

**Third 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**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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.
CULLEN, Cliff	Turtle Mountain	P.C.
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.
JENNISSON, 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.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	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.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 7, 2004

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PETITIONS

#### Highway 200

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

These are the reasons for this petition:

Highway 200 is paved from Winnipeg to the Canada-U.S. border except for approximately a 10-kilometre section between highways 205 and 305 which remains unpaved. School buses, farm equipment, emergency vehicles and local traffic must travel on Highway 200 which is dangerous, if not completely impassable, during wet spring weather and other times of heavy rainfall.

Due to unsafe conditions, many drivers look to alternate routes around this section when possible and time permits. The condition of the gravel road can cause serious damage to all vehicles.

Insufficient traffic counts are not truly reflective of the traffic volumes because users tend to find another route to avoid this section. Traffic counts done after spring seeding, during wet weather or during school recess are not indicative of traffic flows.

Maintenance costs for unpaved highways are high and ongoing. It would be cost-effective to pave this section.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation and Government Services (Mr. Lemieux) consider paving Highway 200 between highways 205 and 305 to ensure a smooth, safe and uninterrupted use of Highway 200.

Signed by A. Lemoine, Gerald Monchamp, A. Dumesnil and others.

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

#### Addictions Foundation of Manitoba

**Mr. Jack Reimer (Southdale):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The Addictions Foundation of Manitoba (AFM) provides intervention, rehabilitation, prevention, education and public information services on addictions for the citizens of Manitoba.

Manitoba's provincial Budget 2004 cut funding to the AFM by \$150,000 and required the organization to absorb a \$450,000 wage settlement.

In order to operate within its budget, the AFM was forced to close 14 treatment beds in its primary care unit and eliminate 10 nursing positions.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health to ensure that his attempts to balance his department's finances are not at the expense of the health and well-being of vulnerable Manitobans suffering from addiction.

To urge the Minister of Health to consider monitoring the waiting lists for addiction treatment and to consider ensuring that timely treatment for Manitobans with addictions is not compromised by the provincial government's decision to cut the AFM's annual budget.

Signed by D. Simpson, S. Maglian, H. Belanger and others.

\* (13:35)

### **Pension Benefits**

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

These are the reasons for this petition:

Pension benefits for thousands of Manitoba health care workers are being cut because the government has refused to support the front-line health care workers in their desire to maintain their existing Healthcare Employees' Pension Plan (HEPP).

The government is doubling the early retirement penalty to 6 percent a year from 3 percent.

There will be no cost-of-living benefits for retirees in the foreseeable future, which means that inflation will erode retirees' pension cheques over time.

The government's refusal to support the existing pension plan will have a negative impact on hundreds of front-line health care workers.

The government is demonstrating a lack of respect for front-line health care workers by its decision to allow administrative costs in the regional health authorities to skyrocket by millions of dollars.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider redirecting administrative cost savings to front-line health care workers.

To request the provincial government to treat front-line health care workers with the respect they deserve, and to consider supporting the health care employees' pension plan by not cutting pension benefits.

Signed by Heather Buechel, Lanette Siragusa, Sarah Klownik and others.

### **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 and 2004 is not much better.

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 G. Olaes, Mario Pucusin and Mark Olaes.

### **Physician Shortage—Westman Area**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I wish to present the following petition.

These are the reasons for this petition:

The Westman region serving Brandon and the surrounding area will be without an on-call pediatrician for 20 days between November 10 and December 31, 2004.

As a result of the severe shortage of pediatricians to serve the Westman area, Brandon and area women with high-risk pregnancies as well as critically ill children are being forced, at even greater risk, to travel to Winnipeg for urgent medical attention.

The chiefs of the departments of Obstetrics and Gynecology, Family Practice and Anesthesia at the Brandon Regional Health Centre have publicly voiced their concern regarding the potentially disastrous consequences of the shortage.

Brandon physicians were shocked and angered by the lack of communication and foresight on the part of the government related to retention of a local pediatrician.

The Minister of Health has stated that Brandon has to put its best foot forward and recruit its own doctors.

Doctors have warned that if the current situation is prolonged, it may result in further loss of services or the departure of other specialists who find this situation unmanageable.

We petition the Legislative Assembly of Manitoba as follows:

To strongly urge the Minister of Health to consider taking charge and ensuring that he will improve long-term planning efforts to develop a lasting solution to the chronic problem of pediatrician and other specialist shortages in Brandon.

To strongly urge the Minister of Health to treat this as the crisis that it is and consider consulting with front-line workers, particularly doctors, to find solutions.

To strongly urge the Minister of Health and the Premier of Manitoba to consider ending highway medicine now.

This petition is presented on behalf of Gail Tohon, Janet Martin, Wendy McDonald and others.

\* (13:40)

#### **Physician Shortage—Westman Area**

**Mr. Larry Maguire (Arthur-Virden):** I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The Westman region serving Brandon and the surrounding area will be without an on-call pediatrician for 20 days between November 10 and December 31, 2004.

As a result of the severe shortage of pediatricians to serve the Westman area, Brandon and area women with high-risk pregnancies as well as critically ill children are being forced, at even greater risk, to travel to Winnipeg for urgent medical attention.

The chiefs of the departments of Obstetrics and Gynecology, Family Practice and Anesthesia at the Brandon Regional Health Centre have publicly voiced their concern regarding the potentially disastrous consequences of the shortage.

Brandon physicians were shocked and angered by the lack of communication and foresight on the part of the government related to the retention of a local pediatrician.

The Minister of Health has stated that Brandon has to put its best foot forward and recruit its own doctors.

Doctors have warned that if the current situation is prolonged, it may result in further loss of services or the departure of other specialists who find the situation unmanageable.

We petition the Legislative Assembly of Manitoba as follows:

To strongly urge the Minister of Health to consider taking charge of ensuring that he will improve long-term planning efforts to develop a lasting solution to the chronic problem of pediatrician and other specialist shortages in Brandon.

To strongly urge the Minister of Health to treat this as the crisis that it is and consider consulting with front-line workers, particularly doctors, to find solutions.

To strongly urge the Minister of Health and the Premier of Manitoba to consider ending highway medicine now.

Mr. Speaker, submitted by Gwen Podobni, Kellie Flannery and Christine Jansen.

## TABLING OF REPORTS

**Mr. Speaker:** I am pleased to table the Annual Report of the Chief Electoral Officer for 2003, which also contains the annual reports on The Elections Act and The Elections Finances Act, as well as the conduct of the 38th Provincial General Election.

**Hon. Eric Robinson (Minister of Culture, Heritage and Tourism):** Mr. Speaker, I am pleased to table the 2003-2004 Annual Report for the CCFM, the Centre culturel franco-manitobain.

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I would like to table the report pursuant to section 13 of The Trade Practices Inquiry Act, as well as a report on the Statement on Fidelity Bonds, in accordance with section 20 of The Public Officers Act; the Report of Amounts Paid to Members of the Assembly and copies of two Orders-in-Council made under section 114 of The Insurance Act.

## MINISTERIAL STATEMENTS

### Associate Chief Judge Bruce Miller

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** I have a statement for the House.

Mr. Speaker, sadly I rise to advise this Assembly of the death of the Honourable Bruce Miller, Associate Chief Judge of the Provincial Court of Manitoba, this weekend. The Honourable Bruce Miller is a person that many of us in this House knew, if not personally, on a professional basis.

He graduated from the University of Manitoba Law School in 1973 and was appointed a Crown attorney in 1975, working his way to director of Prosecutions in 1989. He was appointed Queen's Counsel by the Province of Manitoba in 1990.

In 1994, he was appointed to the Provincial Court, elevated to Associate Chief Judge in 1995 and served as Acting Chief Judge under this government in 2001-2002. During his legal career, Judge Miller was active in all elements of the profession, from lecturing at the law school to serving on many committees at the Law Society, including as an elected bencher for many years.

As a senior member of the Prosecutions team, he was actively involved in many of the initiatives that have helped to establish our system of justice in Manitoba as a leader, including the Family Violence Court Steering Committee, and a representative on many impaired driving measures.

As a member of the provincial judiciary, Judge Miller not only presided in court on a daily basis, he represented the court at a range of levels, always focussing on how the justice system could be enhanced through collaborative efforts. He also served his community well, often through his interest in sports, especially hockey, but also with those less fortunate than himself such as the Special Olympics. He was recently a board member of the Betel Heritage Foundation.

Bruce was one of those persons who was universally well liked, well respected, fair, compassionate, considerate, thoughtful of all those around him; whether accused persons and victims in the courtroom, his judicial colleagues, court administration staff, Crown attorneys, defence lawyers, law enforcement officials or even his teammates on his hockey team. His life and career were full, and they were cut short much too soon. Those who knew him will miss his professionalism, his inclusiveness, his warmth and his welcoming smile.

Our sympathies are extended to his wife, Peggy, and his sons, Scott and Ryan.

\*(13:45)

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, I would like to thank the minister for this statement. It is a sad day that I stand here before you today to say a few words about Bruce Miller.

Bruce and I go back a long, long time. We grew up in the same neighbourhood and went to school together. As a matter of fact, Bruce and I were defence partners in the same hockey team when we were 10 years old. Bruce was always a very active young man growing up in the neighbourhood. Our hockey careers did not go that long. I have to admit that that year we won the city championship, and we ended up losing in the provincial championship to Winakwa Park, I have to admit that Bruce and I were on the ice for five of Butch Goring's six goals.

Bruce was one of those individuals that you could just never be around enough. He had a deep interest in sports. As well as playing hockey, he was the catcher on the baseball team and, as a matter of fact, did end up winning a city championship as a catcher on the baseball team. He had a love of sports that was shared by his father. They both were always around the community clubs either participating in or coaching or just discussing sports, including the Chicago Cubs of which Bruce would never have enough to say about how great an organization that was, and he was indeed extremely loyal to them.

Bruce was a very bright young man. Actually, although we were the same age, he was pushed a year ahead in school, but he always had that mischievous brightness that somehow managed to, from time to time, drag us into a little bit of trouble. We had another thing in common. Both our parents were educators. My father actually taught at Churchill High School, and his mother was a substitute teacher. Those of us who can remember how difficult it was sometimes to be a substitute teacher, Bruce stood up to that and often put us in our place when from time to time his mother would substitute in one of our classes, and maybe get a little harder time than he thought she deserved.

Bruce grew up in a very strong and loving family, and that carried on in his own family. He was fortunate and Peggy was fortunate. They met in high school. They dated since high school and obviously built their own family, two wonderful children. I just want to, on behalf of all of us in the Legislature, extend our deepest sympathies to Peggy, Scott, Ryan and the rest of the family. The life of Bruce Miller was far too short, and he will be deeply missed by all those who knew him. Thank you.

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

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

\* (13:50)

**Mr. Gerrard:** Mr. Speaker, today we pay tribute to the life, be it all too short, of The Honourable Bruce Miller. I want to start by offering sympathies on behalf of the Liberal Party, as the others have done, to the family, to his wife, Peggy, and to his sons, Scott and Ryan.

Bruce Miller clearly had a full and accomplished life, rising to become the Associate Chief Justice in the Provincial Court, and having achievements which ranged from athletic achievements to achievements as a Crown attorney and achievements as a judge. He was clearly concerned with some of the important issues of the day, in terms of the Family Violence Court and its Steering Committee, and concerned with issues of impaired driving and its effects on victims, but also on those who were affected in one way or another.

I want to just say on behalf of the Liberal Party, to friends, acquaintances and family of Bruce Miller, we are very sorry about his passing. We celebrate his achievements.

## INTRODUCTION OF BILLS

### Bill 13—The Milk Prices Review Amendment Act

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** Mr. Speaker, I move, seconded by the Minister of Conservation (Mr. Struthers), that Bill 13, The Milk Prices Review Amendment Act, be now read a first time.

#### *Motion presented.*

**Ms. Wowchuk:** Mr. Speaker, this bill provides the Manitoba Milk Prices Review Commission with the flexibility to establish a cost-of-production formula which will reflect the costs of producing milk for use as fluid milk in Manitoba. It repeals the requirement that the commission conduct a survey to collect the cost-of-production information before it sets a cost-of-production formula.

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

## 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 65 junior parliamentarians from the Lord Selkirk junior parliament. These students are from the Happy Thought School, Lockport Junior High and Selkirk Junior High, and are under the direction of Suzanne Billing. These visitors are the guests of the honourable Member for Selkirk (Mr. Dewar), and

also the honourable Minister of Education, Youth and Citizenship (Mr. Bjornson).

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

Also in the public gallery we have from Graysville School 17 Grades 4, 5 and 6 students under the direction of Mrs. Shari Zacharias and Mrs. Betty Tiltman. This school is located in the constituency of the honourable Member for Carman (Mr. Rocan).

Also in the public gallery we have from Northern Shield Academy, Winnipeg Oakdale Campus, 17 Grades 11 and 12 students under the direction of Mr. Brian Daeyton. This school is located in the constituency of the honourable Member for Charleswood (Mrs. Driedger).

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

## ORAL QUESTIONS

### Mental Health Services (Swan River) Closure of Safe House

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, I was greatly concerned to learn through an e-mail that was sent to my office that Swan River's mental health safe house is being forced to close its doors on January 3 because of lack of funding by the Doer government.

Staff have been told of the closure. The MLA from Swan River apparently confirmed the closure, but bad news, no press release from this Premier (Mr. Doer) or this government on this forced closing in Swan River. We know that Christmas is but weeks away, and we know the stress that can have on families during this time, Mr. Speaker. What this Premier is doing is literally taking away a lifesaving service out of Swan River.

Mr. Speaker, I would ask this Premier if he would rethink, if he would reverse this cold-hearted decision to close the Swan River mental health safe house. Will he do the right thing and ensure for those families in that area that it stays open?

\*(13:55)

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, we are very concerned that the mental health services in all regions, but particularly in the Parkland region in which this safe house has been located, be strengthened with more out-patient and more community supports available. Unfortunately the occupancy rate in this particular safe house was extremely low in comparison to what the projections were that the association had assumed might be used. So, with great reluctance, the regional health authority decided that they would no longer support the costs of the home. I was informed of that shortly after I became minister.

**Mr. Murray:** Mr. Speaker, what we hear from the answer from this Minister of Health is blame. It is lame and he should be ashamed. This is a very serious issue dealing with families in that area. There is enough evidence to show that it warrants staying open. There are over a thousand calls of crisis that went in, almost 350 drop-ins from people anticipating a mental health crisis. There have been four or five mental health clients at night who use this safe house, and some of them are there for night after night. The staff of the Parkland RHA, psychiatrist, they help clients with this safe house.

What we are hearing from this grinch of a government, Mr. Speaker, is that on the eve of Christmas, they are going to offer nothing to the people of Swan River other than to tell them on January 3, because they do not have the heart to fund something important to that area that they are going to close it down.

Mr. Speaker, I would ask this Premier to stand in his place and not be so harsh on the people of Swan River; rethink, reverse his decision to close this safe house. Do the right thing, Mr. Premier.

**Mr. Sale:** Mr. Speaker, all of the out-patient and support community services will continue: the ability to deal with crises; the ability to provide counselling and support; the ability to provide referrals and resources to people; the ability to receive people who are in crisis and find them appropriate shelter. The occupancy rates which I have been shown, and I would be quite prepared to see that this information is incorrect, but the occupancy rates I have been shown do not justify maintaining this very expensive live-in facility as compared to strengthening the out-patient services more broadly available to more people in the Swan Valley area. The member opposite has information about occupancy which is



at odds with the information I have been given. I would be pleased to review it.

**Mr. Murray:** Mr. Speaker, the Doer government clearly does not have a health plan, they have a stealth plan. Nobody seems to know about it. I find it incredible that the Premier will not stand and answer the question, first and foremost; but I find it incredible that this Minister of Health talks about the amount of money. Well, I would like to share with this Doer government this issue that was brought forward and this letter that said, "I felt the closure of the safe house is a great injustice. How can you put a price on a life? Is a safe house only safe if the safe house only saved one person, and I can tell you, it saves more than that. It is well worth the money to keep it open. Mental illness is just as debilitating as diabetes or any other long-term illness if left untreated. There are very serious problems if this safe house is closed."

Mr. Speaker, I have another letter that I would like to share with the Doer government. This one is from Miss Kelly Gibbings, the Canadian Mental Health Association from Swan Valley, and she says she is the president, "If costs were the concern," as just stated by this minister, "if costs were the concern, we would have liked the opportunity to respond with staffing or program changes to increase the efficiency of the safe house. We have certainly responded to issues of efficiency when the crisis stabilization unit was converted to a safe house in 2001, saving the Parkland Regional Health Authority approximately \$40,000 a year."

Mr. Speaker, this Doer government now has been warned by the community. Knowing that admin costs under this Premier have gone from \$13 million to \$24.5 million, will he not do the right thing and direct some of that money that is being wasted to doing the right thing for Swan River? Will he not ensure that he reverses his decision and keep the safe house open for the residents of Swan River?

\* (14:00)

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

**Mr. Speaker:** Order.

**Hon. Gary Doer (Premier):** Thank you, Mr. Speaker. The minister has said to the Leader of the Opposition if he has contrary information on the

occupancy rates, please provide it to us. We will—  
[interjection]

Mr. Speaker, in terms of overall investments in mental health we have made significant investments in mental health. In terms of overall investments in mental health, it is in-house services and out-patient services that we are trying to provide. We are trying to provide that right mix. It is important for us to ensure that we have a balanced approach to mental health services.

As I say, Mr. Speaker, we have invested quite a bit in mental health services. The issues the member raises are important ones. Yesterday, he talked about administrative costs where we combined the two RHAs in the western part of the province. The administrative cost savings were a million dollars.

