

Fourth Session - Thirty-Ninth 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-Ninth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BLAIKIE, Bill, Hon.	Elmwood	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer, Hon.	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MARCELINO, Flor, Hon.	Wellington	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McFADYEN, Hugh	Fort Whyte	P.C.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PEDERSEN, Blaine	Carman	P.C.
REID, Daryl	Transcona	N.D.P.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SARAN, Mohinder	The Maples	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELBY, Erin	Southdale	N.D.P.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew, Hon.	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WHITEHEAD, Frank	The Pas	N.D.P.
WIEBE, Matt	Concordia	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 16, 2010

The House met at 1:30 p.m.

Madam Clerk (Patricia Chaychuk): It is my duty to inform the House that Mr. Speaker is unavoidably absent. Therefore, in accordance with the statutes, I would ask the honourable Deputy Speaker to please take the Chair.

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

**ROUTINE PROCEEDINGS
INTRODUCTION OF BILLS**

**Bill 238—The Secondary Suites Act (City of
Winnipeg Charter and Planning Act Amended)**

Mr. Mohinder Saran (The Maples): I move, seconded by the honourable member for Concordia (Mr. Wiebe), that Bill 238, The Secondary Suites Act (City of Winnipeg Charter and Planning Act Amended), be now read a first time.

Motion presented.

Mr. Saran: This bill would amend The City of Winnipeg Charter to include reference to secondary suites within the City's by-law making powers regarding buildings. It would also amend The Planning Act to promote the establishment of secondary suites through provincial land-use policies.

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

**Bill 237—The Single-Use Bottled Water
Spending Act**

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill 237, The Single-Use Bottled Water Spending Act; Loi sur les dépenses

liées aux bouteilles d'eau jetables, be now read a first time.

Motion presented.

Mr. Gerrard: Madam Deputy Speaker, this bill seeks to put the government in a leadership position in terms of environmental issue—an important environmental issue instead of being a laggard. This bill provides for a reduction in the use of bottled water in government operations and in government facilities where there is potable water readily available.

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

PETITIONS

Multiple Myeloma Treatments

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

These are the reasons for this petition:

Health Canada has approved the use of Revlimid for patients with multiple myeloma, a rare, progressive and fatal blood cancer.

Revlimid is a vital new treatment that must be accessible to all patients in Manitoba for this life-threatening cancer of the blood cells.

Multiple myeloma is treatable, and new, innovative therapies like Revlimid can extend survival and enhance quality of life for the estimated 2,100 Canadians diagnosed annually.

The provinces of Ontario, Québec, British Columbia, Saskatchewan and Alberta have already listed this drug on their respective pharmacare formularies.

We petition the Legislative Assembly of Manitoba as follows:

That the provincial government consider immediately providing Revlimid as a choice to patients with multiple myeloma and their health-care providers in Manitoba through public funding.

And this is signed by C. McLean, J. Poturnak, J. Hartry and many, many others.

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

Bipole III

Mr. Leonard Derkach (Russell): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Manitoba Hydro has been forced by the NDP government to construct its next high-voltage direct transmission line, Bipole III, down the west side of the—of Manitoba, a decision for which the NDP government has not been able to provide any logical justification.

Since this will cost Manitoba ratepayers at least \$640 million more than an east-side route, and given that the Province of Manitoba is facing its largest deficit on record, the burden of this extra cost could not come at a worse time.

Between 2002 and 2009 electricity rate increases by—electricity rates increased by 16 percent, and Manitoba has filed a request to further rate increases totalling 6 percent over the next two years.

A western Bipole III route will invariably lead to more rate increases.

In addition to being cheaper, an east-side route would be hundreds of kilometres shorter and would be more reliable than a west-side route.

West-side residents have not been adequately consulted and have identified serious concerns with the proposed line.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider proceeding with a cheaper, shorter and more logical east-side route, subject to necessary regulatory approvals, to save ratepayers hundreds of millions of dollars during these challenging economic times.

This petition, Madam Deputy Speaker, is signed by H. Kopetsky, R. Toretsky, W. Klimack and many, many other fine Manitobans.

Blumenort Christian Preschool

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

The background for this petition is as follows:

The community of Blumenort, Manitoba, is quickly growing and changing. Several new developments are in the process of being constructed and many young families are moving into the region.

Blumenort families looking for early child-care education, nursery school, have only one option in the community, the Blumenort Christian Preschool.

Research suggests that nursery school gives children ages three to five several advantages by providing school readiness and interactive play with other children in a structured, caring and clean environment.

* (13:40)

Blumenort Christian Preschool is currently without government support and will be unable to continue offering quality nursery school programming without provincial support.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Family Services to consider working with the Blumenort Christian Preschool to ensure that affordable nursery school options remain in the Blumenort community.

And, Madam Deputy Speaker, this is signed by L. Hiebert, N. Friesen, T. Friesen and many, many other concerned Manitobans.

Community Police Offices

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

The background to this petition is as follows:

In the 2007 provincial election, the NDP clearly stated that making communities safer was a priority.

The NDP government did nothing to prevent the McPhillips Street community police office and other offices from closing.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Premier of Manitoba to consider the important role that community police offices can play in making our communities safer.

Madam Deputy Speaker, this is signed by J.C. Lazo Sr., J.H. Lazo Jr. and A.H. Lazo and many, many other fine Manitobans.

COMMITTEE REPORTS

Standing Committee on Justice Second Report

Mr. Tom Nevakshonoff (Chairperson): Madam Deputy Speaker, I wish to present the Second Report of the Standing Committee on Justice.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Justice presents the following as its Second Report.

Meetings

Your Committee met on Tuesday, June 15, 2010—

Some Honourable Members: Dispense.

Madam Deputy Speaker: Dispense.

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

Meetings

Your Committee met on Tuesday, June 15, 2010 at 6:00 p.m.

