 percent of those costs of construction.

Mr. Speaker, this bill will allow the Province to then bill for these costs and replace these percentages under the previous legislation, the federal jurisdiction, and make them pertinent to the provincial share. In other words, the Province would pick up 80 percent of the costs of these new facilities as we understand it today; the jurisdiction that it goes through being municipal, in this case in Manitoba, could be 12.5; and the short-line railroad company would pick up the 7.5% share that the federal railroads were previously paying.

The concern here, then, is that as some 50 or so short-lines that are crossing provincial highways today in Manitoba, these kinds of tracks, if they were

being built new today, the provincial government under this responsibility and this act would be picking up the equivalent of 92.5 percent; the short-line railroads, 7.5, with the federal Transport Canada department not being applicable any longer in regard to short-line railroads that have been taken over and are under provincial jurisdiction in the future in provinces in Canada.

The concern that I have is that if this does come about that the Province then could decide at some point down the road to change that 7.5, to increase that share of percentage to the short lines in the future, Mr. Speaker, although the minister when we were being briefed on this assured me that would not be the case, that they would abide by the regulations that are presently there.

That is the only reason I would go anywhere near supporting this bill, Mr. Speaker, is that if the present guidelines that are there under the federal legislation being imposed by the minister under the provincial legislation here would be, in fact, the regulations that are kept intact, and we will be watching very closely down the road to make sure that the minister maintains these percentages as a circumstance under this bill.

Mr. Speaker, there is another concern that the short-line railroads, of course, have in Manitoba and that is in the area of maintenance. Presently, under those formulas before, there was some agreement that these kinds of maintenance costs be split on a 50-50 basis.

I, too, will be watching that to make sure that there is no deviation from that in future, unless of course, this would be an area that the government would wish to encourage short-line railroads to come into Manitoba and actually do more business in Manitoba, then of course, they could perhaps assume a larger portion of those types of areas of maintenance as well.

I think there is a concern here, Mr. Speaker, by the short lines that the government has overlooked in this bill and could probably bring forward if they wish to, and that concern is in regard to existing short lines in the province of Manitoba and who is responsible for the maintenance on those areas.

The estimated maintenance on some of these, automatic arms that are installed, for instance, can be

in the neighbourhood of \$3,000 a year for maintenance costs at each of these crossings, and there is a concern by the short lines in relation to many, many of the outstanding circumstances that are out there today around maintenance costs that existed when this legislation came in.

Their concerns lies in the fact that who was there first, Mr. Speaker. It is basically saying, was the road in place or was the track in place first, because of course if the road was in place and the railroad wants to come along and put a track in place, then the railroad is responsible for the construction and maintenance of those circumstances in the future of those facilities. If the track, of course, was in place first and the municipality wants to come along and build a road over that track, then the municipality or that jurisdiction is responsible for those costs in the future.

Of course, there is some debate in many of these going back to who was there first, and there seems to be many of these particular circumstances that have not been settled in regard to the maintenance costs in these areas across the province of Manitoba. I would urge the minister to take a look at and make sure that this is dealt with in the future, that these are settled and that perhaps this bill could be used as a grandfather process to determine just exactly, without going to court, who was in charge of each of those crossings. I would urge the minister to look at that before they move forward.

Mr. Speaker, as I have said, this does provide for a new cost involved in this area for short line development but it seems to be somewhat fair from the previous regulations and rules that were in place in the province that 7.5 percent be an agreed upon process from the discussions that I have had.

So I would urge the minister to look at these areas in regard to the apportionment of the costs that I have talked about and see if there is not a way that they can come to an agreed-upon process with the short-line railroads in regard to the area of Bill 32, The Provincial Railways Amendment Act.

We need to support short-line railroads and their development wherever possible in this province and there are a lot of other means that could be used in regard to depreciation levels, tax incentives, settling some of the concerns that are outstanding, and these are areas that we will keep a close watch on.

There are a whole host of other areas around this bill, Mr. Speaker, that could be used to enhance short-line development and take the pressure off of our roads in Manitoba. Of course, some of those funds have been handed to the government through the Prairie Grain Roads Program in relation to the amalgamation of elevator facilities around the province of Manitoba, particularly in this province.

We have a well-developing feed industry in this province, notwithstanding the concerns of BSE that are very paramount in this industry today and, of course, hog countervails that might be taking place in the U.S. We need to make sure that we are abreast of those as we move forward.