Mr. Speaker, we are always looking for cost-effective ways which include quality of health care services and part of that—[interjection]

I know members opposite, when they yell and scream and heckle, will forget that the former Minister of Health got an award from the mental health agencies for his excellent, excellent work in balancing community mental health and in-house mental health services in Manitoba.

### **Physician Resources Shortages**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, earlier this year, a British Columbia specialist in internal medicine moved to Swan River to work there, but the Doer government is not supporting Doctor Wickert with the medical equipment that he needs to do his job.

I find it incredulous that Swan River could have a person with Doctor Wickert's talent begging for equipment so that he could work there, and he is being refused. I would like to ask the Minister of Health to explain why, with severe doctor shortages in rural Manitoba, especially specialists, why is he not aggressively recruiting physicians, particularly this one physician for Swan River.

**Hon. Tim Sale (Minister of Health):** First of all, Mr. Speaker, let me say that we welcome Doctor Wickert to practise in Swan River. The CEO of the Parkland Regional Health Authority wrote the

*Swan Valley Star and Times* a letter, November 22, basically in which he says that we welcome the availability and benefit of a new specialist to the region. So, contrary to what the member is alleging, we are in the process of working with Doctor Wickert through the regional health authority with the hospital in Swan River, which is an independent, non-devolved hospital, to identify what is appropriate and possible to do in that facility that would add to the health care quality of health for the residents of the Swan Valley and region. The member again is wrong, wrong, wrong.

**Mrs. Driedger:** Mr. Speaker, the Swan River mayor, Glen McKenzie, said he was thrilled when Doctor Wickert offered his services and Mr. McKenzie expected the Province would happily add the equipment to the area's new \$34-million hospital slated to open in July. Glen McKenzie, the mayor of Swan River, said, and I quote, "It is ludicrous to have a specialist come to Manitoba and not work. We have got a specialist who falls into our lap and we cannot use him."

Mr. McKenzie said that the doctor is currently not working and fears that he will leave the province if he is not able to practise his speciality in Swan River. Can the Minister of Health explain why he is not using the federal medical equipment fund dollars to buy the equipment that Doctor Wickert needs to do his job in Swan River?

**Mr. Sale:** Mr. Speaker, first of all, the new hospital in Swan River is under construction. Under the previous government, they let contaminated mould grow through the whole hospital because they could not fix the roof. They made us lose a building that was still serviceable because they did not spend any money to improve the facility and fix the leaking roof.

We are building the new hospital in Swan River. It will open in June, Mr. Speaker. So the earliest that any brand-new equipment could be available to practise the kinds of specialties that Doctor Wickert wishes to practise would be in the May-June period. We are working to solve this problem. They cost us a hospital in Swan River. We are building a new one.

**Mrs. Driedger:** Mr. Speaker, I would like to remind the Doer government that they promised Swan River in the 1999 election they were going to build that hospital in the first year they were in government. Six years later, and it is still not built.

Mr. Speaker, the Swan River R.M. reeve, Rick Reich, said, and I quote, "It is sad that all we hear about is that rural areas are having trouble attracting doctors, and we have one, and we cannot get him the ability to work here. It is not very often you get a doctor of this calibre wanting to move into the area to work." It is absolutely astounding that this government is so short-sighted, especially with impending retirements coming up in Swan River,

I would like to ask the Minister of Health why is he not bending over backwards to ensure and let Doctor Wickert know that he has a job there, that he has the equipment there. Why would he abandon rural Manitoba like this? Why is he treating rural citizens as second-class citizens in Manitoba?

**Mr. Sale:** Mr. Speaker, this is quite incredible: 1400 more surgeries to Selkirk, MRI in Brandon for the first time, CTs in Steinbach, Portage la Prairie, Brandon, down at Boundary Trails, up in The Pas. Talk about health care in rural Manitoba. We put more surgeries, more doctors, more supports into health care in rural Manitoba, including a new hospital in Swan River. The hospital was in the capital plan the first year that we were elected, in 1999. We put it there. In conjunction with the community, we planned it. It is under construction. It will open in June. Doctor Wickert will be practising there, I am confident. We will be able to work this problem out with the RHA, with Swan Valley and with Doctor Wickert. That is what we are doing.

### **Public Safety Government Initiatives**

**Mr. Gerald Hawranik (Lac du Bonnet):** The NDP promised safer communities while running for election but now that they are elected, after the election is over they are quick to forget that election promise. The member from St. Johns has been the Minister of Justice for nearly six years, and under his watch he has created a catch-and-release system of justice in Manitoba.

Take, for example, Marc Girouard. He was caught, charged and released twice, in spite of the fact that he breached bail conditions. A warrant has been issued for his arrest, but he is still in the community, Mr. Speaker. The only way to find him is to follow his trail of victims. He is currently charged with trafficking drugs, uttering threats to kill another person and six counts of failing to comply with bail conditions.

I ask the Minister of Justice at what point will this minister stand up for victims and make the communities safer as he promised during the election campaign.

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, it was all through almost every year in the 1990s that Manitoba had the highest violent crime rate of all the provinces. Today we are 27% below the highest province.

**Mr. Hawranik:** The minister is quick to point the finger of blame at everyone else except himself, but he should look in the mirror and point the finger of blame at himself.

I ask this Justice Minister whether he has fulfilled the promise to make our communities safer when Kranston Murdock, who is charged with assaulting a woman, was released on bail, failed to appear, arrested later, and again released on bail. Now he is nowhere to be found, Mr. Speaker, and a warrant has been issued for his arrest. He is charged with assault, uttering threats, three counts of failure to comply with bail conditions.

Time and time again, those who are charged with serious criminal offences are released into the community because of this Minister of Justice. It is now open season on Manitobans, thanks to this Justice Minister.

I ask the Minister of Justice is the community safer because Kranston Murdock is at large in the community and free to commit more criminal offences.

\*(14:10)

**Mr. Mackintosh:** Mr. Speaker, the opposition wants to ensure that a modern government like the provincial Government of Manitoba directs prosecutors in each and every case. We on this side of the House have a great respect for our prosecutors. We have only strengthened the prosecutions policy in this province since coming into office. Not only have we strengthened the prosecutions policy, but we have significantly enhanced our support for our prosecutors, in fact, by 68 percent. We did not make cuts. We are giving them the supports they need to do the job that they are professionally trained to do.

**Mr. Hawranik:** Mr. Speaker, just by this response of this Justice Minister, Manitobans now know that

this Justice Minister is tired. He has been the Justice Minister too long. He has no lust for his job anymore. He has to fulfil his promises.

While in opposition, the Justice Minister talked tough, saying that those charged with violent offences who breach bail conditions should have bail eliminated. On Thursday, I reminded the minister about Eugene Dumas, Cory Lee Fairchuk. Today, it is Marc Girouard and Kranston Murdock, all charged with violent offences, who time and time again have been released into the community free to find more victims. Each one of these people should not have been released into the community. The only way we can find them is to follow their trail of victims.

I ask this minister why will he not live up to his election promises, make our communities safer, and ensure that bail is denied to those charged with violent offences who breach bail conditions.

**Mr. Mackintosh:** Mr. Speaker, aside from allegations about lust and lustfulness, I can tell you that this government has a real passion to try and beat down some sad legacies that the former government left in this province.

Mr. Speaker, we do not need lessons from the members opposite. Not only is Manitoba, according to Statistics Canada, the most difficult province to get bail, we have asked for improvements to the bail laws and provided leadership to get that improvement. When we came into office, we were facing an auto theft rate that had gone up almost 300 percent under members opposite. We had street gangs that were rampant through this province. We had the Hells Angels arrive under their watch, the Zig Zag Crew under their watch. When we came into office, parts of downtown Winnipeg were literally on fire. We are working hard.

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

**Mr. Speaker:** Order. Before I recognize the honourable Member for Southdale, I have to remind all honourable members it is very difficult to hear. Members that wish to ask a question, ministers that wish to respond to a question will have the opportunity. I need to be able to hear the questions and the answers, so I ask the co-operation of all honourable members.

### **Public Safety Government Initiatives**

**Mr. Jack Reimer (Southdale):** Mr. Speaker, my question is also to the Minister of Justice. It is in regard to an e-mail that one of the reporters received. I believe that it hits right to the point that we are trying to bring forth to this Minister of Justice.

I will just quote. In the letter it says, "I remember when it was safe to walk the streets at night. There were times that I did not worry about any of my female relatives walking alone. There were times when I said Winnipeg is a safe place to live. I cannot say that anymore."

Mr. Speaker, we have heard this time and time again, of the gang violence, the murder capital of Canada, with the increased numbers that are escalating here in Winnipeg. We have seen this minister stand up time after time saying that his programs are working. The people of Winnipeg and the residents that we have talked to are saying it is not working. They do not feel safe downtown. They do not feel safe because of the gang activity in this town, and yet the minister can stand up here and say that things are safe.

I want to ask this minister why are his programs and why are the programs that he is talking about not taking effect here in Winnipeg.

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, members opposite do not have credibility on the issues of public safety. I will reiterate that the violent crime rate that Manitobans suffered through the whole 1990s was, for almost every year, the highest in this country. That is no longer the case, but I remind members opposite that I will take advice clearly from Manitobans. We always have to work diligently, not just the provincial government, but all levels of government, our agencies, individuals. We all have to work for a safer Manitoba.

I notice that when the Winnipeg Police Service did a survey of Winnipeggers it discovered that 94 percent of all Winnipeggers felt safe walking in their neighbourhoods during the day. That was their best result that the police had ever recorded.

**Mr. Reimer:** Mr. Speaker, it was also reported a few days ago that there was a young 17-year-old girl that

was mugged right beside Portage Place. She lost her jewellery, her purse and her CD player: mugged right in broad daylight.

We have also heard of incidents. It was reported on the television that students around Red River campus downtown, in and around Princess, the new campus, do not feel safe staying after 4:30 in the afternoon—4:30 in the afternoon they do not feel safe staying around after. They put these big computer labs and everything for the people to study and advance. They do not feel safe downtown. They have told that, we hear that, we see this in the paper. The headlines are coming forth day after day. This minister stands up and says that his program is working. It is not working. What is he doing?

**Mr. Mackintosh:** Mr. Speaker, I am very pleased to report to the House that, as a result of the Throne Speech, we are adding 40 more police officers to Manitoba. I just ask, if the member is so concerned about public safety, why did he stand up and vote against 40 more police officers.

### **Livestock Industry Slaughter Facility**

**Mr. Jack Penner (Emerson):** We have 500 000 cows and bulls in this province; 10 percent of them to 20 percent of them will be requiring a market within a year. We have 550 to 600 000 head of young stock in this province. The farmers in Manitoba have been promised, time and time again, by this government that there will be slaughter facilities built in this province of Manitoba.

All we have heard from this Minister of Agriculture is blaming the federal government, blaming the processors, blaming the farmers, and blaming everybody else for not having built a slaughter facility yet. When will this Minister of Agriculture assure the farmers of Manitoba that there will be a slaughter facility built in the province of Manitoba?

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** I am really pleased that the member opposite is finally on board with the idea of increasing slaughter capacity in this province. Earlier on, Mr. Speaker, he said that it was not worthwhile, and then when we said we were putting money into the project, he says it is not enough, it is not soon enough. I would encourage him to make up

his mind, and I would encourage him to get on board and support people who are looking at increasing slaughter capacity in this province, because that is what we are doing.

We have put money in place into Rancher's Choice. We have made money available there, and there are other programs. We are working with other people who are looking at increasing slaughter capacities, but, Mr. Speaker, I can tell you that the producers told us that they do not want the government to build plants. They want support.

**Mr. Penner:** I have heard the minister blame me before for all kinds of things that supposedly she had read somewhere, and I have heard the Minister of Agriculture blame the federal government, and I have heard the Minister of Agriculture blame the producers.

However, the Premier (Mr. Doer) of the province also said before the AMM convention that there were 300 000 head of cattle killed in this province the last year they were in government. Well, I want to table today the record of slaughter in this province over the NDP term in office and our term in office and the previous government. I want to ask the Minister of Agriculture today when will she stop blaming everybody—

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

\*(14:20)

**Mr. Speaker:** Order. The honourable Member for Emerson has the floor, and he is trying to ask a question. For the minister to respond, she would have to be able to hear the question. Also, I have to be able to hear the individuals that have the floor in case there is a breach of a rule or departure from our practice. Once again, I ask the co-operation of all honourable members, please.

The honourable Member for Emerson, you have a few seconds.

**Mr. Penner:** Thank you very much, Mr. Speaker. When will this government and this Minister of Agriculture stop blaming everybody else and get on with the fact and build a slaughter facility in the province of Manitoba?

**Ms. Wowchuk:** I cannot believe that the member opposite has become converted. I think he is now a socialist. He wants to build slaughter capacity. He wants to run a deficit.

Mr. Speaker, we listened to the producers. Producers told us clearly they did not want the government to build slaughter capacity. They want the government to be there to support. We are there to support with money, and we are prepared to make investments, and we have people who are working with not only Rancher's Choice, other people who are looking at increasing slaughter capacity.

I would encourage the member opposite, Mr. Speaker, to really clarify, because according to an article—

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

**Mr. Speaker:** Order.

**Mr. Penner:** Thank you very much, Mr. Speaker. I should feel offended, but I will just say this to you. If the minister has moved as far right as I think she has currently moved, then there might be hope for the people of Manitoba, and maybe there is an opportunity.

Will the minister today accept that we will put in place a business plan for her? We will put in place a slaughter plan for the province of Manitoba. We have been in discussion with people that are interested in building an industry here. They want to know whether the Province is serious in assisting. They want to know whether the federal government is serious in assisting. We will table today our five-point plan that we have put in place and announced in the province of Manitoba that will get a plant constructed that will slaughter the 500 000 head of young stock that we have, instead of exporting them and exporting all the jobs with them to the United States of America.

**Ms. Wowchuk:** Unless the member knows something that I do not know, Mr. Speaker, but I do not know of any—

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

**Mr. Speaker:** Order.

**Ms. Wowchuk:** Thank you, Mr. Speaker. The border has not opened, and we still have a challenge with slaughter capacity. Members opposite obviously believe in statism. We believe in co-operatives. We are working with a co-operative. They have put forward a business plan. I will take the business plan of Rancher's Choice, the business plan that other groups have put forward, far before I would take advice from the member opposite, because his ideas are not in line with what the producers of Manitoba want. Thank you.

### **Seven Oaks School Division Capital Projects**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker—

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

**Mr. Speaker:** Order. The honourable Member for Tuxedo has the floor.

**Mrs. Stefanson:** Thank you very much, Mr. Speaker. On November 29, the Minister of Education sent out yet another government news release which we tend to see a lot of these days: a lot of empty announcements, full of empty announcements, I might add, announcing a new school in Seven Oaks School Division. Former NDP campaign manager, Brian O'Leary, the current superintendent of the Seven Oaks School Division said in an article, and I quote, "We bought land on the east side of Main Street just north of Kildonan Settlers Bridge," said O'Leary, adding, "Plans for the development will begin in the next few weeks."

Well, Mr. Speaker, I cannot imagine that Mr. O'Leary fancies himself an expert in the spec real estate market, so I can imagine that the school division must have known for some time that they were going to get a new school, otherwise would never have purchased the land.

How long ago did the minister advise his former NDP campaign manager, Mr. O'Leary, to purchase the land for the new school?

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Mr. Speaker, I appreciate the opportunity to talk about our capital program once again. First of all, the member opposite, when she first raised this issue in the House, said that Seven Oaks School Division had not requested a new

school. In fact they had requested a new school in 1994, I believe. Of course, the chances of getting one at that time were slim and none.

The next request for a new school was in 2001, and when we assessed, when we had originally announced that we would be expanding the facility in West Kildonan Collegiate and took a look at that facility as to whether or not it would be viable to do so, it was determined that money would best be spent in construction of a new facility. That is part of our commitment to Manitoba students and the \$288 million that we have invested in capital. I resent the fact that they are tying this to politics, Mr. Speaker.

**Mrs. Stefanson:** Mr. Speaker, in an article on Monday, November 21, just 28 days prior to the announcement of the new school in Seven Oaks School Division, it says, and I quote, "Seven Oaks School Division Superintendent, Brian O'Leary said the division does not need the Genstar property in Amber Trails because it has empty desks elsewhere." He goes on to say, "We are able to accommodate students from Amber Trails area into the current schools."

Mr. Speaker, why did the Minister of Education put funding on hold for four new, previously announced school divisions while simultaneously cutting a backroom deal for the former campaign manager to build a new high school in a division that not only did not request it, they even admitted that they had the internal capacity to place students?

**Mr. Bjornson:** Again, I have had the opportunity to visit over a hundred schools in the province of Manitoba, and just about every school I have been in, regardless of what constituency, has seen the effects of our ambitious capital program. We have completed projects, over 600 projects, Mr. Speaker, 35 major capital, 8 new schools, 11 replacement schools. We are committed to capital in the province of Manitoba.

As far as the capacity is concerned, every school division goes through this process, identifying capacity. It had been determined that West Kildonan Collegiate did not have sufficient capacity. The property that has been acquired includes 13 acres for other recreational purposes, Mr. Speaker. The current site does not accommodate that. This is a good decision, and it does not surprise me that members opposite would be opposed to building new schools.

**Mrs. Stefanson:** Mr. Speaker, who decides what kind of capacity is okay within a school division? I think it is the superintendent, and he said they had ample capacity. Now the Minister of Education is saying they do not. The superintendent just said that they did. This is ridiculous. We have got other school divisions: Pembina Trails, River East Transcona, Louis Riel, that have been requesting new schools for a very long time because they do not have the capacity.

Mr. Speaker, this school division never asked for a new school. They have said they have the capacity. These other school divisions do not have the capacity. When do they get their new schools? When will he stop the politics, playing politics when it comes to building new schools in our province? Build the schools in these areas because the children need it.