Matters under Consideration

- *Bill (No. 7) – The Highway Traffic Amendment Act (Suspending Drivers' Licences of Drug Traffickers)/Loi modifiant le Code de la route (suspension de permis de conduire en cas d'infractions se rapportant au trafic de drogues)*
- *Bill (No. 13) – The Civil Remedies Against Organized Crime Amendment Act/Loi modifiant la Loi sur les recours civils contre le crime organisé*
- *Bill (No. 14) – The Body Armour and Fortified Vehicle Control Act/Loi sur le contrôle des gilets de protection balistique et des véhicules blindés*
- *Bill (No. 21) – The Highway Traffic Amendment Act (Immobilizers and Air Bags)/Loi modifiant le Code de la route (dispositifs d'immobilisation et sacs gonflables)*
- *Bill (No. 28) – The Drivers and Vehicles Amendment Act/Loi modifiant la Loi sur les conducteurs et les véhicules*
- *Bill (No. 30) – The Strengthened Enforcement of Family Support Payments and Miscellaneous Amendments Act (Various Acts Amended)/Loi sur le renforcement des mesures d'exécution relatives aux paiements de pension alimentaire familiale et modifications diverses (modification de diverses dispositions législatives)*

- *Bill (No. 36) – The Statutes Correction and Minor Amendments Act, 2010/Loi corrective de 2010*

Committee Membership

- *Hon. Mr. ASHTON*
- *Mr. DEWAR*
- *Mr. EICHLER*
- *Mr. GOERTZEN*
- *Mr. JENNISSEN*
- *Mr. MARTINDALE (Vice-Chairperson)*
- *Mr. NEVAKSHONOFF*
- *Mr. PEDERSEN*
- *Mr. SCHULER*
- *Hon. Mr. SWAN*
- *Mr. WHITEHEAD*

Your Committee elected Mr. NEVAKSHONOFF as the Chairperson.

Bills Considered and Reported

- *Bill (No. 7) – The Highway Traffic Amendment Act (Suspending Drivers' Licences of Drug Traffickers)/Loi modifiant le Code de la route (suspension de permis de conduire en cas d'infractions se rapportant au trafic de drogues)*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 13) – The Civil Remedies Against Organized Crime Amendment Act/Loi modifiant la Loi sur les recours civils contre le crime organisé*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 14) – The Body Armour and Fortified Vehicle Control Act/Loi sur le contrôle des gilets de protection balistique et des véhicules blindés*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 21) – The Highway Traffic Amendment Act (Immobilizers and Air Bags)/Loi modifiant le Code de la route (dispositifs d'immobilisation et sacs gonflables)*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 28) – The Drivers and Vehicles Amendment Act/Loi modifiant la Loi sur les conducteurs et les véhicules*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 30) – The Strengthened Enforcement of Family Support Payments and Miscellaneous Amendments Act (Various Acts Amended)/Loi sur le renforcement des mesures d'exécution relatives aux paiements de pension alimentaire familiale et modifications diverses (modification de diverses dispositions législatives)*

Your Committee agreed to report this Bill without amendment.

- *Bill (No. 36) – The Statutes Correction and Minor Amendments Act, 2010/Loi corrective de 2010*

Your Committee agreed to report this Bill without amendment.

Mr. Nevakshonoff: Madam Deputy Speaker, I move, seconded by the honourable member for Burrows (Mr. Martindale), that the report of the committee be received.

Motion agreed to.

Standing Committee on Legislative Affairs Fourth Report

Mr. Daryl Reid (Chairperson): Madam Deputy Speaker, I wish to present the Fourth Report of the Standing Committee on Legislative Affairs.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Legislative Affairs presents the following—

Some Honourable Members: Dispense.

Madam Deputy Speaker: Dispense.

Your Standing Committee on Legislative Affairs presents the following as its Fourth Report.

Meetings

Your Committee met on Tuesday, June 15, 2010 in Room 255 of the Legislative Building:

Matters under Consideration

- *Bill (No. 3) –The City of Winnipeg Charter Amendment and Municipal Amendment Act (Derelict Property)/Loi modifiant la Charte de la ville de Winnipeg et la Loi sur les municipalités (biens abandonnés)*
- *Bill (No. 5) – The Cottage Property Tax Increase Deferral Act (Property Tax and Insulation Assistance Act Amended)/Loi sur le report des*

majorations de taxes foncières visant les chalets (modification de la Loi sur l'aide en matière de taxes foncières et d'isolation thermique des résidences)

- *Bill (No. 16) – The Order of Manitoba Amendment Act/Loi modifiant la Loi sur l'Ordre du Manitoba*
- *Bill (No. 20) – The University College of the North Amendment Act/Loi modifiant la Loi sur le Collège universitaire du Nord*
- *Bill (No. 23) – The Public Schools Amendment Act/Loi modifiant la Loi sur les écoles publiques*
- *Bill (No. 26) – The Addictions Foundation Amendment Act/Loi modifiant la Loi sur la Fondation manitobaine de lutte contre les dépendances*
- *Bill (No. 29) – The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act/Loi sur l'administration de l'enseignement postsecondaire et modifications concernant la Loi sur le Conseil de l'enseignement postsecondaire et la Loi sur l'administration scolaire*
- *Bill (No. 227) – The Employment Standards Code Amendment Act (Unpaid Leave Related to Donating an Organ)/Loi modifiant le Code des normes d'emploi (congé sans solde pour donateurs d'organes)*

Committee Membership

Committee Membership for the June 15, 2010 meeting:

- *Hon. Ms. ALLAN*
- *Mr. BRIESE*
- *Mr. DERKACH*
- *Mr. GRAYDON*
- *Hon. Mr. LEMIEUX*
- *Hon. Ms. MCGIFFORD*
- *Mr. REID*
- *Mr. SARAN*
- *Mrs. STEFANSON*
- *Hon. Mr. STRUTHERS*
- *Hon. Ms. WOWCHUK*

Your Committee elected Mr. REID as the Chairperson.