But the circumstances around this bill, Mr. Speaker, are that the transfer of short-line railway operations to provincial authority eliminated the federal responsibility that we saw for cost-sharing and the installation and maintenance of new automated crossings. But it did not provide Manitoba with the authority to address this issue.

Of course, some of these average costs are quite high for the installation of automated signal crossings and I would say that they are in the range of \$150,000 to \$300,000. So there is no small amount of funds being talked about in each of these circumstances. If a short line has to make many of these crossings and, of course, not all crossings are going to have lighted facilities but we have to try to provide some criteria so that the industry knows where they are at in relation to traffic volumes or train loads on the track that can be used as a basis of determining, with some certainty, what those costs are going to be or what the traffic volumes are going to have to be before the costs are apportioned on to the railroads.

I am going to close my comments off on this particular bill. I know there are other colleagues who would wish to speak on this bill and I want to just say that, when we are done, I am in favour of moving this bill on to committee when the other speakers are done on this bill. I would urge the government to look very closely at whether or not they bring in further support to this bill that would encourage them to look after some of the outstanding circumstances and costs that the short-line railroads are trying to bear in determining whether they can proceed in Manitoba or not.

So, with those words, thank you, Mr. Speaker.

* (17:00)

Mr. Jack Penner (Emerson): I will just take a few minutes to put a few comments on the record regarding Bill 32, The Provincial Railways Amendment Act. It is interesting when I saw the proposal for this piece of legislation and then when the draft legislation came out, I said to myself that the bill is very typical of the government of the day bringing forward this bill.

This bill is really an enabling piece of legislation, Mr. Speaker. We have seen so many of the bills that have been brought forward by this government largely directed towards giving the powers to the individual ministers and, also, giving Cabinet a tremendous amount of power under these bills to draft the regulations which will govern and which are the governing powers, as the ministers by now have learned.

I should say that under the previous administration we made a lot of effort to put in place explicit legislation that was deemed to be the law. Then you drafted underpinnings to that legislation which were called regulatory processes which the department then used to deliver the law.

This bill, again, is very similar to what we have seen many times by this government and that is, basically, enshrining in a very simplified manner a piece of legislation that is open enough and broad enough and gives the minister enough powers to go to Cabinet and say, "Here, here is the bill; now let us draft a regulation that will be the governing body of this bill." That is the kind of legislation we have seen time and time again.

This bill limits the government in whom they can apportion costs to. It also removes the power from Cabinet and replaces it with the individual minister as I just finished saying. It enshrines the powers in the minister, and, basically, is a piece of legislation that creates a sort of a feedback from the short line railways and deals with the enabling of regulations to be put in place that will deal with short line railways and direct them as to how they should be governed and, in fact, how they should operate.

The legislation really establishes the authority of the Minister of Transportation (Mr. Lemieux) to apportion the costs on the short-line railways, as I

have just finished saying and, currently, there is no clear authority to do so.

So I give the minister some credit for wanting to at least ensure that everybody knows who bears what costs. That leads me to an issue that, I think, is important to note here. That is that when the Crow rate was dissolved there was an amount of money agreed to that would be paid to farmers to offset the additional costs that they would incur in transporting their grain.

Yet it is important to note, I believe, that during that process many players came to the table and said, me too, me too, me too, and provincial governments were part of that group that went to the federal government and said that we should get a portion of that Crow benefit payment that we can use to do basically whatever we choose to do with it. And I would dare to say that the huge ado that the federal government made in designating a Crow benefit was largely circumvented by actions or, I should say, lobbyists from other organizations that said that we need a piece of this pie as well. Therefore, the farmer in the end got a lot less than what was initially intended to be apportioned to the agricultural community.

Now, under what auspices was it done? Well, the Government of Manitoba, for instance, probably made the case, and I say probably, that we need to be able to have the authority, from a government standpoint, to build roads and change roadways, and I include, in part, the Perimeter. Making changes to the Perimeter routing around the city of Winnipeg, I would suspect, has received a significant amount of money from the so-called Crow benefit and the transportation routing, under the auspices that it will probably benefit the agricultural community or the rural community in accessing the commercial units within the city of Winnipeg and give them quicker access.