\* (14:30)

**Mr. Bjornson:** Mr. Speaker, the schools that were promised to be built, for the member to suggest that it is political, the schools that we promised to build, five out of eight of the last schools that we promised to build were in ridings of members opposite. We are a government that governs for all Manitobans.

The member has talked about other projects that are on hold. Those projects are moving forward. The school in Winkler is moving forward. The school in East Selkirk is moving forward. The school in West Kildonan is moving forward.

We have a problem that we call growth. Members opposite are not familiar with that because they had 800 teachers that they laid off, 1500 nurses. People were leaving the province. They are coming back to Manitoba, because we invest in Manitoba.

### **Aiyawin Corporation Operational Review**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I table the government's own operational review of Aiyawin Corporation. It shows that for five years this NDP government has been missing in action. In the last two fiscal years alone more than \$1.1 million in replacement reserve funds were spent without Manitoba Housing and Renewal Corporation's prior approval, as is needed, and with no backup documentation or explanation.

The report given to the board November 22 recommends that Aiyawin Corporation take action immediately to fully fund the replacement reserve and to immediately refund the accumulated surplus of \$50,000 to the Manitoba housing rehabilitation corporation. I ask the minister has this been done.

**Hon. Christine Melnick (Minister of Family Services and Housing):** Again, Mr. Speaker, I will speak to the process that is in place as is dictated by the operating agreement in which we informed Aiyawin of our concerns. They had a week to respond to agree that there were serious concerns. Following that they had two weeks, which ends on Monday, December 13, to come up with a plan. We are awaiting that plan, and we will be following through with the process that is appropriate.

**Mr. Gerrard:** Mr. Speaker, under this government's watch, so-called watch, that operating agreement has been broken so many times. It has been riddled with holes, and it is because this government has not been watching.

When it comes to actions needed on the replacement reserve, the report says immediately, not December 13. November 22 was 15 days away.

Why has Aiyawin Corporation not already acted to fully fund the replacement reserve? Why has Aiyawin Corporation not already acted to refund the accumulated surplus of \$50,000?

This government is just being irresponsible. They have shown a complete lack of respect and support for low-income Aboriginal people and, indeed, for the taxpayers of Manitoba.

I ask the government will the government now act to take over as interim managers until this situation is properly sorted out.

**Ms. Melnick:** Mr. Speaker, the repeated shenanigans by the Leader of the Liberal Party has shown his respect for process. We do respect the process. I am not sure if the member opposite recognizes that in trying to push us to move outside of the process, he is, in fact, jeopardizing the 219 families who are currently living in the Aiyawin houses. We will not jeopardize that process, nor the living arrangements of those people. We are not about putting low-income and seniors out into the street in December. That may be his strategy. It is not ours.

### Government Advertising Costs

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, my question is to the Minister of Finance (Mr. Selinger). What we are seeing is the government of the day using public tax dollars in order to finance NDP propaganda. I feel that the government of the day has crossed the line when it starts paying with public tax dollars to billet the fact that this government is giving property tax relief for our farmers. Does this government really and truly believe that farmers are that stupid that they do not realize what came down in the Throne Speech? Why is there even a need for this particular advertising?

The question that I have for the Minister of Finance is what is it costing the taxpayers for this government to be able to send out propaganda about how sensitive and wonderful they are about reducing taxes in our province? How do they justify abusing the tax dollar for their NDP propaganda?

**Hon. Gary Doer (Premier):** We need no advice from members opposite that are involved in the allegations of the sponsorship scandal. We will watch how that unravels, Mr. Speaker.

There is a fundamental difference. If we were to go out and advertise, "Government brings in tax reductions. Liberals and Tories vote against it," that would be political and unacceptable. If we were to go out and say to people that because of the hardship in this harvest year, because of the weather conditions compounded after last year that we have decided, after the fact, after you had paid your taxes, we are going to give a 33% rebate, we think the public and farmers are entitled to know that so they can access that rebate.

The member opposite has no judgment. He signed a document with disappearing ink two years ago. He asks pages to move hamburgers around in this Chamber. He has absolutely no political judgment, and I ask the member to get more substantive in his approach to this Legislature.

**Mr. Speaker:** Time for Oral Questions has expired. I have a ruling for the House.

### Speaker's Rulings

**Mr. Speaker:** Following Oral Questions on November 24, 2004, the honourable Member for Ste.

Rose (Mr. Cummings) rose on a matter of privilege to complain that the government and the Minister of Family Services and Housing (Ms. Melnick) had breached his privileges by failing to table financial information that the opposition was seeking in relation to Hydra House. At the conclusion of his remarks, the honourable Member for Ste. Rose moved "That this question be referred to the Committee on Legislative Affairs and be reported back to the House." The honourable Government House Leader (Mr. Mackintosh), the Official Opposition House Leader (Mr. Derkach), the Member for Emerson (Mr. Penner), the Member for Fort Whyte (Mr. Loewen), the Member for Inkster (Mr. Lamoureux) and the Member for Portage la Prairie (Mr. Faurschou) offered advice to the Chair on the matter. I took the matter under advisement in order to consult the procedural authorities.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the matter raised at the earliest opportunity, and second, has sufficient evidence been provided to demonstrate that the privileges of the House have been breached, in order to warrant putting the matter to the House.

Regarding the first condition, the honourable Member for Ste. Rose asserted that he was raising the matter at the earliest opportunity, and I accept the word of the honourable member. Regarding the second condition, whether there is sufficient evidence that the privileges of the House have been breached, it is important to determine whether parliamentary privilege has been breached in the actions complained of.

I would like to advise the House that I have checked the procedural authorities, and there is no reference or citation that advises it is a matter of privilege if a government does not table information when requested to do so, with the exception of items that are required to be tabled by statute. Should the information in question sought be an item that is required by statute to be tabled, there may be some scope for privilege, as Speaker Fraser of the House of Commons ruled on April 19, 1993, that failure to table a document as required by statute was a prima facie case of privilege.

\* (14:40)

I would note that the document in question that the honourable Member for Ste. Rose was seeking



was not a document that was required to be tabled by statute, so the Speaker Fraser ruling is not applicable in this case, nor was it a private letter that was quoted from so our Rule 39 is not applicable in this case.

In addition, Speaker Fraser also ruled on September 26, 1991, in the case of a matter of privilege raised complaining that the government of the day had made its constitutional reform package available to certain journalists and non-elected individuals before tabling the documents in the House, the Speaker ruled that the member in question might have grounds for a complaint, but it was not a question of privilege. There are also rulings from Manitoba Speakers that support this finding, including a ruling from Speaker Walding in 1982, rulings from Speaker Rocan in 1992 and 1995, and Speaker Dacquay in 1995.

I must therefore respectfully rule that there is no prima facie case of privilege.

\* \* \*

I have another ruling for the House.

Following the prayer on November 25, 2004, the honourable Member for Ste. Rose (Mr. Cummings) rose on a matter of privilege regarding the provision of financial information pertaining to Hydra House to members of a specific committee and to the media after the House had adjourned for the day. The honourable Member for Ste. Rose asserted that having the information presented in this manner circumvented the appropriate privileges of the members in the Chamber. He concluded his remarks by moving, "That this matter be referred to the Standing Committee on Legislative Affairs."

The honourable Government House Leader (Mr. Mackintosh) offered advice to the Chair on the matter. I took the matter under advisement in order to consult the procedural authorities.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity, and second, has sufficient evidence been provided to demonstrate that the privileges of the House have been breached, in order to warrant putting the matter to the House.

Regarding the first condition, the honourable Member for Ste. Rose asserted that he was raising the matter at the earliest opportunity, and I accept the word of the honourable member. Regarding the second condition, whether there is sufficient evidence that the privileges of the House have been breached, it is important to determine whether parliamentary privilege had been breached in the actions complained of.

*Beauchesne* Citation 31(10) advises that "the question has often been raised whether parliamentary privilege imposes on ministers an obligation to deliver ministerial statements and to make announcements and communications to the public through the House of Commons or to make these announcements or statements in the House rather than outside the Chamber. The question has been asked whether Honourable Members are entitled, as part of their parliamentary privilege, to receive such information ahead of the general public. I can find no precedent to justify this suggestion."

Similarly, Citation 352 reads "the option of a Minister to make a statement either in the House or outside of it may be the subject of comment but is not the subject of a question of privilege."

In reading these citations, I am equating the release of information by provision of written copy to the issuance of a statement by a minister in that, in both cases, a minister is providing information.

Looking at precedents established by previous Manitoba Speakers, in 1992, Speaker Rocan ruled on a complaint raised by an opposition member that the then-Minister of Health was releasing information to select groups in the community while refusing to provide the same information to members in the House was not a matter of privilege. In 1995, Madam Speaker Dacquay ruled that a complaint that the then-Minister of Health had not informed the House about permanent closure of community hospitals in spite of repeated questions in the House while providing different information to the media outside the House was not a prima facie case of privilege.

Although members of the House may disagree with how the information was released in this situation and may find the actions to be discourteous, I must rule that these actions do not fulfil the criteria for a prima facie case of privilege. Having said that, members of the government may wish to reflect on

the complaint that was raised, and in order to avoid creating similar complaints in the future, government members may wish to consider the advisability of also tabling the information in the House in the future, so that all members may have access to the material sought.

\* \* \*

Following the prayer on November 25, 2004, the honourable Official Opposition House Leader (Mr. Derkach) rose on a matter of privilege regarding a letter that had been sent to the honourable Member for Southdale (Mr. Reimer) in his capacity as Chair of the Public Accounts Committee by the acting Clerk of the Executive Council. The honourable Official Opposition House Leader contended that this action was a muzzle on the civil service, as the letter indicated that civil servants were being advised to not attend the Public Accounts meeting in spite of a letter of invitation from the Chairperson of the Public Accounts Committee. At the conclusion of his remarks, the honourable Official Opposition House Leader moved "that this matter be referred to the Committee on Legislative Affairs and that it be reported back to this Chamber."

The honourable Government House Leader (Mr. Mackintosh), the honourable Member for Inkster (Mr. Lamoureux), the honourable First Minister (Mr. Doer) and the honourable Member for River East (Mrs. Mitchelson) offered advice to the Chair on this matter. I took the matter under advisement in order to consult the procedural authorities.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity, and second, has sufficient evidence been provided to demonstrate that the privileges of the House have been breached, in order to warrant putting the matter to the House.

Regarding the first condition, the honourable Official Opposition House Leader asserted that he was raising the matter at the earliest opportunity, and I accept the word of the honourable member. Regarding the second condition, whether there is sufficient evidence that the privileges of the House have been breached, it is important to determine whether parliamentary privilege has been breached in the actions complained of.

Joseph Maingot, on page 224 of the second edition of *Parliamentary Privilege in Canada*, advises that parliamentary privilege is concerned with the special rights of members, not in their capacity as ministers or party leaders, whips or parliamentary secretaries, but strictly in their capacity as members in their parliamentary work. Therefore, a complaint of a prima facie case of privilege could not be extended to a member in his or her duties as a Committee Chairperson. In addition, based on the information provided, it is not evident that a breach of privilege occurred in this instance.

As I ruled on April 29, 2004, just to be clear on this point, according to Marleau and Montpetit, in *House of Commons Procedure and Practice*, the individual parliamentary privileges of members are freedom of speech, freedom from arrest in civil action, exemption from jury duty, exemption from appearing as a witness, and freedom from obstruction, interference, intimidation and molestation. On the basis of the information provided, the complaint does not appear to fall into any of the enumerated categories of privilege.

\*(14:50)

Accordingly, I must rule that there is no prima facie evidence of a breach of privilege. I should note that I am led to believe that the issue of witnesses appearing before the Public Accounts is one of several items that may be referred to the Standing Committee on the Rules of the House, and perhaps it would be appropriate for this issue to be discussed in that larger context by the Rules Committee.

\* \* \*

I have one more ruling.

Following Oral Questions on November 26, 2004, the honourable Official Opposition House Leader (Mr. Derkach) rose on a point of order regarding the use of *Beauchesne* Citation 409(6) by the Speaker to request that a question directed to the Minister of Health (Mr. Sale) about actions in a previous portfolio be rephrased. The honourable Official Opposition House Leader contended that on page 421 of *House of Commons Procedure and Practice* it states that if the minister chooses to reply, the Speaker has allowed the minister to do so. I took the matter under advisement in order to consult the procedural authorities.

I have researched the provisions in *Beauchesne* and in *House of Commons Procedure and Practice*, and have found that there is no inconsistency.

*Beauchesne* Citation 409(6) states: "A question must be within the administrative competence of the government. The Minister to whom the question is directed is responsible to the House for his or her present ministry and not for any decisions taken in a previous portfolio." On page 427 of *House of Commons Procedure and Practice*, it states that an oral question should not "address a Minister's former portfolio or any other presumed functions, such as party or regional political responsibilities." There is therefore no inconsistency between these two procedural references.

In raising his point of order, the honourable Official Opposition House Leader contended that a reference on page 421 dealt with the issue of questions being rephrased; however, I would like to point out for the House that this reference to questions being rephrased is not made in the context of questions to ministers about former portfolios. Just to be clear, I will read the paragraph in question aloud for the House: "The Speaker has implicit discretion and authority to rule out of order any question posed during Question Period if satisfied that it is in contravention of House rules of order, decorum and procedures. In ruling a question out of order, the Chair may suggest that it be rephrased in order to make it acceptable to the House. Or, where such question has been posed, if a Minister wishes to reply, the Speaker, in order to be equitable, has allowed the Minister to do so." This paragraph discusses the general practice of the Speaker asking that a question be rephrased and does not say that this is to occur in the case of a question addressed to a minister for responsibilities in a previous portfolio. Given that the reference on page 427 makes it clear that oral questions are not to be addressed to ministers for a former portfolio, I would rule that there is no point of order.

## MEMBERS' STATEMENTS

### Churchill Bulldogs

**Mr. John Loewen (Fort Whyte):** Manitoba has a grand tradition of healthy competition and good sportsmanship in our schools. On November 12, those in attendance at Canad Inn Stadium were witness to an outstanding game, not by the Blue Bombers, but rather by a talented group of high

school student athletes. The Churchill Bulldogs won the high school football league's ANAVETS Bowl championship, bringing home the John Potter Memorial Trophy for the first time since 1992. In the final game of the year, the Churchill Bulldogs defeated the previously undefeated Oak Park Raiders 19 to 3. Key players for the Churchill Bulldogs were quarterback Brennen DeCaigny and receiver Chad Schwab who teamed up for a 48-yard pass-and-run play in the third quarter that staked the Bulldogs to an insurmountable 19 to 3 lead.

Also outstanding for the Bulldogs that evening, was their star running back Evan Bowness, who was also the Winnipeg High School Football League's leading rusher. He lived up to his outstanding performance in the semi-final where the Bulldogs defeated St. Paul's Crusaders 47 to 14, and Evan ran for 7 touchdowns and 438 yards. He was voted the MVP of both the semi-final game and the final game.

Head coach of the Churchill Bulldog's Kelsey McKay, offensive coordinator, Yussef Hawash, and the rest of the coaching staff are committed to developing young athletes, and their recent victory should be commended. The Churchill Bulldogs lived up to their motto of pride and tradition and played hard against the Oak Park Raiders, a team who also put their hearts into the game and the entire season.

Mr. Speaker, both of these teams deserve our congratulations for their hard work and determination. Their respective communities, my fellow honourable members and I are proud of these young athletes, their accomplishments, and their coaches. Thank you.

### ESL—General Wolfe School

**Mr. Andrew Swan (Minto):** I am pleased to add another good thing happening in the riding of Minto in addition to what the previous speaker was talking about. I am proud to represent a part of the province enriched by many new Canadians and I rise today to acknowledge the work of teacher Isle Slotin and her Grade 7 to 9 English as a Second Language Class at General Wolfe School on Ellice Avenue. Like many students, these students collect money for UNICEF at Halloween, a new holiday for many recent arrivals to Canada. This year, the class went further and incorporated their charitable work into a class project which combined their learning of English with learning about human rights.

Mr. Speaker, the students identified their wants and needs and arranged them on charts with pictures and words. This activity taught the students that although luxuries such as fast food are a want, things such as nutritious food and clean water are basic needs which all humans should be guaranteed. The students have learned not only how raising funds for UNICEF assists other children but, in the bigger picture, how we can work to improve the standards of living for all.

Mr. Speaker, I am pleased to recognize the enthusiasm of the students at General Wolfe School. We should be inspired by their optimism and their drive to become not only citizens of Canada but also citizens of the world. I commend Ms. Slotin for her creative approach to teaching English and for her efforts in improving our society. She is a great example of the contribution Manitoba's teachers make to the future of our province.

I would also like to thank the students of General Wolfe for their efforts to raise money for and learn about UNICEF and I certainly wish them all the success in the future. Thank you.

#### **Mark Chipman**

**Mrs. Myrna Driedger (Charleswood):** I rise today to pay tribute to one of my constituents with a can-do spirit. Mark Chipman must have been very proud last month as a big dream of his came to fruition, the opening of Winnipeg's new arena, the MTS Centre. On November 16, the MTS Centre welcomed Manitobans for a gala concert. The building of the MTS Centre was largely due to the effort of Mark Chipman, an owner of the Manitoba Moose hockey team. He believed that Winnipeg would welcome minor league hockey after the departure of the NHL and believed that a new arena for them to play in was possible.

By 2001, the dream came one step closer as plans to proceed were approved. In April 2003 construction began, and the building took a little more than one and a half years. It is a beautiful building with state-of-the-art features and is fast becoming a landmark in its own right. It was Mark's efforts and belief in this project that drew the private investors together. This is a real testament to Mark's unwavering perseverance in his vision for downtown Winnipeg.