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

Public Presentations

Your Committee heard the following one presentation on Bill (No. 3) – *The City of Winnipeg Charter Amendment and Municipal Amendment Act (Derelict Property)/Loi modifiant la Charte de la ville de Winnipeg et la Loi sur les municipalités (biens abandonnés)*:

Ed Ackerman, Private Citizen

Your Committee heard the following six presentations on Bill (No. 5) – *The Cottage Property Tax Increase Deferral Act (Property Tax and Insulation Assistance Act Amended)/Loi sur le report des majorations de taxes foncières visant les chalets (modification de la Loi sur l'aide en matière de taxes foncières et d'isolation thermique des résidences)*:

Larry Baker, Private Citizen

Gus Wruck, Private Citizen

Dave Crabb, Manitoba Association of Cottage Owners

Pat Dunlop, Private Citizen

Lorne Weiss, Manitoba Real Estate Association

Peter Squire, Winnipeg Realtors

Your Committee heard the following two presentations on Bill (No. 227) – *The Employment Standards Code Amendment Act (Unpaid Leave Related to Donating an Organ)/Loi modifiant le Code des normes d'emploi (congé sans solde pour donneurs d'organes)*:

Henry Horner, Kidney Foundation

Ryan Johnson, Private Citizen

Written Submissions

Your Committee received one written submission on Bill (No. 5) – *The Cottage Property Tax Increase Deferral Act (Property Tax and Insulation Assistance Act Amended)/Loi sur le report des majorations de taxes foncières visant les chalets (modification de la Loi sur l'aide en matière de taxes foncières et d'isolation thermique des résidences)*, from:

Colin Craig, Canadian Taxpayers Federation

Bills Considered and Reported

- Bill (No. 3) – *The City of Winnipeg Charter Amendment and Municipal Amendment Act (Derelict Property)/Loi modifiant la Charte de*

la ville de Winnipeg et la Loi sur les municipalités (biens abandonnés)

Your Committee agreed to report this Bill without amendment.

- Bill (No. 5) – *The Cottage Property Tax Increase Deferral Act (Property Tax and Insulation Assistance Act Amended)/Loi sur le report des majorations de taxes foncières visant les chalets (modification de la Loi sur l'aide en matière de taxes foncières et d'isolation thermique des résidences)*

Your Committee agreed to report this Bill without amendment.

- Bill (No. 16) – *The Order of Manitoba Amendment Act/Loi modifiant la Loi sur l'Ordre du Manitoba*

Your Committee agreed to report this Bill without amendment.

- Bill (No. 20) – *The University College of the North Amendment Act/Loi modifiant la Loi sur le Collège universitaire du Nord*

Your Committee agreed to report this Bill without amendment.

- Bill (No. 23) – *The Public Schools Amendment Act/Loi modifiant la Loi sur les écoles publiques*

Your Committee agreed to report this Bill without amendment.

- Bill (No. 26) – *The Addictions Foundation Amendment Act/Loi modifiant la Loi sur la Fondation manitobaine de lutte contre les dépendances*

Your Committee agreed to report this Bill without amendment.

- Bill (No. 29) – *The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act/Loi sur l'administration de l'enseignement postsecondaire et modifications concernant la Loi sur le Conseil de l'enseignement postsecondaire et la Loi sur l'administration scolaire*

Your Committee agreed to report this Bill without amendment on a recorded vote of Yeas 6, Nays 3.

- Bill (No. 227) – *The Employment Standards Code Amendment Act (Unpaid Leave Related to*

Donating an Organ)/Loi modifiant le Code des normes d'emploi (congé sans solde pour donneurs d'organes)

Your Committee agreed to report this Bill with the following amendments.

THAT Clause 2 of the Bill be amended by replacing the proposed clauses 59.6(1) to (11) with the following:

Interpretation

59.6(1) For the purpose of this section, an employee donates an organ when he or she undergoes a surgical procedure that involves the removal of an organ or tissue from the employee for the purpose of it being transplanted into another individual.

Unpaid leave for donating an organ

59.6(2) An employee who has been employed by the same employer for at least 30 days is entitled to unpaid leave of up to 13 weeks for the purpose of donating an organ.

Notice and medical certificate to be given to employer

59.6(3) An employee who wishes to take a leave under this section must give the employer

(a) in writing, as much notice as is reasonable and practicable in the circumstances; and

(b) a medical certificate stating the start date and end date of the period necessary for the employee to donate the organ and recover from the procedure.

Length of leave

59.6(4) The employee is entitled to take leave for the period set out in the medical certificate.

Extending leave

59.6(5) The employee is entitled to extend his or her leave if, in respect of the period certified under clause (3)(b) coming to an end, the employee gives the employer a medical certificate stating that the employee requires an additional specified period to recover from donating an organ.

Extensions not to total more than 13 weeks

59.6(6) A leave may be extended more than once, but the total extension period must not exceed 13 weeks.

Notice to employer — minimum period

59.6(7) An employee who wishes to extend a leave must give the employer written notice at least one pay period before extending the leave, if reasonable and practicable in the circumstances.

When extended leave ends

59.6(8) An extended leave ends on the day specified in the most recent medical certificate given to the employer.

Ending leave early

59.6(9) The employee may end the leave earlier than provided in subsections (4) or (8) by giving the employer written notice at least one pay period before the day he or she wishes to end the leave.

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

Motion agreed to.

TABLING OF REPORTS

Hon. Rosann Wowchuk (Minister of Finance): I'd like to table the Supplementary Information for Legislative Review 2010-'11 Revenue Estimates.

MINISTERIAL STATEMENTS

Forest Fire Update

Hon. Bill Blaikie (Minister of Conservation): I have a ministerial statement.

I rise today to update the House on the current status of the forest fire situation facing Manitoba communities.

To date this year there have been 193 fires resulting in approximately 25,882 burned hectares. This is below the 20-year average of fires started and hectares burned for this time of year.

Three new fires were reported yesterday, including a 480-hectare fire at Kisseynew Lake between Cranberry Portage and Sherridon. The fire is being actively engaged by four water bombers, five bulldozers, three skidders, four helicopters and 11 initial attack crews, with more on the way. Additionally, Manitoba crews are joined by two water bombers from Saskatchewan.

The Sherridon Road is open, with cautions due to smoke. Meetings have been held with Hydro and the railroad, and at this time these operations are not expected to be impacted.

The northwest has suspended all timber harvesting and tree planting operations. Drill camps have been advised to install sprinkler kits around their camps. Burning permits have been cancelled and no new permits will be issued until conditions change. Open fires in the northwest region campgrounds will not be permitted.

I would like to remind all Manitobans to be careful with fire at all times, as winds can push flames at a rapid pace, igniting large areas of land and spreading to forests.

There are currently 16 active fires burning in Manitoba. On behalf of all members of this Assembly, indeed, all Manitobans, I'd like to thank everyone working to protect Manitoba during this fire season.

And we will continue to update the public on the forest fire situation as necessary.

Mr. Larry Maguire (Arthur-Virden): And I'd like to thank the minister for the update in regards to the fire-forest fire situation in the province. For a minute there, I wasn't sure whether it was going to be a forest fire update or a flood update in regards to what's happening in western Manitoba and the announcements around. But I appreciate his letting us know about the situation, keeping Manitoba abreast in the House on this issue.