I am not here to argue that point. I think that is in large part true. However, the farmer that was supposed to get the money did not get the money. It was the provincial government that got the money that allowed them to build infrastructure, and infrastructure, of course, brings us to another part of the grouping that went to Ottawa saying, "Hey, we as municipalities and others would like to have a portion of that money and we could build our infrastructure." Hence, the Grain Roads Program was

established. It was done with Crow benefit money, apportioned from the federal government under the Crow benefit, apportioned from the municipality and apportioned from provincial governments from time to time.

So where did this whole conglomeration of money that was highly advertised, where did it finally end up? Well not in the farmers' pockets, as it was originally intended to do to help them offset the cost of the huge increases in freight rates that we have seen over the last decade in the province of Manitoba, as well as the rest of the Prairies.

What does this mean to the transportation system? What does this mean to the railways? Well, the railways have abandoned many of the short lines or branch lines that we were used to, that I was used to and we had, as we all know, many of the smaller wooden elevators which dotted the skyline across rural Manitoba. I believe the Manitoba Pool at one time had more than 200 elevators within its ownership, and companies such as United Grain Growers and many others had large numbers of elevators that they served rural communities with.

These all, by the way, employed people in these smaller communities but since the Crow benefit was done away, all those branch lines have virtually disappeared with the exception of those that are now owned by what we call short-line railway companies.

Bill 32, in my view, gives the authority to the minister to set up a process under regulation which will allow the Government of Manitoba to become quite involved in the process of governance as well as funding of those provincial railways that are currently the short-line railway. I would suspect that Ottawa is, in fact, offloading some of its responsibility in this manner, or did so back when they announced the Crow benefit in this manner and has really got the provinces involved in at least partially funding such things as railway crossings, lighting at crossings and those kind of things which this bill deals with.

Now, is this all bad? Of course not. I congratulate some of those people that have got themselves involved in this business and quite frankly some of them have done quite well with their short-line railways. However, have the costs gone down to the producers? No, they have not. Costs have risen continually to the producers.

Now what has happened to our road infrastructure in the province of Manitoba? Have we seen this NDP government build large numbers of roads out in rural Manitoba to those that service the agricultural area? Well, it was interesting to note that during the debate or in committee when we asked the question of the minister of highways, "How many miles of roads had been built in the Emerson constituency?" The answer was zero, absolutely zero since the NDP government came into being.

* (17:10)

Then he proceeded to tell us how many roads had been built, how many millions of dollars had been spent, Mr. Speaker, by the previous Conservative administration in the constituency of Emerson. Who would be willing to guess how much the Conservatives had spent during a five-year period in the constituency of Emerson, which is largely, mostly an agricultural area which serves agricultural people, which serves large numbers of communities from Middlebro to Tolstoi to Horndean to Plum Coulee to Wampum and Badger and Carrick and Woodridge and Sandilands and all those communities are being served by those roads that the Progressive Conservative Party and government built?

How much money would you guess did the Conservative party spend in a five-year period in the constituency of Emerson? Would you think 10 million? That would be 10 million more than this NDP government has spent in the last five years. That would be 10 million more. Would you not think it would be 20 million? Well, that will be 20 times as much as these guys have spent; the NDP has spent in the constituency.

Would you think, maybe, 30 million? That would be 30 million more than the NDP have spent, but, no, those answers are wrong. You have missed the jackpot. It was \$41 million that was spent by a Progressive Conservative government in the constituency of Emerson during the previous five years before the NDP were elected.

So how important does the NDP government really think that roads are to rural farmers, to rural communities and how important is infrastructure to the NDP party in southern Manitoba? Zero. Absolutely zero. I think that is important to note and I would hope that all the people in rural Manitoba

would read the speech that I am just giving because they would note, the people would note, that this NDP government has absolutely zero interest in the communities in rural southern Manitoba.

I find it also interesting that when you look at the new Planning Act that they are proposing, northern Manitoba is not subjected to this northern Planning Act, because it is going to be dealt with under The Northern Affairs Act, right? Now where is the boundary? Where does the line cut for northern Manitoba? Does anybody in this room know?

Do you know that the town of Dauphin is in southern Manitoba? No. We are wrong. It is in northern Manitoba so therefore not subjected to the rules, the new planning rules that the rest of southern Manitoba will be subjected to.

An Honourable Member: Interesting.