It has been said that Mark's father has a way of challenging issues and enforcing accountability while at the same time being supportive. This trait is one that Mark has inherited from his dad.

\* (15:00)

People that know Mark say that he treats people with respect and integrity and that it is this attitude that has contributed to the support that he receives from others. According to True North investor, George Sigurdson, and I quote, "Mark's got character, vision and discipline and a tremendous community spirit." Mark's comments on this momentous occasion were, and I quote, "I am humble because I am a part of this and I feel a great deal of gratitude to be part of such a collective effort."

I am proud today to extend congratulations from the constituents of Charleswood to one of its own for the vision and perseverance Mark Chipman exhibited to make Winnipeg and Manitoba an even better place in which to live. Thank you, Mr. Speaker.

#### **Mennonite Central Committee**

**Mr. Harry Schellenberg (Rossmere):** It gives me great pleasure to rise in the Manitoba Legislature today to pay tribute to the Mennonite Central Committee who, on October 17 of this year, received the University of Winnipeg's inaugural Global Citizenship Award. MCC is an international relief and development service agency with some extraordinary records. For over 80 years this selfless organization has dedicated itself to creating a more peaceful and just society. To date they have workers in 57 different countries.

MCC's commitment to alleviating distress and building peace is inspiring. The relief workers of MCC are both brave and noble. When tragedy strikes and victims of suffering need aid, they are among the first on the scene. Even in the midst of strife, workers focus on helping all people in integrating peacemaking into relief. On countless occasions, MCC relief workers have put their lives on the line in the most dangerous and war-torn places in the world. They have implemented initiatives to end hunger and served as peace witnesses in countries spanning from Afghanistan to Zimbabwe. Currently they are working in Darfur, Sudan.

The MCC has also played an important role in Manitoba. Through a variety of work in the area of conflict resolution, they have brought peace and stability to the lives of many Manitobans. They have also devoted considerable effort to addressing ecological devastation and spreading awareness of social issues such as fetal alcohol spectrum disorders and the ravages of war.

Mr. Speaker, for their efforts to build a better society, I would like to thank Ronald Mathies, executive director of MCC International, Donald Peters, executive director of MCC Canada, all the MCC workers and volunteers, as well as the MCC sister agencies, the Mennonite Disaster Service, Mennonite Economic Developments Associates and the Canadian Foodgrains Bank. Congratulations to all of you on a well-deserved award. Thank you.

#### **Criddle/Vane Homestead Trail**

**Mr. Cliff Cullen (Turtle Mountain):** I would like to take this opportunity to recognize the Criddle/Vane Homestead Heritage Committee whose interpretive trail has won an international award from the National Association for Interpretation based in the United States. The trails, located in the newly designated Criddle/Vane Homestead Provincial Park guides visitors around the homestead while telling the story of this unusual pioneering family whose homestead became the centre for scientific study as well as social and sporting events.

The trail, designed by Sherry Dangerfield, with James Carson as graphic engineer, was given first place in a trail guide category. The National Association for Interpretation Media Awards are held annually to showcase excellence in the field of natural and cultural interpretation. Other winners this year include the Cincinnati Zoo and Botanical Garden, Fine Arts Museum of San Francisco, Alaska Islands and Ocean Visitor Center and Parks Canada.

Homestead Trail is an easy walk, less than one kilometre long. There are ten stops on the trail where the trail guide tells you about the family, the houses, tennis courts, garden, golf course and the first etymology lab on the prairies. The guides' historic photographs help you contrast early days on the homestead with what you see today.

The Criddle/Vane Homestead Provincial Park is located on the southern edge of Canadian Forces Base Shilo southeast of Brandon in the constituency of Turtle Mountain. I encourage you to visit this beautiful and unique area of the province.

### **ORDERS OF THE DAY**

#### **GOVERNMENT BUSINESS**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you canvass the House to determine if there is unanimous consent for the House to consider report stage, if applicable, and concurrence and third reading of Bill 4, The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates)?

**Mr. Speaker:** Is there unanimous consent for the House to consider report stage, if applicable, and concurrence and third reading of Bill 4, The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates)? Is there unanimous consent? *[Agreed]*

I understand that there is a report stage amendment, so we will deal with that. Then we will deal with Bill 4.

We will deal with the report stage; then we will move on to concurrence and third reading.

#### **REPORT STAGE AMENDMENTS**

##### **Bill 4—The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates)**

**An Honourable Member:** Do I need to request leave to introduce the amendments at this point in time?

**Mr. Speaker:** I will recognize the honourable member to deal with it because we already had leave of the House to deal with it.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the MLA for Inkster,

*THAT Bill 4 be amended in clause 3 by replacing the proposed subsection 334.1(5) with the following:*

**Revision of business property tax classification**

**334.1(5)** Without limiting the generality of section 329 a person in whose name a premises is assessed for business assessment and classified for the purposes of section 334.1 may apply to the board of revision under Part 8 of *The Municipal Assessment Act* for revision of the business tax classification of the premises. Divisions 1 and 2 of this Part and Part 8 of *The Municipal Assessment Act* apply to the application and revision in the same manner as any other application for revision of a property classification.

**Mr. Speaker:** It has been moved, by leave, by the honourable Member for River Heights, seconded by the honourable Member for Inkster,

*THAT Bill 4 be amended in clause 3 by replacing the proposed subsection 334.1(5) with the following:*

**Revision of business property tax classification**

**334.1(5)** Without limiting the generality of section 329—

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Gerrard:** Mr. Speaker, the purpose of this amendment is dealing with, essentially, the appeal process for how business assessment and classification is done under the revised situation where there would not necessarily be a single business tax rate, for all of Winnipeg.

So, essentially, what this would do is to provide for the appeal process to go through the Board of Revision, as does assessment appeals. It would overcome the necessity of having a separate appeal process for the business classification that is being proposed under the changes brought in by the government. It is a recommendation, in fact, that came from one of the committee presentations, and I feel that it would be a simpler way of handling appeals rather than them having to go through the separate appeal mechanism that the government has put in its initial amendment.

So my recommendation is that the members look carefully at this. I think it would simplify the appeal

process and provide for improvement in the act, the changed act, as it is being suggested by the government.

\* (15:10)

**Hon. Scott Smith (Minister of Intergovernmental Affairs and Trade):** Mr. Speaker, I will be speaking against the amendment.

Mr. Speaker, when we listened intently to the presenter at our hearing, we certainly listened to some of the concerns that he had on Clause 334.1(5), and I can tell you that we did amend it at that point. We amended it in committee, and we amended it certainly respecting the actions of the tax collector, with the hearing body designated by the council, has, in accordance with 334.1(5), changed the class in which the premises belong.

Mr. Speaker, when I look at the amendment that we have before us today, Divisions 1 and 2 of The Municipal Assessment Act apply to conditions for revision of the assessment, not appeals, and relate to the classification of property tax or business tax purposes.

Mr. Speaker, Bill 4 specifically contemplates that a hearing body designated by council will hear appeals related to the class of property of the premises belonging to 334.1(5), not the Board of Revision, which has been set up for a completely different purpose, that being confirming the values for assessment purposes, be it real property assessment or business property assessment purposes. This amendment does not highlight that. In fact, the amendment being recommended that the Board of Review be the hearing body, that is not the mandate of the Board of Revision.

The Board of Revision deals with assessment appeals. This is in keeping with the principle when we made our change of allowing, under the charter, for the City of Winnipeg to be able to manage its own affairs. Mr. Speaker, that is exactly what the bill does. This amendment does not deal with that, and in fact it is not in the mandate of the Board of Revision to deal with these appeals.

**Mr. Jack Reimer (Southdale):** I just want to put a few words on the record in regard to the amendment that is brought forth by the Member for River Heights (Mr. Gerrard). I think that the minister in his

closing comments would refer to what I would be more inclined to think, too. We are giving the ability to the City of Winnipeg to make decisions. They do have the ability to make appeals. I mean, not the City, but I mean individuals who are affected by the legislation. There is a mechanism that is included in the bill.

The designation should be by the council as indicated by the bill. It should not be, as we have always said, that the City of Winnipeg Charter right now is very prescriptive in nature, and that this in a sense does give the City of Winnipeg some more latitude in making their decisions. As pointed out by the minister, there is an appeal mechanism in this bill. It is also referenced that it is the council, the City Council, that will make the designation as to the hearing.

I believe, Mr. Speaker, that the bill does provide an avenue of recourse, if you want to call it, by individuals who are affected.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the amendment that is moved by the honourable Member for River Heights (Mr. Gerrard).

Is it the pleasure of the House to adopt the amendment?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour of the amendment, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to the amendment, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

## CONCURRENCE AND THIRD READINGS

### Bill 4—The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates)

**Hon. Gord Mackintosh (Government House Leader):** I move, seconded by the Minister of Intergovernmental Affairs and Trade (Mr. Smith), that Bill 4, The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates), as amended and reported from the Standing Committee on Intergovernmental Affairs, be concurred in and be now read for a third time and passed.

**Mr. Speaker:** As agreed to by leave, it has been moved by the honourable Government House Leader, seconded by the honourable Minister of Intergovernmental Affairs and Trade, that Bill 4, The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates), as amended and reported from the Standing Committee on Intergovernmental Affairs, be concurred in and be now read for a third time and passed.

**Mr. Jack Reimer (Southdale):** Mr. Speaker, I just wanted to put some words on record in regard to Bill 4, and, I believe, at the committee stage, we had a chance to also put some comments forth. As indicated before, we will be supporting this bill. We believe it is important, as we mentioned before and as I previously mentioned in talking to the amendment, that the decision making that has been advocated by the City Council is to have more ability to make decisions in regard to their own direction that they feel that they were wanting to take.

Mr. Speaker, the City of Winnipeg Charter is a very cumbersome and a very large document that covers a lot of the situations in regard to how the city of Winnipeg is managed. The City of Winnipeg, in a sense, is, what you might call for lack of a better word, a creature of the provincial government, in fact, a lot of times. We have seen it not only in this government, but in previous governments, that when the City of Winnipeg wants to make some changes, they have to come, sort of, cap in hand to the Province to get any type of change in the charter because of the interpretation of the charter and the possible ramifications if it moves on its own. They always have to come forth with various suggestions and recommendations through council for changes

that they feel that they want to address in The City of Winnipeg Act.

There have been various times that there have been advocates for a rewrite on the City of Winnipeg Charter. We feel that there is more room for the Province to move on a more permissive type of legislation for the city of Winnipeg, and, in fact, Mr. Speaker, if I recall, and I had the opportunity and the honour of being Minister of Urban Affairs in the prior government, prior-prior government, I guess, if you want to call it. One of the things that we had underway at the time, just before the government changed, was a rewrite of The City of Winnipeg Act. In fact, we seconded one of the staff from Urban Affairs to work with the City of Winnipeg for a full year on going through completely The City of Winnipeg Act, and looking at how they could revamp it, shorten it and get rid of a lot of the redundancy in it. The staffperson was literally officed right in the City of Winnipeg offices, and they worked very diligently on the rewrite of The City of Winnipeg Act.

We were in the process of bringing forward that. There was an election. All the documentation, all the work that was put forth was still there. However, it should have been shelved, if you want to call it, since the '99 election, and during that time the City of Winnipeg has gone through a lot of frustrating moments of trying to come forth with ways that they feel that they want to address certain situations in the city of Winnipeg. It is unfortunate that this has happened, Mr. Speaker, because it hamstrings, if you want to call it, the aggressiveness of what City Council wants to do, in trying to address some of their problems.

We have a new mayor in the city of Winnipeg now that has indicated that he is taking a direction of trying to make Winnipeg more of a competitive city. One of the things that he has introduced is a business tax reduction, and we applaud him on that, because we all know that, if business or the economy is to grow, it must be competitive, and business will move if it is not competitive and if it does not find that it has the ability to grow.

One of the things that always impedes business is taxes, and as much as it is talked about, there are ways in other cities that have tackled that problem, especially the business tax, which has been eliminated in a lot of the cities throughout all of

Canada and, I believe, even in one of our sister cities here in Manitoba, Brandon. It does not have a business tax, and I believe that Winnipeg is one of the only cities in western Canada, or, to the best of my knowledge, maybe, very, very few in Canada that still has a business tax. It is a detriment, and Mayor Katz has recognized that. So he has asked that he be given the latitude, or that the council be given latitude, to put business tax rates in the city. I believe that he is on the right track.

\* (15:20)

The indications are that there is a willingness to move this way. The business community, the Winnipeg Chamber of Commerce, has come out in favour of it. I think that businesses would look upon this favourably. It gives them the ability to do some long-range planning, and, as indicated by the mayor and council, they are looking at the possible elimination of the business tax down the road.

It will take time. At least it is an effort in the right direction, not that we can say that with this provincial government. This provincial government, and its taxation program, is doing nothing but increase taxes through not only the direct portion but through the back-door method. It now makes Manitoba the highest-taxed provinces west of New Brunswick, I believe it is.

It is unfortunate because not only does business look at Winnipeg for a place to locate they look at Manitoba for a place to locate. If the taxation, whether it is business tax, land tax, education tax, payroll tax or any other type of tax that has been implemented that the businesses have to be aware of it. It is all an impediment to coming here to Manitoba or to Winnipeg. We feel that Winnipeg has shown through its leadership in wanting to reduce taxes that possibly this might spill over onto the provincial scene, but we are not that optimistic from what we see already.

We have a government here that is awash in cash. They are getting more transfers than they have ever had from the federal government. Their taxation base that they are using to collect is growing significantly. They are using user fees on everything. In fact, they just increased the tax on electricians and accountants and lawyers and things like that. They have reached out into all sectors. The Motor Vehicle Branch is being burdened with additional costs that



the government is imposing on them. Manitoba Hydro has been gone upon out of their coffers for money because of this provincial government's spending. They do not have a revenue problem, Mr. Speaker. They have a spending problem, and one of the ways they have increased their spending is through taxation.

The City of Winnipeg, through Bill 4, is, I believe, going down the right road. They are looking at trying to make the community more competitive. By utilizing the differential business tax rate, hopefully it will spread out through all the city, as Mayor Katz has indicated, and we will see a better ability for business to stay in Winnipeg. Any type of effort to lower taxes is something that we are in favour of. It is indicated that this is something we would support in trying to bring forth. With those short words, I will sit down and let some of my other colleagues speak on this bill that is before the House. Thank you, Mr. Speaker.

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, as the Member for Southdale (Mr. Reimer) indicated, we on this side of the House will be supportive of this legislation, but I do want to comment on some aspects of the bill and some of the pitfalls I can see that may arise out of this bill.

In particular, I want to start off my comments by once again chastising the minister and, in fact, the whole Doer government for their total disregard of process with regard to this bill. This is a situation that they have known about for some time, and yet they have had to rush this bill through the House in a fashion that resulted in a quick call of a committee. Unfortunately, as a result of the mismanagement and the mishandling of the sittings of this House, we are in a situation where the City of Winnipeg was not even in a position to send a representative to committee hearings to explain to legislators why they wanted this bill passed.

Here we are standing today in the House on third reading surmising on why the City of Winnipeg passed this bill and what is really behind their request to the Government of Manitoba. It is simply a result of poor planning by this minister and by the Doer government. This House could have been in session in September, could have been in session in October. This bill could have been introduced in a timely and orderly fashion. We could have had time to call a committee meeting, which would have suited the calendars of the City of Winnipeg and

allowed them to come before a committee to not only explain their reasoning behind their request to the Province for this bill, but also to answer questions that may have been put to them by the members of the committee.

If we had done that, if the government of the day had chosen to follow proper process and allowed us to perform our due diligence on this bill, we would have many more answers today in terms of where the City plans to go with this new ability that is going to be granted to them by this Legislature, presumably in the next couple of days.

Now on the global scene, and based on comments that Mayor Katz has made in the press, we are certainly sympathetic to the request of the City to start on a process of eliminating business taxes in the city of Winnipeg. As the member from Southdale indicated, we are one of the last cities in Canada to impose a business tax on the businesses that operate in our fair city.

This bill, in particular, will allow that process to start by allowing the city of Winnipeg to have differential tax rates. My understanding, again, which we have heard and seen in media presentations, but not heard directly from the City of Winnipeg at committee on, is that they plan to start by reducing the amount of business tax that is collected from businesses that operate in the city centre.

I think that is a strategy that, if implemented, will benefit the city of Winnipeg and, in particular, will start what is going to be a very long and laborious process of revitalizing our downtown, something as we heard today in Question Period when a number of questions were raised with regard to the fact that the citizens of our city do not feel comfortable coming downtown.

The member from Southdale is quite correct: there were not enough questions. There is never enough time to ask the questions that need to be asked of this government, because they refuse to call this Legislature into session on a regular basis. So we are forced with these little three-week bursts of energy, and it is impossible to lay before the government of the day, lay before the Doer government all the questions that need to be answered, to hold them accountable for their actions, but more often, for their lack of action.

But, in particular with this bill, we are understanding that the first application of this differential rate will be to reduce taxes in downtown Winnipeg, and while I would agree that is a useful first step, I think we all need to understand that this power we are going to very shortly give to the City of Winnipeg can be misused. Its application does have some pitfalls.

For example, if the members opposite, if the minister would ever take the time to look at Plan Winnipeg, they would hopefully understand that within the definition of downtown and Plan Winnipeg is a very, very large geographic area. Plan Winnipeg itself indicates that the geographic regions for downtown extend as far west as Sherbrook Avenue, go north up to Ellice, as far south as the Assiniboine River, as far west as the Red River. Within that area are a number of varying and different business districts, some of which need—*[interjection]*

I will excuse the member from Riel. I realize that she had a busy, busy weekend and probably did not get much sleep. That is probably why she has come down with the same cold that has afflicted many members of this Legislature. Seine River; I apologize, the Member for Seine River (Ms. Oswald). We do trust that she did have an enjoyable weekend, and we wish her much health and happiness in the future.