But, you know, and it's pleased to see that—he informed me earlier about the planes that we were sending to Québec to help with the fires there and coming back. The fact that there's only 16—and I shouldn't say that, only, because of the 193 being there. There's 177 that have been under control. I think Mother Nature is taking care of a good many of those, but it's certainly due to the fine work of the people in the air and on the ground in regards to making sure that these fires are kept under control and gotten under control quickly.

The Sherridon Road is open. As I understand, it was closed from some intermittent times in regards to smoke conditions in that area.

And I, once again, would like to acknowledge to the public that out of these—from the previous statements the minister has given us, there is only a handful of forest fires every year that are caused by natural events and the rest are from unnatural, if you will, perhaps caused by humans in indirect manners from travel and other camping operations and industrial modes.

So I just wanted to thank the minister again for his update and we'll look forward to, hopefully, a continuation of the below-average forest fire situation in Manitoba this summer.

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

Madam Deputy Speaker: Does the honourable member have leave to speak to the minister's statement?

Some Honourable Members: Leave.

Madam Deputy Speaker: Leave has been granted.

Mr. Gerrard: Madam Deputy Speaker, I extend, on behalf of the Liberal Party, our concerns to those in the area around Sherridon who are affected by this fire at Kisseynew Lake and who are apparently being cut off from time to time. Certainly, it's a concern any time we have fires, and we have a number at the moment going.

I want to extend a thank-you to all those who are engaged in the effort to fight these fires and, indeed, to prevent fires. Thank you.

Introduction of Guests

Madam Deputy Speaker: Prior to oral questions, I would like to draw attention of all honourable members to the public gallery where we have with us today Master Corporal Tyler Dmytrow, who is home safely after his seven-month tour in Afghanistan. He is in the public gallery along with his parents, Leonard and Lorraine Dmytrow. They are the guests of the honourable member for Springfield (Mr. Schuler).

Also with us today in the public gallery is 15 grade 7 and 9 students from Shamrock and Whistling Wind schools who are under the direction of Mr. Clarence Hofer and Mr. Raymond Wollman. They are the guests of the honourable member for Turtle Mountain (Mr. Cullen).

* (13:50)

And also in the public gallery is 18 grade 6 students from Austin Elementary School who are under the direction of Ms. Nina McKinnon. They are the guests of the honourable member for Turtle Mountain.

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

ORAL QUESTIONS

Balanced Budget Legislation Ministerial Salary Reductions

Mr. Hugh McFadyen (Leader of the Official Opposition): Public confidence in the way MLA and ministerial salaries are set and adjusted is an important thing for our political process and our democracy. That's why, some years ago, it was

agreed by all parties in this House that we would go to an independent process for setting and establishing MLA salaries and benefits as well as those for members of Cabinet.

I want to ask the Premier (Mr. Selinger): Is it still the NDP position that MLAs should avoid voting on their own salaries?

Hon. Rosann Wowchuk (Deputy Premier): Madam Deputy Speaker, the issue that the member refers to relates to the amendments that we have had to make to the balanced budget legislation in order that we might be able to implement our five-year plan.

We know, Madam Deputy Speaker, that had the members opposite been in power, they would have done what they did in the '90s, and we would have seen nurses fired. We would have seen teachers fired. We know what they did in the '90s. We chose a very different direction. We chose to keep front-line services. We chose to keep nurses at the bedside and teachers in the classroom, and for those reasons, we made a decision to implement a five-year plan, and with that we had to amend the balanced budget—

Madam Deputy Speaker: Order.

Mr. McFadyen: Madam Deputy Speaker, only the NDP could think that protecting their own ministerial salaries was essential to the economic well-being of Manitoba. The reality is that they could've included the provision of BITSA and kept the promise that was made by the Premier two years ago, the promise that was made during the debate on Bill 38, that if they failed to follow through on the requirements of Bill 38, that they would take the penalties that were set out in the legislation.

The penalties dealt with the ministerial portion of salaries—20 percent followed by 20 percent—as part of this bill. They are limiting their own personal losses in Cabinet.

How can the minister stand up today and say that protecting her own salary is essential to the economic well-being of Manitoba?

Ms. Wowchuk: And, indeed, Madam Deputy Speaker, we saw that we had to amend the legislation so that we could implement our five-year plan.

But I would remind the member opposite as well that the budget is balanced this year, Madam Deputy Speaker. We took a 20 percent cut in pay just to signal to people across the province that we are serious about this just as we have—the members

opposite said there was no recession. In reality, just like many other issues that he's wrong on, just like he was on the brown bag issue—brown envelope, he was wrong, and he is wrong on these issues as well.

The budget is balanced. We have taken a 20 percent cut in our salary in advance, and he should apologize.

Mr. McFadyen: I would have been disappointed if we didn't have our—a demand for an apology today, Madam Deputy Speaker. It's a—demanding apologies in this place is a bit like handing out speeding tickets at the Indy 500. It's just completely ridiculous.

Madam Deputy Speaker, I want to ask the Premier (Mr. Selinger) if she would—the acting Premier, whether she would indicate to the House today that they're going to keep the promise that was made two years ago. She's just said that the budget this year is balanced. Well, we know that the Public Accounts for last year showed a deficit of more than 600 million. The budget for this year shows a deficit of more than 600 million. How she can call this a balanced budget, I don't know.

But will they at least acknowledge, Madam Deputy Speaker, that they made a promise two years ago that they would reduce their salary twice? Will they keep that promise?

Ms. Wowchuk: That was an amazing line he managed to dream up overnight, Madam Deputy Speaker.

Madam Deputy Speaker, this is a very serious matter. The fact that we are in a recession is a very serious matter, and we took this issue very seriously. And we decided that we did not want to take the same actions as the Conservatives did in the '90s and cut nurses and fire doctors and fire teachers. We wanted to protect front-line services and that's why we have put in a five year-plan. And I would remind the member that we are under summary budget and he knows full well that under summary budget this balance is budget—this budget is balanced.

Balanced Budget Legislation Ministerial Salary Reductions

Mrs. Heather Stefanson (Tuxedo): Despite all the money that this government has spent, front-line services continue to decline, despite what they claim, Madam Deputy Speaker. Seniors are forced to wait for health-care services that are—that they desperately need. Children are falling through the cracks in our chaotic child welfare system. Criminals are caught in

the revolving door of this NDP justice system, and the list goes on and on. And now, in Bill 31, the Minister of Finance and other Cabinet ministers opposite plan to pass legislation to protect their own salaries.