Mr. Penner: Interesting, is it not? So the Member for Dauphin-Roblin (Mr. Struthers) can actually say, "Hey, you can come on down and build as many hog barns in my area as you possibly can because we want the economic development."

The rules that will apply to the rest of southern Manitoba will not apply here and I think that is—*[interjection]* Well, that is what the bill says. That is what The Planning Act says. Northern Manitoba is not subjected to the new planning, Bill 40, The Planning Act. It is not. It will be governed by The Northern Affairs Act.

So totally different rules for northern Manitoba, totally different rules—*[interjection]* Well, I am asking "Where does the line cut? Where does the line cut?" I think that question needs to be answered by the Minister of Agriculture (Ms. Wowchuk) as well as the Minister of Conservation (Mr. Struthers) needs to also answer that question, because I believe both of them have some big questions to answer for those people in southern Manitoba.

Now, why do I raise this under Bill 32? Bill 32, in large part, is going to direct who pays for what and what portion is paid for by either municipalities, by individuals and by the short line railway companies as well as the Province of Manitoba. What portion is the federal government going to kick into this kind of analogy that is being drawn by Bill 32?

Now, I say to you, Mr. Speaker, we need to seriously look at the motives of the minister that brought forward this bill, and I think we need to really start thinking very long and very hard about the motives of the NDP government and how they are dealing with residents of rural Manitoba especially, all parts of rural Manitoba because, whether we like it or not, the different analogies and positions that are being taken are rural-north, rural-south or rural-centre, rural-east or west.

We in rural Manitoba contribute very, very substantially, Mr. Speaker, to the economy of this province. These little railways, the short-line railways, contribute substantially to many communities, the economies of those communities, and we should as a government do everything in our power to make sure that there is fairness. Fairness is what we are asking for under this bill. When the new regulations are drafted, we are asking for fair regulations that will make it possible for these railways to operate in a safe manner. So I would suggest to the government of the day that they should take a hard look at how they deal with rural Manitoba in general and how much attention is paid to rural Manitoba and the needs of rural Manitobans.

I think the analogy that I just gave you, Mr. Speaker, in identifying how much money had been spent in the Emerson constituency on highways alone in the five-year period preceding 1999, is clearly an indication of which government sets the priorities to make communities grow.

Transportation routes and roadways are the key elements of the network that allows people in those rural communities to set up businesses and run those businesses without having to look over their shoulders continually as to who is going to drop the next load of gravel on that road.

I think, Mr. Speaker, that in a nutshell really says it all. We are only begging for the attention of this NDP government to treat us fairly and to treat us evenly as the Conservative government did for 12 years prior to this NDP government being elected. If we could get that kind of fair treatment in the constituency of Emerson, I would say that we would be much better served than we have been over the last 5 years.

We really feel like a stepchild over there because we have seen no action taken on such things as waterways, and this Minister of Water (Mr. Ashton)

is continually talking about safe water. He is accusing the farmers of degrading the water when farmers have spent billions of dollars in buying equipment that conserves the moisture, conserves the soil, conserves the material that helps protect the soil, the straw, and keeps it on top.

So I say to you, Mr. Speaker, that, although I think the intent of this bill when it was initially drafted appears to be the right kind of bill, we will look forward to and judge very, very harshly the regulations when they are brought out. Thank you.

Mr. Ralph Eichler (Lakeside): I, too, want to rise and make a few comments regarding Bill 32. Echoing some of the comments that were made by the member from Emerson, I, too, have a number of concerns regarding the bill and, particularly, when we talk about the elevator closures throughout perhaps Highway No. 7 up north and trying to get our grains to the elevators in the southern part of Manitoba where the markets are a little more secure.

Having lost several of our railways, we are quite concerned about the fact that, of the 60 lines and 474 railway crossings across provincial roads and another 182 on municipal roads, Mr. Speaker, I am quite concerned about whether or not this will mean more rail line abandonments, more rail line closures, thus enabling farmers again to be left short on whether or not they are going to have the transportation lines to market their product directly to the elevators.

* (17:20)

With that, they are building bigger terminals throughout the province, trying to grab at straws because of the uncertainty of the transportation industry within the province. The member from Emerson also pointed out, with the federal grain initiative program that was taking place and this money that was supposed to be put aside for the farmers to help them market their product back in the old days of the Crow rate, since then that has gone by the wayside.