\* (15:30)

Mr. Speaker, back to the item at hand. As I said, there are a variety of districts that are geographically encompassed in Plan Winnipeg's description of downtown. There is a whole stretch on Portage Avenue, there is the whole Forks-North Portage development, there is a good stretch of Main Street, there are businesses on Sherbrook Avenue and Ellice Avenue, many of which are in different circumstances. As we heard today and have heard in previous days, those businesses north of Portage and around Portage Avenue, west of the University of Winnipeg, have particular problems with crime on the street, with violence. There are different situations that occur on Portage Avenue, on north Portage Avenue, particularly in terms of drugs and youth crime and violence on the streets at the north Portage shopping mall.

I must tell you, Mr. Speaker, I found it quite curious today when I, just across the floor, suggested

to the Premier (Mr. Doer) that he might want to take some action, as I mentioned in my speech on second reading about the situation at north Portage. I reminded him that it was built when he was minister, in the Pawley government, of Urban Affairs. Not unlike he does with most of his previous decisions that have not gone well, he was desperate to try and distance himself from it. He echoed across the Chamber, "Well, no, no, no, I had nothing to do with that. That was Lloyd Axworthy and he forced that on us."

So, interesting, as opposed to taking responsibility for the decisions that he made while Minister of Urban Affairs, the Premier is now trying to divorce himself from any connection with construction of a shopping centre which, in the late eighties, he took so much pride in. It was his policy and the policy of his government that felt that, by knocking all those buildings on Portage Avenue, expropriating all that property, and by building a shopping centre that, in essence, ended up taking people off of Portage Avenue, that somehow they were contributing to downtown revitalization. That was in 1988, I believe, maybe even as early as 1987, when the Pawley government and the now-Premier landed upon that policy for redeveloping downtown Winnipeg.

I would say, Mr. Speaker, they were wrong then; they have been wrong in virtually every policy they have had for downtown since; and they remain wrong today.

**An Honourable Member:** Are you not going to get into the arena again?

**Mr. Loewen:** Well, the member from Thompson wants to get into the arena. I should not have to remind him that that little piece of property that once housed the Eaton's building, at one time created the greatest amount of tax per square foot, not in the city of Winnipeg, not only in the province of Manitoba, but in Canada. That is our legacy in terms of downtown.

Mr. Speaker, what we need to do, what this government needs to do, is to finally come to grips and finally to understand that downtown revitalization is going to be driven primarily by the private sector. It is the government's responsibility to get out of the way and let the private sector do what the private sector does best, and that is to build

businesses that will flourish, that will attract people to downtown, so that hopefully one day in the not-too-distant future we can see what I saw as I was growing up in the city, and that is a downtown that flourishes, streets that are crowded with people.

We are not going to get that by simply having office towers and buildings that are closed 250 days a year. We are going to get that by allowing the private sector to get to work on building their business and building a future for downtown Winnipeg. Part of the process of starting that is to, in fact, vary the business tax rate so that businesses in the core, in the downtown, can benefit from a lower rate. That may do a little bit to help to attract businesses to come to downtown and to grow downtown. As I said, it is a small step, but at least it is a step in the right direction.

On that basis, I congratulate the new administration at City Hall, particularly Mayor Katz for his vision and for his clear understanding that, in order to revitalize downtown, we need to find ways to provide incentives for the private sector to take a lead role. I am hopeful that that is what we will see in this bill.

What I am fearful of is that we will create some imbalances. If you had a business on Sherbrook or if you have a business on north Ellice or if you had a business just off Sherbrook and you saw that your neighbour and their business was getting a differential tax rate and then, in fact, you, whether you were right next door or perhaps a store in the same building but just around the corner with a different entrance, were going to have to pay a higher tax rate, I think you might, as a business person, be concerned. You are basically in the same location. You are basically getting the same services and yet, on the one hand, you have a business, maybe around the corner or maybe across the street, that is going to be able to reap more profit, pour more of that profit back into building their business and basically be at a competitive advantage.

So I would hope that the City would use this far-reaching power that we are going to give them on a temporary basis, but would use it on an extremely wise basis, because otherwise there is the possibility that we may see more and more businesses that are just on the fringe of downtown look at it and say, "Well, if someone across the street is going to get a lower tax than I, do I really need to stay here where

there is the possibility for break-and-enters, the possibility of having my car smashed, the possibility of my customers not wanting to come to this area because of high crime rates?" They might just look at that and say, "I might just be better off moving this business out to the suburbs, and then we will not benefit." As a matter of fact, then we will be moving in the wrong direction.

I would have wished that these types of questions, we would have been allowed to pose these to those that are in power at the City of Winnipeg. I wish they would have had the opportunity to come to committee, and I would be assured that councillors and those responsible at the City of Winnipeg would have welcomed the opportunity to come before a committee of the Legislature to explain just in a little more detail exactly what they had in mind when they asked for this amendment to Plan Winnipeg.

Mr. Speaker, if this differential tax rate is used judiciously and if, within a very short period of time, the City is able to take a significant step in reducing the business tax, then, hopefully, we will be in a situation where all of the city of Winnipeg is a little bit more competitive, not just certain pockets. Again, I just want to emphasize that I would hope that, in the not too distant future, I would hope that even the minister who is responsible for this piece of legislation would stand up in the House and give us a little more indication of the conversations he has had with the City of Winnipeg, because I would be hopeful that he would at least have done his due diligence on behalf of the people of Manitoba, on behalf of the rest of these legislators.

I think it is just unfortunate that, once again, we have a piece of legislation brought before us that is basically rushed through this House with very little or no comment from the government. We have had no speeches from anyone in opposition other than the minister. Even then, the minister's speech has basically amounted to reading the explanatory note. He has given us no details. He was not able to give any details in committee. He was not able to schedule committee at a time when the City of Winnipeg would be able to make themselves available.

The minister says that he would be happy to provide these legislators with the information, and I wish he would. I wish he would do the right thing.

**An Honourable Member:** Do you understand the bill?

\* (15:40)

**Mr. Loewen:** He asked if we understand the bill. The bill itself is very simple. There is no doubt that this minister is well equipped to handle a very simple bill. I just wish that he would have had the foresight to understand that, even despite the fact that he has brought a very simple bill before this House, there are some nuances to the bill, and, behind the simplicity of the piece of legislation that he has brought, there are, indeed, some very worthwhile questions that need to be asked of those that came to him requesting this bill.

Unfortunately, it appears that this minister was not well briefed enough or did not take the time, or did not ask the City of Winnipeg these particular questions. I am sure that, if he had asked the City of Winnipeg these questions, he would have been very happy to come to this House and explain what he had heard from the City of Winnipeg. But we will go on from there. We know that the minister has no answers and was unwilling to share any of that information with this House, Mr. Speaker—*[interjection]*

Well, and as I have indicated to the minister, we are more than happy to support the bill. We are just very disappointed that the information surrounding this bill is so sketchy. I think the minister—I am hopeful that one day he will come to understand that he has put us legislators, asked us legislators, in a position—well, we are taking a very large leap of faith with the—

**An Honourable Member:** Can he trust me?

**Mr. Loewen:** The minister asked if I trust him, and the simple answer is no, because I do not trust him on VLTs. I do not trust him when he stands up and tells us how much he is doing for those addicted to gambling, those in this province that are struggling and having trouble feeding their families because his government is addicted to VLT revenues.

So why would I trust him on anything he has to say with this bill? But we will change gears back to this bill, Mr. Speaker.

As I said, it is a simple bill brought by a minister of the Crown, and it is a bill that we will support. But it is not simple in its ramifications. As I was saying, I would hope the minister one day would come to understand that the ramifications of this bill can be

widespread. We could have situations under this legislation where the city creates a tax-free zone and maybe in their wisdom they will make it in the wonderful constituency of Fort Whyte but, you know, I can assure him, we do not need a tax-free zone in Fort Whyte. We are attracting all the business that we can handle because it is a strong area. It is an area where there is the ability of the residents to consume. That is what we are seeing there, but it is unfortunate that this could be—*[interjection]*

The Member for Tuxedo (Mrs. Stefanson) is quite right; it is unfortunate that we do not have a high school. Although I guess maybe what—

**An Honourable Member:** If you lived in Seven Oaks, you would have gotten one.

**Mr. Loewen:** What I will be advising the board members of the Pembina Trails School Division, of which I have contact with, is perhaps that, if they go out and recruit one Mr. Brian O'Leary from Seven Oaks, we know that in that case they do not even have to put in their request for a school; all they have to do is have Mr. O'Leary phone the Premier. I can just imagine the conversation: "Gary, I made another mistake, Mr. Premier, I made another mistake, but do not worry, Mr. Premier, you can fix this one easily, just give us a school."

**An Honourable Member:** Or the shorter abbreviation, build a school.

**Mr. Loewen:** "Oh, okay, Brian. We will get it done. We will put that puck in the net." Okay, and there you have it. So you know, perhaps he could—*[interjection]*

The member from Thompson asks what I have against—I have nothing against West Kildonan. West Kildonan is a lovely community and perhaps, just perhaps if the government of the day had not cut the budget for the Public Schools Finance Board from \$50 million to \$35 million, as they did last year, just perhaps there would be enough money for high schools in Fort Whyte as well. But, in the meantime, I can only recommend to the board members of the Pembina Trails School Division that perhaps they look at recruiting within their division someone who has the ear of the Premier the way that Mr. O'Leary seems to have the ear of the Premier, and then maybe we could—the citizens—

**An Honourable Member:** –contributions to the party would help.

**Mr. Loewen:** Well, I am not even going to get into contributions to the party because I think there is more news to come on that front, Mr. Speaker.

As I was saying, there is nothing in this bill that would prevent the City of Winnipeg, that would prevent councillors, from creating little pockets all throughout the city of differential tax rates. We are taking a giant leap of faith. We on this side of the House have faith in the city councillors that, in fact, they will do the right thing and they will move as quickly as possible towards a situation where the business tax is eliminated entirely on businesses, not only just in one little area but, in fact, throughout all of Winnipeg. Hopefully, that can be accomplished in the next short while, although I must say, given the nature and the tight-fistedness of the Doer government with regard to the City of Winnipeg, and we have heard about that time and time again, it is likely not something that is going to happen.

The City, unfortunately, has been put by the Province in the same situation that the Province loves to be in, and Premier Doer and the Minister of Finance (Mr. Selinger) seem to be in a situation they relish where they can walk down to Ottawa, cap in hand, and say, "Mr. Martin, we need more. We need more, Mr. Martin, please. That billion and a half that you sent us over the last four years is not enough. We need more. We need more."

We are not Saskatchewan. We cannot take the extra money you gave us and give it back to the citizens of our fair province. We cannot make an interim announcement that we are reducing taxes, that we are reducing property taxes by \$100 million as they are in Saskatchewan, because we are a NDP government in Manitoba, and we did what all NDP governments do. We spent it all before we had it. The same government, the same minister that got up and crowed last spring that he was going to have–hold it, stop presses—a \$3-million budget surplus without dipping into the rainy day fund, after he receives an extra \$400 million from the federal government, tells us now that, well, we do not have a surplus, it is all spent. The budget was just in.

What we have is the Province forcing the City of Winnipeg into a situation where they are going to have to go cap in hand and beg the federal

government for a bigger and larger share of the gas-tax revenue and a bigger and larger share of other taxes that the federal government collects, and that is not necessarily a bad thing. There is, I think, some positive in that argument being made, but at the same time we have a government that is so desperate and so reliant on VLT revenue they tell the City of Winnipeg, "You have this huge crime problem, and we understand, too, that you need more police on the street. We are going to help you solve it. We are going to give you more police. We are just going to put a little catch over here. You can have more police, as long as our gambling revenue goes up. As long as we get more money from VLTs, then we will let you have more police." Now, that is a real commitment.

I would ask all of the members here, a very few are over in Cabinet, to go back to their caucus table and–

**An Honourable Member:** Sure. Rub it in.

**Mr. Loewen:** Well, I did not mean it personally, and I apologize for that. It is not a judgment. I can assure the member from Flin Flon it is not a judgment. It is merely a statement of fact. I only meant it in that way and I would hope that they would go back to their next caucus meeting and they would fight for more police officers on the streets in the city of Winnipeg. Forget about where the gambling revenue is going. Do not make it dependent on the gambling revenue. Make it dependent on good government, on a government that could actually one of these days live within its means.

I know the new member from Radisson must shake in his seat when he hears the Premier (Mr. Doer) get up and declare that he has somehow fixed the problem by providing more policemen, but not once has the Premier mentioned that that money is coming out of gambling revenue. Not once has the Minister of Health (Mr. Sale) mentioned that it is coming out of gambling revenue. Not once did the Minister of Energy, Science and Technology (Mr. Chomiak) indicate to this House, indicate to the people of Manitoba that those new police are strictly contingent on an increased flow of VLT revenue to the Province of Manitoba. So who are they funding it on the backs of? Like most things they do, they are funding it on the backs of those in our society that are most vulnerable, of those in our society that can least afford it.

\* (15:50)

Mr. Speaker, I digress a little bit. I will admit I have digressed a little bit from the content of the bill, and I do want to get back to speaking to this bill. I do think it is unfortunate that the government of the day has put this Legislature in the unfortunate position of not being able to question the councillors from the City of Winnipeg before a legislative committee on their thinking behind this request. We will take the word of the City as we have received it through media reports, and through our own discussions with the city councillors, that they will use this bill wisely and judiciously and that we will not be in a situation where, without any forethought, the government of the day, the NDP Doer government, has opened up a Pandora's box.

So we are willing to give them this authority. We are willing to trust them with it, but I am also saying we on this side of the House are going to keep particularly close watch on the application of these new powers that we have given to the City of Winnipeg.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

If in any way they are misused, we will be in here day after day after day. Well, I should paraphrase that by saying, if the Premier will be kind enough to call a session back in, we will be back here every day, holding this government to account for their lack of process in handling this bill. Thank you.

**Mrs. Bonnie Mitchelson (River East):** I, too, would like to put a few comments on the record regarding Bill 4 and state unequivocally, as my colleague for Fort Whyte has, that we are prepared to support this bill, but, Mr. Deputy Speaker, we certainly cannot condone the process that was used. This government likes to talk about process a lot when it is answering questions, and the processes that they follow, but we saw the process that was followed with the introduction of Bill 4 into this House.

Mr. Deputy Speaker, some may say that I have been here a little too long, but in my 18 years of experience in this Legislature, I have never seen the kind of process that we saw where the Throne Speech had to be interrupted to introduce a bill that had to be put through immediately because the government did not have its act together.

Mr. Deputy Speaker, if this bill was that important, and I believe it is an important bill for the City of Winnipeg, why on earth did the Premier not call this session back in September or October so that we could deal with this bill through the appropriate process that is tradition in this Legislature? But we did not see that. We saw a government that, at the eleventh hour, brought in a piece of legislation and indicated now it was up to the opposition to get this bill passed within a week or so, so that the City of Winnipeg could be afforded these new powers.

Mr. Deputy Speaker, this government knew that this request was on the table, and they did nothing to try to bring legislators back into the House so that we could go through an appropriate process where we could debate the bill fully, where members of City Council who have asked for this legislation might have had the opportunity to come forward, speak to the legislation and indicate exactly why it was so important. I think that is part of the problem. I would look to members on the government side of the House that represent constituencies within the city of Winnipeg, and ask one question. That is, why are they not standing up and speaking on this legislation and supporting our major city, their city, the community that they represent and talking about the benefits of this bill?

We have asked the new Minister of Intergovernmental Affairs (Mr. Smith) and quite interesting when we see a party, the New Democratic Party, that has a significant number of seats that it holds in the city of Winnipeg, and I cannot imagine how the Premier (Mr. Doer) could not have looked around the strength in his benches, and found a minister from the city of Winnipeg who understood the issues in the city of Winnipeg to represent the interests of the 600 000 people that reside within the city limits.

Mr. Deputy Speaker, it is just amazing, we have got a new minister and, obviously, he has not been briefed. He has been told what to do by his Premier, and the process that he followed in introducing this legislation is very flawed. *[interjection]* Now, one of my colleagues indicates that it might be the political spinners that are controlling the process that was undertaken when this legislation was introduced. I think it is unfortunate that we find ourselves in a situation today where we are having to debate and pass a bill without understanding, or without, I believe, the minister really understanding, what the repercussions of this bill may be.

The member from Swan River, who probably has not had the opportunity to fully understand some of the issues that the city of Winnipeg faces, Mr. Deputy Speaker, speaks from her seat and says that the new minister does understand. I question, when he could not answer very simple questions at committee stage, how much he does understand, or whether, in fact, he is a puppet for the government today. Maybe he is new enough to the House that he does not understand that this is a very unprecedented move by a government of any political stripe.

I think it needs to be afforded to all members of the Legislature to have an opportunity to examine the bill, to understand what the repercussions are, and then to be able to provide support or not support, as they see fit, when they have had the opportunity to take the legislation out to their constituents in their constituency and ask for feedback.

Well, Mr. Deputy Speaker, there was no opportunity to ask for feedback in the constituency of River East. I do not believe the Member for Rossmere (Mr. Schellenberg), my neighbour, had the opportunity to take this legislation out to speak to his constituents. I am not sure the member from Transcona, the Member for Radisson (Mr. Jha), from Riel, from St. Norbert, from St. Vital had an opportunity to share this legislation with their constituents for feedback. This is a process that was extremely flawed, and I hope it is not a sign of what are going to be seeing on a regular basis from this government because it does not serve the public of the province of Manitoba well when we see this kind of activity.