Madam Deputy Speaker, why is protecting their own salaries more important than making sure front-line services are there for the most vulnerable people in our community?

Hon. Rosann Wowchuk (Minister of Finance): Well, Madam Deputy Speaker, I'm pleased that the member has gotten back to the budget and is asking some very serious questions, but I would remind her, as she is doing her research, to look back at the '90s and what happened—*[interjection]* You know, the members opposite don't want to look back at the '90s, and I really don't blame them because their record wasn't very good. They fired nurses. They cut doctors. There were—teachers were taken out of the classroom.

Madam Deputy Speaker, we chose—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order. The honourable minister, to finish her statement.

Ms. Wowchuk: Well, Madam Deputy Speaker, I want the member opposite to know that we chose a different path. We chose a similar path to other jurisdictions in this country, other governments who recognized that there was a significant impact from the recession and that they would put in a five-year plan, or a seven-year plan. We have put in place a five-year plan.

Opposition Day Motion Government Support

Mrs. Heather Stefanson: Madam Deputy Speaker, this government has been in government for the past 11 years. It's time for them to get their head out of the 1990s. It's 2010. Take responsibility for the actions that they have taken over the last 11 years.

Madam Deputy Speaker, the NDP government made it the priority this legislative session not to protect the most vulnerable citizens in our society, but to change the balanced budget legislation to protect their own salaries. And if they want to claim otherwise, they have the opportunity to support our motion before this Legislature this afternoon.

Will they support our motion this afternoon?

Hon. Rosann Wowchuk (Deputy Premier): Well, I will ask the member opposite if she will convince her colleagues, all of those who went after civil servants and condemned them for the work they did and accused them of taking money. I'll ask her if she will ask her colleagues to apologize to all those civil servants who work so diligently for us, all those civil servants who work with us to ensure that we had a five-year plan in place that would protect front-line services, would keep nurses at the bedside, keep teachers in the classroom. I would encourage her to think about those things, and I would ask her why she voted against all of those things in this budget and now she's saying she supports them. That's not true, Madam Deputy Speaker.

*(14:00)

Mrs. Stefanson: And my question for this Minister of Finance: If the minister is trying to claim that protecting their salaries is not in fact a priority of their government, then they should have no problem supporting this motion this afternoon.

So, my question to the Minister of Finance: Will she do the right thing and support our motion this afternoon?

Ms. Wowchuk: Madam Deputy Speaker, we brought in a budget. We brought in a plan that will continue to protect services, front-line services for Manitobans.

I can tell the members opposite that I talked to a lot of people. I did consultation right across the province, and across the province people said it was important that we protect front-line services, Madam Deputy Speaker. As what other governments of all stripes all across the country have recognized is that there is a need to protect front-line services and to spread the hurt over several years.

That's what we have done through this balanced budget legislation amendment and our five-year plan, and I would ask the member opposite to think again about what services we would have if we followed their agenda.

Justice System Offenders Released in Error Statistics

Mr. Kelvin Goertzen (Steinbach): Madam Deputy Speaker, last week we learned that over the last couple of years, 12 individuals who were charged or convicted with serious crimes were just simply released from prison. Even this Minister of Justice

had a hard time going and blaming Ottawa. So instead of blaming Ottawa, he blamed the jail guards and the court clerks, but he is the minister. He is the minister who is avoiding taking a 40 percent tax—or a 40 percent cut in his salary. He has responsibility.

Will he stand up today and take accountability for the fact that prisoners are being accidentally released in the province of Manitoba? Stop blaming your staff; start taking responsibility.

Hon. Andrew Swan (Minister of Justice and Attorney General): And certainly I'm quite happy to answer questions from the member opposite, and one of the questions I do have for him is when we're talking about issues that involve Ottawa, why does the member opposite—won't stand with us and suggest to the Conservatives—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order. I'm going to ask for decorum on both sides of the House so that I can hear the questions and the answers for all members.

Mr. Swan: Well, thank you very much. And I wonder why the member won't support this government, which stood with our colleagues in Saskatchewan and Alberta and British Columbia, and have called on the federal government in Ottawa, not to take away but to add to the Youth Criminal Justice Act.

I wonder why the member opposite wants to isolate Manitoba and doesn't want us to work with our western colleagues at improving the system of justice in this country. Is it the big blue phone that rings that tells him not to ask those questions?

Mr. Goertzen: Madam Deputy Speaker, I was wrong. He did find a way to blame Ottawa after he blamed his staff. But instead of blaming the good men and women who are doing good work in our jails and in our courts, a strong minister would've taken responsibility for those accidental releases. A strong minister would've said that there's going to be public information released and available about the type of offender that was released, about how long they were released, and about what was done to correct the problem.

But this minister isn't a strong minister. We all know he's not a strong minister. He blames his staff instead. Will he commit today to do what a strong minister would do and make that information public so no more individuals are accidentally released into our community?

Mr. Swan: Well, Madam Deputy Speaker, the member opposite, boy, he can talk the talk. I think we all agree on that. I think there's no question about that.

When it comes—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order.

Mr. Swan: Well, thank you. And when it—but when it comes to walking the walk he can't even get his shoelaces tied because every time this government has brought in a budget and has made investments in probation officers, he votes against them.

Every time we vote to increase jail capacity in this province, he votes against it. Every time we bring in more resources to help law enforcement across this province, the member votes against it. So maybe he should start—stop talking, maybe he should start walking, and maybe he should listen to what we're doing to make this a safer province, Madam Deputy Speaker.

Madam Deputy Speaker: Just prior to recognizing the honourable member for Steinbach, I want to remind all honourable members that we're all honourable members in this House.

Mr. Goertzen: I think that the minister should have quit halfway through that answer like he quit halfway through the leadership race, Madam Deputy Speaker.

Manitoba guards have said that this government's announcement on new beds is too little, too late, and they've called on the government to build a new prison in Manitoba.

But that's not the priority of this NDP government. No, the priority of this government is to hand out Slurpees to high-risk car thieves. The priority of this government is to send high-risk individuals off to baseball games. The priority of this government is to ensure that welfare cheques continue to be sent to individuals who are child predators, to individuals who are violent offenders, who are on the lam from the law. That is what the priority of this government is.