A number of the municipalities and towns within the constituency, especially of Lakeside, have made application for some of that money, but there is not near enough, not near enough, Mr. Speaker, as we try to find our way forward to meet needs of our farmers within our community. They just have not enough accessibility to market their products, thus enabling

them to find alternative methods to get their product to market.

Also, I am quite concerned about whether or not the Manitoba municipalities have had an opportunity to look at this bill and hope, very seriously, that once it gets to committee, those members will have an opportunity to make their thoughts known. Also, the Member for Arthur-Virden (Mr. Maguire) talked about the cost of some \$3,000 per year. There again the municipalities are having their own problems and without any input into it from the municipalities, Mr. Speaker, we find that perhaps it might be something that we need to consult with them again on to make sure they have their budgets in place prior to this bill going forward.

The other concern that I have is what if we had to build an overpass and an underpass, other than the Kenaston underpass. If this falls into the municipal hands, will they have the money for it? This bill is uncertain. We want to make sure that those funds are available so that we can move forward on it.

In closing, the Member for Portage would like to say a few words. I just want to make sure that the government addresses these concerns and they are there and the funding is there for the municipal government. In closing, we would like to get this on to committee, and look forward to the inputs from the other organizations.

Mr. David Faurschou (Portage la Prairie): I appreciate having the opportunity to participate in the debate of Bill 32, The Provincial Railways Amendment Act, this afternoon in second reading. As my colleague from Lakeside stated, we would like to see this bill head forward to committee for public input in regard to seeing that this bill has proper public input because there has been no prior opportunity by the public to provide their thoughts on this bill, although this bill is one that has been created to facilitate the changes between a federal regulatory body and a provincial regulatory body in regard to crossings and the maintenance of those crossings in the province of Manitoba.

Mr. Speaker, I appreciate that the onus is on the Province as well as the railway companies and the governing traffic authority, the municipalities, to make certain that they have an arrangement that will provide for the safety features on crossings throughout the province, as well as a mechanism to provide for the ongoing maintenance, assuring the motoring public that these safety devices are in

operation year round and providing the motoring public that safety consideration when any one of us who is part of that motoring public comes to a railway crossing and making certain that there is not a collision.

Mr. Speaker, I do want to say that as the railway act provides for a mechanism on funding, we are also studying Bill 14, which is The Gas Tax Accountability Act. The implications of that act in relationship to the railway act are there. I will point out that The Gas Tax Accountability Act at present exempts locomotive fuels and the taxes that the treasury of Manitoba receives from the operation of rail traffic here in the province, into the treasury and not back into the roads, as that particular act is defining for other fuels and gasoline consumption.

I would like to say on the record that I strongly support Bill 14, but I would like to see an amendment made where, in fact, the monies which are somewhere around \$10 million annually in fuel tax from locomotive operations here in the province be directed into the capital investment by the Transportation Department.

Mr. Speaker, I believe you are aware, as am I, of very heavy traffic areas around the province where they cross railways, and it is very, very dangerous even if safety equipment is in place.

One sees persons that are very anxious to get to their destination and sometimes take chances and even as a matter of fact break the law, because when the safety equipment is activated many, many engineers will testify they have seen motorists cross the rail line after the safety equipment has been activated and not only jeopardizes the motorists' lives but the lives of the train crew as well.

There is real need for capital investment in and about the province of Manitoba to provide for grade separation within this province. I would like to be on the record in support of that amendment to Bill 14 which will actually assist in the implementation of Bill 32, The Provincial Railways Amendment Act. At this time, I would like to see that this bill pass on to committee this afternoon and that a committee of this Assembly be struck to hear public input on Bill 32 because it is very, very important that they have that opportunity.

I will be, in and about my own constituency, promoting that persons take an active part and register with the Clerk's office in order that there would be some individuals that come forward because the Municipality of Portage la Prairie is a traffic authority.

So I thank you ever so much, Mr. Speaker. I appreciate you calling for the question.

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

An Honourable Member: Question?

Mr. Speaker: The question before the House is second reading of Bill 32, The Provincial Railways Amendment Act.

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

An Honourable Member: 5:30.

Mr. Speaker: 5:30? The hour being 5:30 p.m. this House is adjourned, and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 25, 2004

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