Again, Mr. Deputy Speaker, I go back to saying that if, in fact, the Premier had called this Legislature back in September or October, we would have had ample opportunity to go through first reading, second reading. We could have given proper notice to presenters to come forward and make their views known on this legislation. We would not be in the situation we are today where, in the dying hours of this short, three-week session of the Legislature, we are being asked to vote on and support legislation which could have some repercussions, and, until it rolls out, we do not really know. I believe and I have faith in our City Council and in our new mayor that he will treat this legislation in the manner that it is intended.

\*(16:00)

I commend the new vision from the new mayor. I commend him for looking at trying to make Winnipeg more competitive. I commend the mayor for understanding and knowing that we need to revitalize our inner city. But he is not going to be able to do it alone. Unless the provincial government takes some strong action to ensure that citizens are safe and secure in our downtown, they are not going to come downtown to visit the businesses that the mayor hopes to be set up as a result of this business tax relief.

So, Mr. Deputy Speaker, we have not seen anything concrete, except the blame game from the present Minister of Justice (Mr. Mackintosh) and the present government, on blaming everyone else for the issues and for the unsafe situation that we see in our downtown. Until that issue is resolved, it is going to be very difficult to attract new business to downtown. But I do commend the new mayor and City Council for the vision that they are articulating and for their desire to try to make our downtown more competitive.

But we have not seen that same kind of commitment to competitiveness by our provincial government. You only have to look to the minister's home community of Brandon, where we have seen several articles in the *Brandon Sun* just recently about what this government has done to discourage business. We just have to look to the raid on Manitoba Hydro of \$203 million. That was unprecedented, again, by any government. We have just have to look at the increase in the water rental rates and the doubling of the water rental rates. We have to look, then, at the disincentives that this provincial government is putting in place to try to create economic activity.

It is disheartening to see Manitoba as the only have-not province in western Canada. It is a disgrace, when we look at the unprecedented amount of revenues that have come into this province and to this government in the years they have governed, some \$1.5 billion in new revenue, yet we still go running to Ottawa, cap in hand, saying, "Give us more. We need more."

Mr. Deputy Speaker, the only reason we need more money from Ottawa is because this government has a spending problem. It does not have a revenue problem. When we see the kinds of backdoor taxation that have been imposed by this government

in successive budgets, and when we see more dollars being taken out of people's pockets as a result of the raid on Manitoba Hydro, as a result of the doubling of water rental rates, as a result of all the new user fees that have been put in place, one can well understand why Manitobans are feeling their pockets a little lighter today. We can only point to the lack of economic vision or policies by this government.

Mr. Deputy Speaker, I just want to read into the record what some are saying about the unprecedented backdoor taxation that this government has imposed on Manitobans. As I said, I give the City credit for trying to reduce taxes so that they can attract more business into the city, but, I, for the life of me, cannot understand why, when the City, on one hand, is looking very carefully at reducing taxes, we see a significant increase in taxation by this government.

Mr. Deputy Speaker, I have to say that this process that we are in the midst of today is one that I cannot, for one, condone. I do not believe that Manitobans want to see their legislators act in the manner that this government is acting. If I can just go back to the Hydro hike and the raid on Manitoba Hydro and the impact that it is having on businesses not only in Winnipeg, but in Brandon, where we see Bill Turner, the plant manager for Brandon's Nexen Chemicals, say he knows what Hydro rate increases mean to his company's bottom line.

Mr. Deputy Speaker, Nexen Chemicals is one of the biggest users of power in the province of Manitoba. They are going to see their power bill increase by \$3 million as a result of this government's 10% increase in hydro rates. I would venture to guess that it is going to have a significant impact on their ability to continue to do business right here in Manitoba, and this is not an isolated incident. While we see the City of Winnipeg looking to lower tax rates on businesses, we see the Province backfilling and increasing taxes through the back door when it comes to increasing hydro rates.

It is just like the whole issue of education tax on property tax. We have been encouraging, very strongly, this government to move forward and to remove all education tax from property and from farmland. They have made, tinkered around the edges a little bit, and announced that they are going to reduce education tax on farmland, Mr. Deputy Speaker. We cannot disagree that that is a very small

step in the right direction, but we would encourage and we did strongly encourage this government to remove the education tax off property tax, off property and off farmland completely, not just to tinker around the edges.

So, Mr. Deputy Speaker, the concern has always been that the City of Winnipeg or other municipalities might try to backfill if we reduced education tax off residences and farmland. The same concern lies here when we see the City of Winnipeg wanting to reduce business tax, and the Province through the back door increasing hydro rates to a point where businesses are going to be penalized. We have a government that is trying to have it all ways. They are holding something out to the City of Winnipeg where, on the other hand, it is the Province that is putting in place the uncompetitive taxation that we have seen over the last period of time.

\* (16:10)

Mr. Deputy Speaker, we have significant concerns about the approach that this government has taken to introducing legislation at the eleventh hour without the opportunity for full dialogue. We have seen, not only on this bill, but we have seen on Bill 22 the mess that this government has made. When a government introduces a bill without consultation and without any discussion with the stakeholders, and has significant presentation or representation at committee that questions their bill, we have a government on Bill 22 that has had to bring in 12 amendments to their own legislation. That is unprecedented. It just shows that we have a government in shambles. They do not appear to have a clue what direction they are taking. I do not know under whose advice they brought in Bill 22. I believe it was an exercise in public relations to try to send the message to Manitobans that safe water was a priority for them, but they found out after the fact that Manitobans had some serious concerns with the legislation. Then it had to go back to the drawing board and bring in now 12 amendments that we are going to have to attempt to deal with without getting back to consultations with Manitobans. That is unacceptable.

So I am wanting to indicate that we want to see progress in the city of Winnipeg. We want to see the mayor's articulated vision come to fruition. We want to see a vibrant downtown and vibrant communities, but, again, I indicate that the City of Winnipeg



cannot do it alone. Lower taxation is not the only answer, because if we cannot attract businesses to locate downtown because we have such an unsafe downtown community and we have a government that sat on its hands for five years and done nothing while they watched the Hells Angels move into the province, move into the city of Winnipeg.

Well, we see the catch-and-release policy that we see by this government where the police, and I must give the government credit, they have indicated there will be 20 more police officers on the streets, and I believe that police officers do do their job. We have seen in many instances where they have caught people, they have locked them up, and what are the policies of this government? Well, we will just let them out to reoffend.

So the police are doing their job, and another 20 police officers will probably help. We will be able to catch more criminals, but if we have government policies that just turn around and say, "Yes, you have done your job, but we are just going to let them back out on the streets again," that is not doing very much to ensure safety for Manitobans, safety for women that do not want to come downtown any longer because they do not feel safe walking on the streets. They do not want to be downtown after dark. Can we blame them, when we have got criminals that have been caught by the police, locked up and let out by this government? How can we possibly expect businesses to grow and flourish even with reduced taxation in the inner city? So there is a piece that the City of Winnipeg can do, but there is also a significant part that this provincial government has to play in ensuring that there is safety and security on our streets.

Mr. Deputy Speaker, I want to indicate that we will be watching very carefully as this bill is unrolled that there is some fairness, and that the true intent and the spirit of the legislation is followed by the City of Winnipeg. We do know that there are some pitfalls in this legislation and if it is not implemented in a fair manner, we will all suffer as a result.

I would hope that members of the government side of the House would stand in their places today and would indicate why they are supporting the bill. We have not heard from any of them. We have heard very little from the minister, and it is probably because he has not brought himself up to speed yet on all of the issues in the city of Winnipeg. I am not

really sure that he understands even the simplicity of the bill that is before the Legislature today. But I would encourage him to get to know Winnipeg and Winnipeggers a little more.

It would have been nice to see a member of the government side of the House from the city of Winnipeg given responsibility for managing the affairs of the city of Winnipeg. It is unfortunate that that has not happened, that the Premier (Mr. Doer) did not see fit to either split the portfolio and allow someone from the city of Winnipeg who truly understands. I believe, or at least I would hope many of the members of the New Democratic Party from the city of Winnipeg know something about the issues that face City Council, that face the taxpayers in the city of Winnipeg.

The biggest issue, Mr. Deputy Speaker, that I have heard in my constituency is the high level of education tax on property tax. I know the Member for Rossmere (Mr. Schellenberg) too, who, I believe, understands the issues in the city of Winnipeg, spends time in the coffee shops in his constituency, and I know that he understands. I am not sure how much input he had into the amalgamation of River East School Division and Transcona or in Springfield School Division. Not only were the residents in the River East and Transcona amalgamated school division not given the opportunity to make comment, but I am not even sure the member from Rossmere was given the opportunity to comment before the decisions were made. We do know that many of the decisions that were made around amalgamation of school divisions were made in the backrooms after hours, behind closed doors, by members of the government side.

I have some feeling that the Member for Rossmere was not included in any of those discussions, because, quite frankly, I think he would have stood up. I am not sure about the Member for Transcona (Mr. Reid) either, whether he was included in those discussions. If they had been included, I am sure they would have stood up for the taxpayers in River East and in Transcona and said, "We don't want to see our school taxes increased as a direct result of amalgamation." I know I have every faith in those members standing up to the Premier and to their colleagues and to the Minister of Education of the day and saying, "We want to support, we want to be on the side of the taxpayers in

our community, and we know that this is not going to save money. It's going to cost." Well, maybe they were given the line that there was going to be money that was saved, and they bought it hook, line and sinker. I do not know that.

Mr. Deputy Speaker, we do know today what the cost has been to Transcona and to River East School Division. We do know that the teachers in that division still have not received a contract. We do know that it is because of issues like amalgamation that have created problems in the school division. We know there has been a significant cost in the millions of dollars to the taxpayers in River East and Transcona as a result of that forced amalgamation.

So I do know that there have to be some regrets on the part of the Member for Rossmere, the Member for Transcona (Mr. Reid) in not being able to foresee and to have significant input into that decision that was made. If they did have input, boy, I would like them to stand up and admit that today, that they had input, that they agreed to it, and that they bought into the spin, hook, line and sinker, that it was going to cost less as a result of forced amalgamation than what we have seen.

\* (16:20)

*Mr. Speaker in the Chair*

Mr. Speaker, I believe that either the member from Transcona or the member from Rossmere would have dealt with this bill differently because they understand, and I believe they do understand, what the issues that face taxpayers in the City of Winnipeg are. They would have understood and they would have been able to articulate that we need to have a safe downtown in order to encourage business to relocate and to revitalize our downtown. They would have, if they had had the opportunity to be consulted and to have some input. I believe that they would have ensured that this bill went through the proper process and it was not brought in at the eleventh hour, as we have seen in a very unprecedented way.

So we will await the implementation and make sure that we hold this government accountable for, not only the process that they have used, but the results that might be achieved. I wish the mayor and City Council well as they move to implement and do their part to ensure a more vibrant downtown, but I

have serious concerns about the direction that this government has taken and their lack of accountability on the safety issues that would bring people to visit and to participate in activities in the downtown of our city of Winnipeg.

**Mrs. Heather Stefanson (Tuxedo):** I am very pleased today to put a few words on the record with respect to Bill 4. Certainly, I have to say that I did sit through the committee, and I have to say that it is always interesting to sit across from socialists on the other side of the table from us that are in favour of providing legislation to Manitobans that will somehow, maybe, provide a little bit of tax relief to Manitobans. I have to say, Mr. Speaker, that this type of thing does not happen very often in our province, where we see this type of activity in the way of tax relief for Manitobans coming from socialists. So we are very pleased to see this legislation coming forward that will allow for tax breaks for Manitobans.

So I have to say, particularly on the business side, I mean, I cannot believe it. There are many people on that side of the House that probably have to hold their nose and vote in favour of this legislation, but I will say, I will applaud them, and say that they are doing the right thing in providing a little bit of tax relief, business tax relief to Manitobans, to Winnipeggers. So we applaud them for maybe going against some of their principles and doing the right thing, what is in the best interest for the people in the city of Winnipeg and, indeed, in general, by cutting those taxes. We are obviously attracting new businesses to downtown Winnipeg, to Winnipeg in general, because this is only one step in the right direction.

We know that Mayor Katz is talking about providing tax relief starting with downtown Winnipeg, but we know by 2007 that that will be evenly distributed throughout city of Winnipeg. So I will just say that we will applaud him on his efforts in taking a step in the right direction. We look forward, particularly, I know in my community, where we will be looking forward to the tax relief down the road.

We believe the mayor has taken a step in the right direction in doing this. We applaud the government for coming forward and being in favour of these tax cuts for businesses in Manitoba. We know it is very rare for them, but we applaud them in

doing this and taking a step away from their principles and doing what is finally right in attracting businesses to our city. So this is a good thing.

But, while talking about this, I think we need to talk about the process that is taking place in doing this. Now the mayor has asked for this quite some time ago, this legislation to come through that will allow him to proceed with his business tax cuts starting with the downtown of Winnipeg and going across the city of Winnipeg until 2007, I guess, when it will all be evenly distributed.

The process that is taking place here, I think, should cause some concern to Manitobans, Mr. Speaker. What we have seen, once again, is the heavy-handedness of this government. They had the opportunity to bring this Legislature back in September, after the Labour Day weekend, and they had the opportunity to bring it back in October, but they chose not to. We think it is unfortunate. This legislation could have been brought forward a lot sooner to allow the City of Winnipeg to pass on the tax cuts to those businesses much more quickly.

We think it is unfortunate that this government has not brought the Legislature back sooner, so that we could have a more open and free debate about this very important issue as well as many other pieces of legislation that are being brought forward in this House over the last couple of weeks, which the government is, again, using their heavy-handedness and trying to shove through and shove down Manitobans' throats.

I think it is rather unfortunate that they are trying to curtail the debate that could take place in this Legislature so that we could all do what we believe is in the best interest of Manitobans. I think it is rather unfortunate, once again, that this government uses the heavy-handed approach and limits the debate on these very, very important pieces of legislation that they are trying to ram down Manitobans' throats.

Mr. Speaker, back to Bill 4, the bill in question right now, which we are debating. We support providing the City of Winnipeg with the ability to manage their affairs. Winnipeg citizens elect the mayor and their councillors to decide upon these city matters. Clearly, business tax rates are a city jurisdiction, and they should have the ability to set those rates. We know the mayor has run already on

decreasing the business tax rates with the hopes of eventually eliminating them all together and attracting many, many new businesses to the city of Winnipeg. We look forward to that, because we, on this side, certainly understand the importance of cutting these taxes, to providing incentives for new businesses to come to the city of Winnipeg, to be able to do business here so that we can grow our economy right here in the city of Winnipeg.

But I have to say, Mr. Speaker, due to the large annual increases and special levy by the school divisions across this province since the NDP came to power—and it is more than 65 percent across the board in all of Manitoba, but about 33 percent alone in the city of Winnipeg since 1999 when this government took power. The education portion of property taxes is up some 33 percent, something we feel is absolutely unacceptable. The business property taxes have become an extremely heavy burden to many business owners, particularly to these small business owners which, as we all know, account for the greatest percentage of employers in the province.

I guess I do have to say what I thought when I was sitting across, in committee, from members opposite, when we were talking about providing tax relief for businesses in the city of Winnipeg, I thought, maybe, by chance, they actually got it. They actually got the fact that cutting taxes actually provides incentives for businesses to come here, that it helps grow our economy. It all helps in the goal for growing our economy in the city of Winnipeg and in Manitoba. But, when they are in favour of cutting on one side, but allowing taxes to increase all over, across the board, in all other areas, we see that, perhaps, just maybe, maybe, they do not get it. I think that that is rather unfortunate.

\* (16:30)

Mr. Speaker, if Bill 4 leads to easing some of the overall burden of these business taxes, then we support and encourage its measures. Mayor Katz has said and is committed to phasing in the cuts over the entire city. We would encourage him to be fair and even-handed in his approach, which he has indicated that he will be. I have to say that I have confidence that Mayor Katz and his council will use caution and care in applying the differential rates.

While the City has asked for this amendment to apply differential rates, Mayor Katz has set the

complete elimination of business taxes as a goal, and that leaves one with the impression that differential rates will not be a long-term situation, but more a bridge between now and a day in the near future when all business taxes are equal in 2007, leading to the day that they are eventually removed altogether. I have to say the businesses in Tuxedo, the businesses downtown, the businesses in all other areas across the city, I believe, look forward to the day where business taxes are eliminated altogether.

Mr. Speaker, lowering and removing business taxes in Winnipeg will provide many benefits to the province as a whole. As business taxation rates are often cited as a hindrance for attracting new businesses to locate here, something members opposite, the jury is still out, I do not think they quite get it, but lowering them will make the city more attractive for them, and that, in turn, will grow the provincial economy, not just the city of Winnipeg. So that is Economics 101. That is how it works. We just hope that members opposite finally come to the realization that that is how we are going to grow our economy. It is not their current method of, take our tax dollars and spend, spend, spend, it should be a method of giving money back to the people of Manitoba, and the citizens in Winnipeg, and the businesses in Winnipeg, because we believe that the businesses and the people know how to spend their money more wisely than government.

But, again, the jury is still out. We are not quite sure if the socialist NDPers across the way really understand that that is how to grow our economy. I think that they believe that they know best how to spend our money, and the money of the businesses in our province, but until they come to that realization, and we will give them maybe a little bit of time, but not much, because we have been asking time and time again, it has been almost six years since they have been in power, but it is time that they finally realized how to properly grow our economy, and that is to cut the taxes, put more money back in the hands of people.

Mr. Speaker, Manitoba is the highest-taxed province west of New Brunswick. We are now the last have-not province west of Québec. That the City Council recognizes the heavy burden that we all bear and is adopting a tax cutting posture is a good sign. We would hope that this Doer government would recognize this as well and start taking meaningful steps to cut Manitobans' tax burden.