We will stand with the jail guards. Will they get out of line, get out of the Slurpee line, and stand with us for those jail guards, and get it built, Madam Deputy Speaker?

Mr. Swan: Well, Madam Deputy Speaker, we believe in substance and not volume. And the

member opposite should know that since 1999 we've added 418 beds to the corrections system in Manitoba. That's 238 beds at Headingley, eight beds at Dauphin, 172 at Milner Ridge.

The member opposite should know, then, in the next two years shovels will be in the ground, adding 449 beds, more than equivalent to building a new Headingley Correctional Centre. That's 40 at The Pas, 224 at Milner Ridge, 80 at Brandon, of course, an additional 65 beds when the new women's jail opens and another 40 at the Agassiz Youth Centre.

We support our correctional officers. We make the investments. They vote against them, Madam Deputy Speaker.

Justice System Probation Officer Reimbursements

Madam Deputy Speaker: The honourable member for Steinbach, on a new question?

Mr. Kelvin Goertzen (Steinbach): On a new question.

Madam Deputy Speaker, in April when we learned that the crime-fighting strategy of this government was to hand out Slurpees to high-risk offenders, the NDP Minister of Justice made a commitment to the media and to the Legislature to get a defined and a definitive answer on how much money and for what items were spent for probation officers. Yet, last week his department denied a freedom of information request for that very information, saying that there were so many claims by probation officers that they wouldn't be able to put it together. The information was denied.

Madam Deputy Speaker, did this minister mislead the House and the media when he said that that information would be forthcoming, or did he get a Slurpee and did his brain freeze when he denied the information?

Madam Deputy Speaker: Once again, I want to remind all honourable members that we're all honourable members in the Chamber.

Hon. Andrew Swan (Minister of Justice and Attorney General): And, indeed, there was a commitment given to the member in Estimates, and my department will pull that together. We will provide that information.

But I think it's important to remember that on this side of the House, we believe the highest and

best use for our corrections officials, for our probations officials, for police officers, is actually being out on the street, being out in the community, being in the jail range, doing what they do best.

So we will gather that up, but I am not going to pull people out of probation services and have them stop providing services in our community just to answer a question the member for Steinbach may have.

We actually believe in the work that they're doing on the front lines, Madam Deputy Speaker.

Probation Breaches Quarterly Reports

Mr. Kelvin Goertzen (Steinbach): Also during this session, Madam Deputy Speaker, the Minister of Justice broke the record set by the member for Kildonan (Mr. Chomiak) for the number of flip-flops on policy positions in one sitting.

When we demanded a zero tolerance policy on reporting breaches for high-risk offenders, the Minister of Justice went out into the hallway, and he said, it's unworkable, we can't do it. And then, just a few weeks later, he stood up with his head down and voted for that very same policy when we brought forward an opposition motion. Also, what he voted for was bringing forward quarterly reports so that we could see just how badly broken the system was.

When is he going to produce the first quarterly report on how many breaches of probation there are in the province of Manitoba?

Hon. Andrew Swan (Minister of Justice and Attorney General): Well, isn't that interesting, Madam Deputy Speaker? The member for Steinbach and his leader went out in the hall, and they said in this House they believed in zero tolerance for all offenders no matter what the nature of the breach was. That's what they told the public of Manitoba.

* (14:10)

And after they did that, then they realized just how wrong they were. The member stood in this House, and said, oh, I didn't mean minor breaches. And then afterwards when they brought in their motion, they said, oh, we only meant the high-risk offenders. What happened is the member for Steinbach and his leader realized just how extreme they sound when they talk without thinking, Madam Deputy Speaker.

And I'm glad they changed their position and I'm glad they recognize the value of programs like Project GRASP and programs like the Winnipeg Auto Theft Suppression Strategy. They may be starting to get it, Madam Deputy—

Madam Deputy Speaker: Order.

Violent Crime Reduction Strategy

Mr. Kelvin Goertzen (Steinbach): Madam Deputy Speaker, this government just doesn't get it when it comes to crime.

You know, on December 6th of 2000, in this very House, the member for St. James (Ms. Korzeniowski) said that as a result of the 2000 Throne Speech, and I quote: A child born today will be able to walk down any street anywhere and feel safe. That was 10 years ago, and we've seen recently that eight-year-olds have been shot in their home because of gang activity, 10 years of failed strategies, Slurpees for car thieves, gang ads on *Oprah* and welfare for dangerous offenders.

Does the Attorney General agree with the member for St. James who said 10 years ago that today's children can walk down any street anywhere and feel safe, or is she as completely out of touch as all the NDP members are on that side?

Hon. Andrew Swan (Minister of Justice and Attorney General): Well, Madam Deputy Speaker, certainly we take seriously any situation where children are hurt. And there's no question there was violence in the West End.

And I'm so proud of the community that I represent to come together, not as politicians having their sound bites, but as community members coming together to talk about the important things that we can do. And part of it is laws, part of it is investments in policing, part of it is investments in our corrections system.

But, you know, the people in my neighbourhood understand these issues a lot better than any member on that side of the House. They know when we make investments in education, we're building a safer province. When we invest in our health-care system, we're building a safer province. When we invest in our— Child and Family Services, in children, we are building a stronger province.

I guess they don't understand it, Madam Deputy Speaker.

Highway 355 Upgrade Requirements

Mr. Leonard Derkach (Russell): Madam Deputy Speaker, Highway 355 running between the community of Hamiota and Minnedosa has been the subject of numerous questions in this House, both by myself and the member from Minnedosa, and we have talked about the condition of this highway directly with the ministers of highways. Finally, this highway has resulted in a fatal accident of a 35-year-old woman, a mother of five, who lost control on the road because of the condition and the potholes on this road.

And I want to ask the minister of highways and Transportation, who yesterday put a new map out before and patted himself on the back, I want to ask him if he would put himself into the position of this family and what he is prepared to do with Highway 355, that has been the subject of so much in terms of its repair and its condition, Madam Deputy Speaker.

Hon. Ron Lemieux (Acting Minister of Infrastructure and Transportation): Any time there's a death on our highways or anywhere else, you have to feel a great deal of remorse for the family and all the relatives of people who are on the highways and have lost their lives. We regret that very much.

I just want to add, though, that part of the reason in our strategy and one of the cornerstones of what highways and Infrastructure and Transportation is all about is to make Manitoba a safer place. And that means putting \$4 billion over 10 years into infrastructure in our province and fixing the intersection of Highway 16 and No. 1, twinning the highways from Virden to Saskatchewan, and putting millions and millions of dollars into Highway 16 near Russell to improve the safety of our highways in Manitoba.

Mr. Derkach: Madam Deputy Speaker, road maintenance is a key component of ensuring that our roads and our highways are safe.

Madam Deputy Speaker, we see by the budget that, indeed, road maintenance in this province is declining in terms of the amount of investment that's going into them. We also see that when we bring issues like this to the minister's attention, there seems to be an ignoring of the issues until something fatal happens.

I want to ask the minister today whether or not he will commit on behalf of this government that

there's going to be some attention paid to the condition of Highway 355 running between Hamiota and Minnedosa so that no more victims are claimed by this highway.

Mr. Lemieux: Well, Madam Deputy Speaker, the point being made, that I made just previously with my answer, was that the more highways that you fix and repair, less maintenance will be needed.

And I have to say that based on our 2020 Vision strategy that member from Transcona, member from Selkirk and others participated in, came forward with a lot of recommendations from municipalities on how to address the infrastructure needs of our province, and thereby, the previous premier bringing forward a \$4-billion plan over 10 years to address the conditions of our highways.

You know, Madam Deputy Speaker, we've never said we're perfect, but we don't go around to the coffee shops in Manitoba bragging on how and taking credit for something that—I'm talking about members opposite going to the coffee shops in rural Manitoba and taking credit for the roads and the highways that we've done, like the member from Springfield, the member from Russell, taking credit for all the work—

Madam Deputy Speaker: Order.

Mr. Derkach: Well, Madam Deputy Speaker, it's the taxpayers of this province who paid with their taxes for the condition of the roads. The condition of the roads is directly the responsibility of the minister who is in charge of the department of highways and transportation, and I want to say that Cardale is the only community in my constituency and, indeed, on the west side of the province that does not have a paved road to its community.

And, Madam Deputy Speaker, I want to ask the minister whether he's prepared to put some attention to this road that has—I drove this road last weekend and this road is in deplorable condition, and I want to ask the minister whether he's prepared to pay some attention to this road so that it does not claim any more victims in the future.

Mr. Lemieux: There are a lot of infrastructure needs in the province of Manitoba. We acknowledge that, and we're listening to municipalities and other levels of government and the citizens of Manitoba. But, you know, when I take a look at the member opposite talking about my town and my village and my community, it was the Leader of the Opposition (Mr. McFadyen) that wanted to take all the money

out of northern Manitoba and put it into southern Manitoba to deal with those kind of problems.

Madam Deputy Speaker, we're a government that governs for all of Manitoba: highways in northern Manitoba, highways in western Manitoba, highways in eastern Manitoba and in southern Manitoba. We govern for all Manitobans.

Rural Health-Care Services Service Reductions

Mrs. Leanne Rowat (Minnedosa): This NDP government has a track record of treating rural and northern Manitobans like second-class citizens. This Minister of Health (Ms. Oswald) has closed 17 rural emergency rooms. She's forced Manitoba seniors to leave their communities to go live in personal care homes away from their family and friends, and patients of all ages are forced to travel long distances for even the most basic medical appointments because this minister can't keep rural and northern facilities staffed.

Why is it that the longer this NDP government is in power the worse the highway medicine problem gets, Madam Deputy Speaker?

Hon. Theresa Oswald (Minister of Health): Certainly, that we do know that when economic times are challenging that governments across the nation have had to make some very difficult decisions. The decisions that we have made here in Manitoba include putting health care first. We know that there's more work to do in all areas of the province and we're committed to do it.

But I might remind the member that we have seen nearly 20 percent increase in rural doctors since '99. We know that we have seen over 2,000 more nurses added to the listing. That really equates, Madam Deputy Speaker, that for every nurse that the Tories fired during their tough economic times, we hired two of them back. We're going to continue to keep investing in rural Manitoba.

Mrs. Rowat: We all know that this minister thinks her record is stellar, and she said that just hours after Brian Sinclair died. But this is the same system that let him die in an ER waiting room and it's the same system that is failing rural and northern Manitobans today, Madam Deputy Speaker.

I'd like to table a letter that I received from Barbara Zlotoff who lives in Swan River. Swan River has one of those new hospitals the minister likes to talk about. But, actually, this is helping Mrs.

Zlotoff very little. That's because she and many others within the Swan River Valley still have to travel all the way to Winnipeg or Regina, sometimes many times a week, for things like dialysis, diagnostic treatment and surgery. These trips are very costly and time consuming, and many of these patients have to be escorted with a family member or friend who have to take time off of work.

When is this minister going to take their concerns seriously instead of just brushing them aside just as she did with Brian Sinclair?

* (14:20)

Ms. Oswald: Well, first of all, Madam Deputy Speaker, just as we saw yesterday when members opposite wholly refused to retract the statements that they made, the disparaging statements about senior administration in the WRHA, statements that they've put on their Web site, that they've mailed to homes with taxpayer-funded leaflets, that the provincial auditor proved to be untrue. And when we asked them to apologize for that yesterday, they refused.

The member opposite makes reference to the word "stellar" and attributes it to me in a completely false way again. I used that expression to talk about Doctors Manitoba and Manitoba Health coming up with the master agreement. They've been making up falsehoods about that since then.

Do you suppose that anyone in Manitoba will believe anything a Tory says?

Madam Deputy Speaker: Order. I just want to caution all members about their choice of words while they're asking questions, while they're answering questions.

Mrs. Rowat: I find this minister's arrogance very offensive, Madam Deputy Speaker. This is a minister who is sitting behind six political staff in her office and is encouraging discontent.

Madam Deputy Speaker, this minister has let Manitobans down. When Mrs. Zlotoff and other patients asked this minister about the high cost of medical travel, they're told that they should deduct it off their—their travel expenses off their income tax.

Well, Madam Deputy Speaker, it helps—it doesn't help seniors when they—or low-income Manitobans when they don't even pay income tax at times. These people need help; they need respect. They need a minister who is not arrogant and not into rhetoric and is going to actually provide answers and support to people in rural and northern Manitoba.