Mr. Speaker, I would like to talk just briefly about the assessments that have increased in the city of Winnipeg, some 23 percent. We believe this is going to be a very serious issue over the next little while when it comes to taxation within the city of Winnipeg limits. It affects all of us who have seats in the city of Winnipeg. We have already heard Mayor Katz indicate that he is willing to look at adjusting the mill rate down so that taxes are not increased, but we have yet to hear from the Premier (Mr. Doer), or from the Minister of Finance (Mr. Selinger), or from the Minister of Education (Mr. Bjornson) for that matter, as to what the plan is to ensure that the school divisions are not able to just increase taxes because our assessments are going up.

Nowhere in history, since the NDP have come to power, have the school divisions actually lowered their mill rates when assessments have gone up. We hope that that trend would change, Mr. Speaker. We hope that the Minister of Education, that the Premier, takes responsibility and really starts to see the light of day, that we as citizens of Manitoba, that we in the city of Winnipeg, and the businesses as well in the city of Winnipeg, we need to see real and meaningful tax relief to citizens, to residents, to property owners and also to businesses in the city of Winnipeg.

I would hope that this government would do the right thing and ensure that those school divisions do not have the ability to raise those taxes just because the assessments are going up by some 23 percent. That is a very, very significant increase in the average assessment across the board for the city of Winnipeg. That will mean that whatever tax cuts that Mayor Katz may offer on the residential side, but also on the business side for these businesses in downtown Winnipeg, if the Doer government does absolutely nothing here, then what will happen is that the tax relief that the mayor is providing will simply be backfilled, because this government refuses to take responsibility and lower taxes on the other side to ensure that the school divisions do not raise taxes.

Again, Mr. Speaker, we on this side of the House are extremely concerned at the direction that this government has shown with respect to education taxes. Education taxes in the province of Manitoba are up some 65 percent since this government took power, some 33 percent in the city of Winnipeg alone, some 68 percent in Brandon and, in rural Manitoba, some 160 percent. We believe that trend is unacceptable. It should be reversed.

Again, if the government does not have the political will to make it happen, if the government decides to do nothing in this area whatsoever, what will take place is that every single resident, every single business, all of these taxes will essentially go up in the city of Winnipeg if we just allow this government to sit back and do nothing and not take action at all. So it is incumbent upon all people in the city of Winnipeg to ensure that their taxes do not go up. We need to write letters to the Minister of Education (Mr. Bjornson). We need to write letters to the Premier (Mr. Doer), to the Minister of Finance (Mr. Selinger). We need to ensure that they understand that we are not in favour of tax increases in the city of Winnipeg.

While we applaud the current government for coming through with this bill allowing the mayor to go through with his election promise of lowering business taxes, well, is that not nice, Mr. Speaker, but, on their hand, they are doing nothing, doing absolutely nothing for the businesses in downtown Winnipeg, the businesses across Winnipeg at all. What they are going to do by just sitting there and doing absolutely nothing, all of the business taxes, all of the residential taxes in the city of Winnipeg will go up. We believe that is unacceptable. It needs to be stopped.

Mr. Speaker, we will do everything in our power to ensure that message gets through to not only the Premier, not only the Minister of Education, the Minister of Finance and the entire government, we will ensure that Manitobans' voices, that the people in the city of Winnipeg, their voices are heard loud and clear because they hold many, many of the seats in the city of Winnipeg. I would suggest that after the next election, after people in those seats really understand what this government is doing, and sitting back and doing nothing but raising your taxes, I suggest that the people in those constituencies will think twice about electing further members of the socialist NDP party. So we will see. Again, the jury is out if they really understand what tax cuts mean anyway. We will see what comes to fruition there.

Mr. Speaker, I would like to just close by saying that, certainly, we are in favour of this bill going through. We are concerned about the process that has taken place. You know, it is the heavy-handedness of government once again. Let us ram through some bills. Let us not take time to sit back and actually have a debate. Have a debate? Well, we would not

actually want to debate the bills. No, no, no because the NDP knows what is best for Manitobans. We are just going to put everything through as quickly as possible.

Mr. Speaker, I just suggest that they are afraid of a lot of things. They are afraid of debate. They are afraid of so many things, and that is why they are afraid to bring the Legislature back until the last possible day after the Labour Day weekend, November 22, the last possible day. Let us ram through all this legislation in three weeks. Let us ram through as much as we can because we know what is best for Manitobans. We know what is best for the people in the city of Winnipeg. I would suggest that the people of the city of Winnipeg see through this, and they will see through it in the next election. There will be a few changes around here.

\* (16:40)

So, again, Mr. Speaker, we are in favour of this bill. It should have been brought into this Legislature several months ago, but shame on this government for not bringing this Legislature back. Shame on this government for not making sure that Mayor Katz has the ability to put through his tax cuts sooner, put through the tax cuts for the people of Manitoba. The only—[interjection]

The Member for Brandon West (Mr. Smith) always likes to go back to the 1990s, but what he does not realize—

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

**Mrs. Stefanson:** What he does not realize, Mr. Speaker, is that he, in fact, has been in government for six years, but look at all the problems that we have, \$1.5 billion later. They have spent it, not a cent for Manitobans. This is unacceptable.

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

**Mrs. Stefanson:** They should have called the Legislature back sooner. They should have allowed Mayor Katz to—

**Mr. Speaker:** Order. All members will have an opportunity to speak to this, if they wish. The honourable Member for Tuxedo has the floor right now.

**An Honourable Member:** That is all she has got, Mr. Speaker.

**Mrs. Stefanson:** Well, we will not go there.

Anyway, Mr. Speaker, I thank you very much for the democratic process that allows me the chance to get up and speak on these bills on behalf of my constituents. Again, I think it is unfortunate that the heavy hand of government tries to ram through all these bills, but certainly we are in favour of this bill. We want to ensure that the businesses in downtown Winnipeg are able to realize their tax relief as soon as possible, so we can get on with the rest of the city of Winnipeg businesses to be able to realize their tax relief. Thank you very much.

**Mr. Kevin Lamoureux (Inkster):** It is always a pleasure to be able to express some thoughts on when government attempts to bring in legislation. Sometimes it does it in such a very awkward way, I must say. I would like to talk a little bit about process, as the Member for Charleswood has done, or lack thereof in terms of respect of process—*[interjection]*—Tuxedo, I am sorry, the member from Tuxedo. Just to comment in general about the legislation, this particular piece of legislation, and how, to a certain degree, the government has a very closed mind on dealing with ideas that are not their own.

So I want to start by commenting in terms of an amendment that was proposed by the Leader of the Manitoba Liberal Party to Bill 4 and how quickly, the moment the leaders sat down, government finally stood up, and they do not stand up inside this Chamber too often to talk on bills, I must say. We have not seen a city of Winnipeg representative from the government actually speak on the bill as of yet, but we hold out. Maybe we might see someone from the government side who represents a city of Winnipeg riding actually put a few words on the record.

As I was saying, the moment that the Leader of the Liberal Party sat down, we then had the minister, the member from Brandon, stand up and say, "We are not going to support this amendment that is being proposed." He did not really give any justification as to why it is that this particular amendment would have made the legislation any worse. The fact is, I believe it would have complemented it. I did not see how it was going to make things complicated. It would have complemented the legislation that we are debating. But, because it was not an idea from the government of the day, Mr. Speaker, one has to file it

in the garbage, it seems. I find that sort of attitude towards the opposition disrespectful, that at times government should acknowledge that opposition members can also have some ideas that can in fact be incorporated into the legislation itself.

Mr. Speaker, I want to spend some time on the principle of the bill itself. I truly do believe that this bill is something that is worthwhile in supporting for a number of different reasons. We hear of the need for that urban downtown revitalization. I think this, in essence, provides a tool for City Hall, for our mayor who has expressed an interest in seeing this bill passed, and other councillors who have expressed that very same interest.

Out of respect for the City of Winnipeg and the elected officials of that chamber, Mr. Speaker, we are prepared to see this bill passed as quickly as is possible to accommodate the City as quickly as possible. Having said that, we have very strong reservations in terms of the way in which the government has brought this bill in. I am going to spend some time on that a little bit later in terms of my comments.

What we see is a mayor, deputy mayor and other council members of the City of Winnipeg recognize the value of providing differences in taxes that could be used strategically for advantage for certain areas of the city. I think that City Hall should be applauded for those thoughts. I think that it is something that is long overdue.

Having said that, I do have some concerns that go beyond even the downtown area. I think if you look at Winnipeg and the economic engines of Winnipeg, that it goes beyond just that inner core area or Portage Avenue and up Main Street between the CP tracks and the Assiniboine River or The Forks. Generally speaking, as a city of a population of 680 000-plus, depending in terms of how you want to define the Capital Region and state the population numbers, Mr. Speaker, the Capital Region as a whole needs a strong, vibrant downtown.

When you compare Winnipeg to other urban centres, we have a very large downtown area. I think that that strategically could be used to Winnipeg's benefit. If you had a government that is wanting to work close and support the private sector in the development of that large downtown area, Winnipeg

would be well served. We have seen in the past, I think, good ideas that have really made a difference.

I look at The Forks and, if you compare just the raw numbers, how many people go to The Forks today compared to when The Forks did not exist, Mr. Speaker? What I am referring to is at one time it was just the tracks that were there. Today, The Forks attracts literally hundreds of thousands of people every year and has had a very positive impact on bringing people into the downtown. As I say, the downtown area is large. It is of significant size. The Forks just borders, in my opinion, one part of that downtown area, and you see how successful in most part it has been.

There have been other areas. The member from Fort Whyte made reference to Portage Place. Portage Place has had some problems, no doubt, over the years, but it has also contributed. There are other areas in which we have seen government involvement. I listen very attentively as the Premier and others in this Chamber talk about the arena and the impact that it has had. The arena and any sort of investment of that magnitude can derive a great deal of benefits. To this day, I am still not absolutely convinced that the tearing down of the Eaton's centre was the best location for the arena. *[interjection]* I am a little bit too late for that particular debate, as it has been pointed out. The point is that when you make that sort of an investment of public and private dollars, it is going to have an impact.

\* (16:50)

I think that it behooves government of the day of all levels of government to do what they can in terms of being able to bring life, or additional life, to our downtown area. What I see is this as yet another tool that, if properly utilized can, in fact, make a difference. It is one of those tools in which I would have been very much interested in sitting in a committee and having some of the, whether it is civil servants, city civil servants, or some of the City Hall politicians come and expand on as to what they believe or the type of impact they believe this tool is going to have in terms of making Winnipeg a better area. I know, for example, the Deputy Mayor, Mike Pagtakhan, has expressed a great deal of interest, as I know you yourself would be interested, Mr. Speaker, in that Selkirk Avenue.

One of the reasons why I feel somewhat confident in being able to support this bill is because

I understand the level of appreciation and value Mike Pagtakhan has for that whole Selkirk area in seeing it property developed. Even though many would classify that as not being a part of the downtown because it is on the other side of the tracks, if you like, it is still an important economic engine to a significant portion of the city of Winnipeg. When we look at the potential ramifications of this bill passing and, then, ultimately being utilized as a tool by the city, the ramifications are fairly significant.

You look at those, one could classify maybe as just general economic streets where there is a great deal of economic activity at the street level. Really, what you are talking about is the Portage Avenue, Ellice, Sargent, the ones that are running east and west, if I can put it that way, Selkirk Avenue. You can go down south where you are talking about streets like Corydon. You have your north and south streets of, let us say, Main Street, McPhillips, McGregor, to a certain degree. You have your St. Annes in other areas. You could ultimately say St. James, Route 90, and, particularly in the south in terms of commercial activity, you could go to the Nairns and Regents and Plessis. There are some critical streets where commercial economic development is absolutely critical. It is not just limited to the core area, as we know traditionally as the downtown. Some of these streets that I have listed off are doing quite well. Maybe there is no need for government to even possibly entertain getting indirectly involved.

There are other streets which I believe that we do need to give special attention to. The street that comes to my mind more than any other is an area in which you and I believe the member from Burrows also represents. The street is Selkirk, which causes a great deal of concern for me. It is a street which I am sure, like you, you drive down on a regular basis. There are other streets like Isabel that also cause a great deal of concern. Parts of Isabel and Salter are within that core area or the downtown area, so I am sure that it will be addressed.

My concern, Mr. Speaker, in looking at this particular bill, is that we have to also acknowledge that there are other areas that need to be looked at, and consideration needs to be given. It is easy, for whatever level, to say, well, look, we want to beef up here, but you also have to look at what is going to be the cost of using that particular tool. One of the members that spoke before me was commenting on, well, if you say there is going to be a financial break

for this particular street, but there is a building that adjoins that street to another street, and the door happens to be on the wrong side of the street, they might be entitled to the same sort of a tax rate. I think there is some validity to that type of an argument.

I trust and I have confidence in our mayor and other councillors that these are the types of things that would be taken into consideration. I trust that others do have the opportunity to speak with some of the councillors. I know I have been afforded the opportunity to speak with a number of the different city councillors. Sometimes it is about issues such as this. Other times it is about other issues, but one of the issues that I always enjoy having discussions on is the issue of revitalization. I know in particular with Mike Pagtakhan that he too enjoys that particular issue because he has a passion to try to make things better in the area that not only he represents, but to go outside the area that he represents.

I think there are other city councillors that have that same passion, Mr. Speaker, and I applaud them on that. I look to a number of the city councillors, whether it is the Mike O'Shaughnessys or the John Anguses or the Harvey Smiths or others, the Russ Wyatts, to ensure that this legislation, as no doubt it will pass, is going to be used in such a way that it will not be to the detriment of other communities. I have full confidence that, in fact, will not occur, but it would have been nice to have been able to have some dialogue in committee with some of the city representatives. Unfortunately, it is because of the way in which this bill has been manipulated into the system here that our system, the provincial system, has not really allowed for that dialogue, and I find that that is unfortunate.

If you went and looked at a number of years ago, whether it is the late eighties, mid-nineties, what we saw more often than not when we would go into committee to discuss bills is you did not have the time limits this government has put into place. Today, because of the time limits, you might be able to ask one or two questions of a presenter. I think that was a backward step. I realize the government was talking about efficiency of the committee, Mr. Speaker, but there has been a cost to that.

I think this is a good bill that would have clearly shown that that was a mistake. What would have been the ideal situation would have been to have had

this bill in a committee in which the city could have been given appropriate notice. Hopefully, there would have been an engagement of ideas and thoughts from presenters, from the government, from opposition members so that we could all collectively get a better sense in terms of how it is the City might be wanting to move on this particular issue or how this particular tool could be used to complement other initiatives that are in fact being taken. But, because of the constraints that we have put on legislation, in particular in that committee stage, it has put a lot of limitations on our ability to be as effective as we could be.

It is encouraging in one sense that it appears as if the government might be open to changing some rules again, Mr. Speaker. My challenge to the government as we go through that process is that we try to depoliticize those informal discussions because it is through those informal discussions that a lot of these rules are in fact going to be changed. If they are politically charged, informal discussions, I suspect that you are not going to see the type of positive rule changes this Legislature actually needs that is going to better enable all of us to be able to represent Manitobans that much better.

The very nature of Bill 4, I think, speaks volumes in terms of the process right from the very beginning to the end. We know the end will be sometime in the next day or two. Mr. Speaker, I suspect that the current minister responsible for this bill was aware of the issue. This is not something that he found out about a week and a half ago. The minister responsible was aware of this months ago. When you look at it, the way in which the government brought in—and that is what I would like to spend a bit of time on—the way in which the government brought in the bill, there was an opportunity for the government to, because this is not the only bill, but it is a good example in which the government could have brought this legislation in, in the month of September. There is no reason why it could not have done that. There is this bill, there are other bills, and what would have happened, I believe, is that there would have been more debate in September on Bill 4 prior to it passing into committee.

\* (17:00)

I would have welcomed participation from all sides in terms of their thoughts on this bill and talk



about the whole issue of property tax. It was interesting. I listened to the member from Tuxedo talk in terms of the whole property tax issue. I suspect had this bill been brought in, in September, we would likely have had more members talking about Bill 4 so that they would be able to express their thoughts.

*Mr. Denis Rocan, Acting Speaker, in the Chair*

Maybe we would have the government of the day saying, "No, it is okay. As city members in government, we want you to talk to bills of this nature. We want you to be able to express what your thoughts are." I think that would have been a positive thing. I was enjoying some of the comments that are being put on the record because I recognize that, in terms of the whole property tax issue, and it is a huge, huge issue, what the City Council is attempting to do here could be virtually wiped out overnight, if you have school boards taking advantage of property tax decreases in certain areas by increasing the number of tax dollars that they are requesting in order to finance education.

I think that we should be talking about the education tax. It is great to see you in the Chair, I must say, Mr. Acting Speaker. The property tax issue in itself, when you think of the school tax, I can tell you in Winnipeg School Division No. 1, many homeowners today are paying more education tax on their property tax bill than for municipal services. That is not what property tax was meant to be. It was meant to finance local municipal infrastructure and services that our municipalities are bringing in. Today we are relying far too much on property tax to finance public education.

*Mr. Speaker in the Chair*

If you take a look at it, Mr. Speaker, what we have today is health care being financed 100 percent through general revenues. On the other hand, what percentage of education is being financed through property tax? Health care, like education, is a public service in which all members of the community benefit. I hope that I would never have to use a hospital, but I do not mind paying taxes for it because it is an essential service that we as a society benefit by equally, in regards to the education tax, yet we have seen a further reliance, continued reliance and growth of funding public education through property tax.

So we pass this bill today, and what happens, Mr. Speaker? The City Council will spend a tremendous amount of effort in terms of using this as a tool to try to generate more investment in our downtown area. I applaud those efforts, but another area in which this government needs to come to deal with is the issue of education tax. It was interesting. Today, I posed the question on the education tax. It was a relatively simple question for the Minister of Finance (Mr. Selinger), and why he chose not to answer the question I am not sure. But here we have a government that says, "Well, we are going to give a break for the farmers on the property tax." I applaud the government. This is a good thing that the government is doing this. Where I disagree is that they are spending thousands of dollars to tell the farmers that they are giving them this tax break. That money should be, those ads should be spent and paid for by the New Democratic Party. It should not be spent by the taxpayers of this province. They crossed the line on this particular issue.

I would go further by saying it is not only just the farmers who need the relief on education tax, Mr. Speaker. It is all Manitobans who need the relief on the education tax that is being applied throughout our province. Those are the types of discussions and the debates that we should have been having back in September, as opposed to waiting for the last minute once again. We wait for the last minute in order to bring forward a bill of this nature, and then when it is brought in, we are told, "Well, look. We have to hurry up. We have got to pass this. This is what the City wants, and we want to accommodate them. We want to provide more tax incentives to ensure there is more economic activity in our downtown." They pushed the old panic button and, as opposition members, we have to accommodate.

We recognize the importance of this bill. This bill will be passed, Mr. Speaker, but not because of the pleas of this government for leave, because we believe that this is something which the City of Winnipeg wants, and we are supporting the City of Winnipeg. It is not because the government happens to have put it on the agenda as late as it has.

This government, I believe, is due a great deal of criticism because of the way in which they brought forward this bill. This bill should have been brought to this Chamber back in September. If they really wanted to do a service to this Chamber and allow members of this Chamber to be able to thoroughly

debate and get their comments on the record, that is what they would have done.

So that, in fact, once it passed, what would have happened, Mr. Speaker, is we could have said, "Look. We could make contact with the City of Winnipeg and its officials and say, 'When would it be most appropriate for you for us to have it come into committee?'" This way, the members of the committee would, in fact, be able to listen to presentations, to listen to some of the ideas and the thoughts behind what was being proposed by our new mayor, Sam Katz. I would have welcomed the opportunity. I am sure members of all political parties inside this Chamber would have welcomed the idea of having an exchange of ideas on why this bill is a good bill and deserves to be passed.

Who knows? Had the government brought it in back in September, Mr. Speaker, I suspect that we might have even seen more amendments brought forward. There might have even been more ideas that could have come out of the discussions, and there might not even have been opposition amendments. The opposition is not the only one that brings in amendments. Look at Bill 22. I think the government has brought in 12 just for third reading.

So even the government might have found out that there are amendments that they could have brought forward on Bill 4. But what they did is they realized, "Okay, we want to do this for the City of Winnipeg. We are going to do this for the City of Winnipeg, but you know what? We have got a majority government. We will just bring it in on November 22; we do not have to come in before November 22. We can just kind of push the old panic button, and the opposition will fall down, cave in and allow this bill to pass."

Unfortunately, to a certain degree, Mr. Speaker, the government is right in the sense that the opposition will, in fact, allow Bill 4 to pass. We will allow it to pass. The government of the day has done that disserve once again, because this is not the first time that it has done this. Last year, right around this time, there were a couple of bills that were being brought in at the very last minute. After all, we sat 37 days last year, but they brought in a couple of more bills to try to push it through at the very last minute once again. And the urgency of it. One was because of federal dollars; another because of rural economic development. Much like those were good ideas, this,

too, is a good idea. This bill is a good idea and it warrants this Legislature passing.

\* (17:10)

I see that my light is flashing indicating that I do not have very much time left. So with those few words, it is a pleasure for me to be able to see this bill pass, and I applaud our city councillors and our new mayor in terms of taking the bull by the horns and really trying to do something to get this downtown moving even faster.

**Mrs. Myrna Driedger (Charleswood):** I am pleased to put a few words on the record on Bill 4, and I am pleased to stand in support of the City of Winnipeg. It is interesting to see socialists move forward on tax reduction. I am sure there are shock waves moving through the city and province right now when we see this, but it is the right thing to do. I suppose that some of the NDP across the way are struggling with this, so that is why I am sure the Premier (Mr. Doer) has muzzled them from speaking on this particular bill.

It is a tool, Mr. Speaker, that the City needs to move ahead to strengthen the city, to make it a strong economic engine for the province of Manitoba, because making Winnipeg strong and making it a strong economic engine for the province of Manitoba will affect, not just the city, but it will have huge spin-off benefits for the province of Manitoba. It is disconcerting that, while the city is moving aggressively to strengthen Winnipeg, the Province is spending its way into making Manitoba a have-not province. I think that that is one of the most disillusioning things that I have experienced in a very long time. I am finding it extremely disgraceful, and I am finding it extremely embarrassing that Manitoba is going to end up becoming the only have-not province west of Québec. I think that that is not setting up Manitoba or Winnipeg for the kind of strength that it needs to do business and to survive well in this Confederation. I do not think it is going to bode well for Manitoba.

How many young people are going to be chased away from a have-not province? In a have-not province, you are not going to see the kinds of opportunities here for them that you would see in a have-province. Already, a lot of our young people are moving to Ontario and, particularly, Alberta. I think once we have that new brand of being a

have-not province and murder capital of Canada, I am sure we are going to see a lot of young people very disillusioned and wanting to move away. How many businesses are going to find it attractive to move here or to even stay here, especially dynamic businesses that are looking for a lot of opportunities, for not only lower business taxes, but lower individual taxes and lower other taxes and other user fees? Certainly, this province does not put out a welcome mat to them.

In fact, the other day, during my response to the Throne Speech, NDP backbenchers were calling these kinds of statements whining, and I think that is extremely offensive to Manitoba businesses. But I think what it does do is it does represent the views discussed around the NDP caucus table, because I do not believe that the NDP understand that strong businesses and lower taxes generate more wealth for health and education and justice and all the other issues and social programs that we value. That money does not just grow on trees and fall off. It is generated by thriving businesses. It is generated by people having more money in their pockets to be able to spend. We certainly are not seeing that with the movement that the NDP are taking in this province. I do find that a disgraceful, embarrassing and distressing position to see Manitoba being put into.

It is also not only a disgrace to become the only have-not province west of Québec, I think it is a disgrace that we are the highest taxed west of New Brunswick, especially after this government has received \$1.5 billion in new revenue. Yet the Doer government keeps running to Ottawa cap in hand, "Give me more, give me more." That just sends out such strong signals across the country, and we even hear people from other provinces making statements within their provinces and calling our government lazy socialists. If they think that other people in other provinces are not paying attention to what is happening here, they are terribly, terribly wrong.

A government that has a spending problem, not a revenue problem, is not going to be attractive to people. When other provinces are looking at Manitoba and they are seeing Hydro raids, raids on our Crown corporations or attempted raids on MPI, for instance, when they see doubling of water rental rates here; when they see hydro rates increasing because of this, businesses know that they have to pay hydro bills, so they look at all of those factors.

They take it into account when they are looking at whether or not they want to move to Manitoba.

When other provinces, or even people who live here, see increased user fees and increased taxes, it certainly gives people pause in terms of wondering how strong, or weak, or unstable their province really is.

Mr. Speaker, I would like to just indicate the PST that has been put on electrical and mechanical by this government, I am sure has quite a few ramifications on downtown Winnipeg. I wonder how much that costs in terms of the amount of money that Red River downtown campus had to pay for the electrical and mechanical PST cost. How much did the arena have to dish out to pay for that? How about the Millennium Library? How about the new Hydro building? I know that in Brandon, for building the new hospital in Brandon, that extra PST on electrical and mechanical has cost \$360,000. So I imagine that what we will see in terms of its effect on downtown Winnipeg is probably going to be pretty staggering.

So at least with this particular legislation, Mr. Speaker, we will help the downtown businesses in some way by decreasing their business tax. But you have the government, the Province of Manitoba, taking away with one hand and you have got the City of Winnipeg struggling to give it back with the other. Until the Province gets on board, does its share and takes responsibility for some of the things that we are doing, the City is going to have to continue to struggle to make the downtown more viable and stronger.

It certainly points to a lack of economic vision or policies by this government, and it is disconcerting to see that the major economic vision for this government, this NDP government, is gambling. Mr. Speaker, I have heard young people say—and it certainly is disturbing to hear them say it because young people are very influenced by people in power, and they see a government that is condoning and promoting advertising of gambling. I have heard young people my son's age saying if it is okay for the government to advertise it, it must be okay for young people to go for the fun of it and gamble. They are not able to distinguish between the two, and what this does, it just pushes forward gambling for young people. We are sending some very mixed messages to our young people, and it is influencing them a great deal.

Mr. Speaker, it has been mentioned that the government should also look at totally decreasing education taxes on residential and farmland, that the government should not be tinkering around the edges of this. It will go such a long way to help Manitobans. It will put more money back into Manitobans' pockets, and that, too, will end up going a long way to strengthening this province, to improving the economy of the province, because when people have more coins in their pocket or coins in their jeans, as some would say, they will make the decision about where they want their money to be spent. A lot of them will spend it on their families, on their homes, on a number of things that they think is important, and that will increase, certainly, the strength of this province and the economy of this province.

\* (17:20)

Mr. Speaker, as a matter of procedure, Bill 4 is another example of the haphazard way in which this NDP government has conducted itself in the House. The City asked for this bill months ago, and I believe it, I understand that it is unprecedented to interrupt a Throne Speech debate in order to give second reading to a bill. But, because we know how important this issue is to the City, we have actually agreed to allow this unprecedented move to happen.

But it just shows you how the NDP are dropping the ball in managing the affairs of the province and supporting this particular legislation for the City. They knew months ago that the City needed this bill put in place and this bill passed, and, yet, here we are, when the government could have called us in a long time ago, you know, September, October. We were quite prepared to come in, and if Bill 4 was as high a priority to this government as interrupting the Throne Speech debate would seem to indicate, then maybe they should have had us sitting back earlier than November 22.

So, Mr. Speaker, for the sake of the City, we are here today continuing the debate on this bill and trying to support the City in moving this bill through. We do support providing the City of Winnipeg the ability to manage their affairs. As a city member, I am committed to seeing this happen. Winnipeg's citizens elect their mayor and the councillors to decide upon city matters, and, clearly, business tax rates are a city jurisdiction.

Mayor Katz has made decreased business taxes as a major platform. He has articulated his vision well and he is moving forward on it. He knows that this will put out a welcome mat for new businesses to move here and entice other businesses to stay here. He has been astute enough to recognize that this is something that he can do, and needs to be done in order to strengthen, not just the city, but the city of the economic engine for the province.

It should be noted, Mr. Speaker, that during the 1990s under Premier Gary Filmon, the provincial government started to take steps to enable the City to play a greater role in Winnipeg decision making. More steps do need to be taken to continue this effort.

As I briefly mentioned before—I would like to touch on it again because it is so important, and it is related to education taxes—due to the large annual increases in the special levy by school divisions across the province, business property taxes have become a heavy burden to many business owners, particularly small business owners. It is small business owners that are the ones that, you know, play such a strong and important and significant role in making our city and our province stronger. Business property taxes have become a heavy burden for many business owners, particularly these small business owners which account for the greatest percentage of employers in the province.

Mr. Speaker, Bill 4 leads to easing some of the overall burden of business taxes, and we support and encourage its measures. As I said before, Mayor Katz is committed to phasing in the tax cuts over the entire city, and we would encourage him to be fair and even-handed in his approach. We have confidence that Mayor Katz and his council will use caution and care in applying the differential rates.

Certainly, when I sat on committee the other day, we did hear a concern raised from one of the presenters about the importance of level of fairness that needs to come with differential rates, and we know that this is a valid concern. One does accept that a line will have to be drawn at some point. It is not difficult to believe that a situation may occur where one business will have a tax rate different from the business directly across the street, or possibly next door. However, while these concerns have some truth to them, we as the Province provide some degree of authority and trust to Winnipeg City

Council, and expect that they recognize the responsibility to apply tax rates fairly. We trust that they will monitor the issue and ensure that mischief does not occur. Mayor Katz has indicated that his goal is to use differential rates for only two years, and that all Winnipeg businesses will pay the same rate in 2007.

It is interesting, Mr. Speaker, to see the city government have a plan that it is moving forward with, to have a vision and to be able to articulate a vision and a plan, have time frames put around it, to move this province forward. I think there is a message in all of that, too, for the Province of Manitoba to have a closer look at how the City is beginning to do business and how they are putting processes in place that will move the city and the province forward.

Mr. Speaker, I have also mentioned before that Manitoba has the highest-taxed people west of New Brunswick. Adding that to the burden of becoming the last have-not province west of Québec, it is, indeed, becoming a burden to Winnipeggers and to Manitobans. That the City Council recognizes the heavy burden that we all bear and is adopting a tax-cutting posture is a good sign, and we would hope that the Doer government would recognize this as well and start taking meaningful steps to cut Manitobans' tax burden.

Mr. Speaker, we support downtown Winnipeg development, but we would argue that public investment only serves as a Band-Aid, a short-term solution, and that the private sector is what drives long-term economic development. It is of some major concern that what we are not seeing downtown is a lot of private-sector involvement in developing the economy and moving issues forward. Instead, what we see is a lot of public investment, which only adds to the burden of Manitoba taxpayers, especially as we have seen the debt in this province continue to rise to the high records that it is. That, in the long run, is not going to prove itself well for this province. In fact, that economic burden will not only just affect all of us that are here right now, but it is going to affect all our children and, quite likely, our grandchildren. Removing the obstacles of the private sector such as the business tax is certainly going to do far more for economic development in the downtown core than any public investment ever could. Certainly, it will have much more long-term effects.

Mr. Speaker, there have been a couple of other points raised today about some of the issues we are seeing in Winnipeg that also need to be addressed in our downtown, not only eliminating business taxes to make the city a stronger place for business, but also the Doer government has to look much more closely at the role it can play to develop a vibrant and dynamic city, because the city cannot do it alone.

I think that is becoming abundantly clear, that the Province has to do its share, and we are certainly not seeing it doing its share. Part of doing its share, besides addressing not only the economic issues to strengthen Winnipeg, but this government needs to do a lot more to address the justice issues in downtown Winnipeg.

As I was driving to work the other day, I was listening to CJOB radio, and a gentleman was calling into a talk show. He was talking about how afraid his wife was to be working downtown and having to transfer buses by Portage Place. When you have people fearing, and in some cases fearing for their lives, women and children, women and youth, that are going downtown are only doing it in the daytime. They are afraid to go downtown after 4:30 in the afternoon, and yet we have a Justice Minister (Mr. Mackintosh) that is long on rhetoric, long on news releases, and very short on action.

I can recall when I first became an elected member, the Justice Minister was in opposition and he was in the back benches on our side, and he used to stand in the back row and unfurl all these pieces of paper taped together, and he would stand there with all his papers trying to show that the government was not doing enough on crime. Right now, Mr. Speaker, we see this Justice Minister totally moving in the opposite direction to what he was promoting before. He certainly dropped the ball on justice. I would encourage the government not only to strengthen the economic plan, but their justice plan as well.

**Mr. Speaker:** Order. When this matter is again before the House, the honourable Member for Charleswood (Mrs. Driedger) will have 12 minutes remaining.

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 7, 2004

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>			
<b>Petitions</b>		Return pursuant to section 20 of The Public Officers Act dated December 7, 2004	
		Selinger	434
Highway 200 Taillieu	431	Orders-in-Council 172/2004 and 422/2004 filed in accordance with section 114 of The Insurance Act	
Addictions Foundation of Manitoba Reimer	431	Selinger	434
Pension Benefits Driedger	432	<b>Ministerial Statements</b>	
Minimum Sitting Days for Legislative Assembly Lamoureux	432	Associate Chief Judge Bruce Miller	
		Mackintosh	434
		Loewen	434
		Gerrard	435
Physician Shortage–Westman Area Derkach	432	<b>Introduction of Bills</b>	
Maguire	433	Bill 13–The Milk Prices Review Amendment Act	
<b>Tabling of Reports</b>		Wowchuk	435
Annual Report of Elections Manitoba for the year ending December 31, 2003, including the conduct of the 38th Provincial General Election dated June 3, 2003		<b>Oral Questions</b>	
Hickes	434	Mental Health Services (Swan River)	
		Murray; Sale	436
		Murray; Doer	437
Annual Report of Le Centre Culturel Franco-Manitobain for the fiscal year ending March 31, 2004		Physician Resources	
Robinson	434	Driedger; Sale	437
Annual Report of The Trade Practices Inquiry Act for the period ending December 7, 2004		Public Safety	
Selinger	434	Hawranik; Mackintosh	438
		Reimer; Mackintosh	440
Report on Amounts Paid to Members pursuant to subsections 52.27(1) and (2) of The Legislative Assembly Act for the fiscal year ending March, 31, 2004		Livestock Industry	
Selinger	434	Penner; Wowchuk	440
		Seven Oaks School Division	
		Stefanson; Bjornson	442

Aiyawin Corporation Gerrard; Melnick	443
Government Advertising Lamoureux; Doer	444
<b>Speaker's Rulings</b> Hickes	444, 445, 446
<b>Members' Statements</b>	
Churchill Bulldogs Loewen	447
ESL-General Wolfe School Swan	447
Mark Chipman Driedger	448
Mennonite Central Committee Schellenberg	448
Criddle/Vane Homestead Trail Cullen	449

**ORDERS OF THE DAY**  
**GOVERNMENT BUSINESS**

**Report Stage Amendments**

Bill 4–The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates)	
Gerrard	449
Smith	450
Reimer	450

**Concurrence and Third Readings**

Bill 4–The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates)	
Mackintosh	451
Reimer	451
Loewen	453
Mitchelson	458
Stefanson	462
Lamoureux	466
Driedger	470