Ms. Oswald: And I'll remind the member that, again, during the most difficult, challenging times, it was not our government that chose to fire a thousand nurses. That's not good for patients.

It was not our government that chose to cut the spaces in medical school to save a little bit of money. It was not our government that chose to freeze all health capital. I'll remind members of that.

I can let the member opposite know, of course, that we want to continue to bring services to all regions of the province, including Swan Valley. That's why we opened a new hospital in Swan Valley, a \$33-million investment. That's why in '06 we opened a two-station dialysis unit. That's why we're going to continue to expand dialysis, as well as hospitals, expanded dialysis services in Norway House, The Pas, Portage, Boundary Trails, Seven Oaks, Swan River, Island Lakes—

Madam Deputy Speaker: Order.

Standing Committee Children's Advocate Attendance

Mr. Kevin Lamoureux (Inkster): The NDP government has indeed failed in terms of protecting our children in the province of Manitoba. The fact is, Madam Deputy Speaker, under the provincial care, we had 6,629 children under care five years ago; today we have 8,629. That's a fact.

Madam Deputy Speaker, it's a fact that the Child Advocate's office stated, quote: "Child welfare in Manitoba is in a state of chaos." A fact.

Madam Deputy Speaker, next week we're going to have representatives from the Child's Advocate down before a standing committee of this Legislature. My question to the Minister of Family Services: Will he give assurances to the House that the individual that authored this particular report will in fact be present so that that individual can be questioned?

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): Yes, the standing committee meets next Friday at 1 o'clock, I understand, Madam Deputy Speaker. And, in fact, we believe that it's important that not only the acting or interim Children's Advocate attend, answer any questions posed to her, but the Ombudsman as well and the Auditor General, who have responsibilities with oversight of child welfare, so that Manitobans can get information directly, and, of course, we move

beyond the misinformation that the honourable member put on the record.

Mr. Lamoureux: Madam Deputy Speaker, the consistent garbage coming from this minister—the person that's providing misinformation. It was a simple question to the minister.

Would he ensure to all members of this Legislature that the author of this report which states: Child welfare in Manitoba is a state—is in a state of chaos—I'm talking about the author of the report, Mr. Minister—will you provide assurances to members of this Legislature that that individual will be at the committee when the committee meets next week?

Madam Deputy Speaker: The honourable Minister of Family Services, and just to remind everybody the—all honourable members, that questions should go through to the Chair.

Mr. Mackintosh: Well, the—I believe I answered in the first question that the acting Children's Advocate has been invited, and I understand, as a result of discussions with the office of the House leader, that that individual is able and willing to attend.

Mr. Lamoureux: Well, Madam Deputy Speaker, let me see if I can simplify the question a little bit more.

Madam Deputy Speaker, the Child Advocate—not the acting Child Advocate—the Child Advocate has been there for a number of years, and we're looking in terms of the best interests of the children that are in foster care and others under provincial jurisdiction. We would like to see the Child Advocate—not the acting Child Advocate—but the Child Advocate to be present at the standing committee.

Will the minister, at the very least, extend the invitation and ask for the Child Advocate to be there and, while he's doing that, maybe even acknowledge that foster parents are welcome to also come to listen and to possibly even make presentation?

Madam Deputy Speaker: The honourable Government House Leader, on a point of order.

Hon. Bill Blaikie (Government House Leader): Madam Deputy Speaker.

Madam Deputy Speaker: Oh, you're answering the question? Sorry.

Mr. Blaikie: The honourable member knows full well, and has known for some time, that the Child Advocate is on leave and that the deputy Child

Advocate, who is the person who presented the submission that has become the object of so much attention, is the person who has been invited to the committee. And that person is the person who put forward the submission, defended it before the LAMC, and that's the person who will be at the committee and who has been invited to the committee. And if the honourable member wants to make a case for calling back someone from leave in order to present to the committee, that's something he is welcome to do, but it's the first time he's raised it.

Resource Assistance for Youth New Facility

Mr. Rob Altemeyer (Wolseley): Our government's leadership role, both nationally and internationally, in the Healthy Child area of policy is, of course, very well documented. We are the first jurisdiction to establish anything like a Healthy Child Committee of Cabinet, and I wonder if our Minister of Housing and Community Development might have any good news to share with members of the House, particularly members opposite, who don't seem to quite understand the concept of harm reduction and prevention, and investing in people and youngsters in need. Specifically, there was an event in my constituency recently involving resource assistance for youth.

I wonder if the minister might have any updates for us on those fronts?

Hon. Kerri Irvin-Ross (Minister of Housing and Community Development): Yesterday was an important day for RaY, an agency that provides support to street youth and homeless children from across Winnipeg. What they did yesterday was they opened a brand new facility, an 8,000-square-foot facility that many private sector, government, came together to fund and support.

What the centre's going to do is continue to provide that exceptional service to the young people of Manitoba by providing emotional, mental and physical wellness initiatives. Some examples of their initiatives are: addiction services, mental health services, advocacy work, helping individuals find housing. They provide support for their pets as well.

This is a phenomenal agency, which we need to celebrate the work that they do, and I would like to congratulate the staff and board members for their commitment to Manitoba youth.

Manitoba Hydro

Bipole III Landowner Consultations (Ste. Agathe)

Mrs. Mavis Taillieu (Morris): Madam Deputy Speaker, a constituent of mine has received a letter from Manitoba Hydro informing him that his land is of interest for future further investigation in regard to the 500-kilovolt, high-voltage, direct-current transmission line, also known as Bipole III. My constituent lives on the main street of Ste. Agathe.

My question is: Why is this government proposing to run Bipole III through the main street of Ste. Agathe?

* (14:30)

Madam Deputy Speaker: Order. When the Speaker stands, I ask that everyone hear the Speaker in silence, please.

Hon. Rosann Wowchuk (Minister charged with the administration of The Manitoba Hydro Act): Madam Deputy Speaker, we know that when Tories are in power, we never have to worry about a—where a hydro line will go because they mothball everything. Under their administration they mothballed the dams. They ignored the fact that we needed a hydro line for reliability of supply for Manitobans and in order to get our power to sales.

Madam Deputy Speaker, Manitoba Hydro is doing consultations on lines. Manitoba Hydro—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order. The honourable minister, to complete her statement.

Ms. Wowchuk: Manitoba Hydro has sent letters out to people to indicate that they are going to be testing in a three-mile area, Madam Deputy Speaker. And you know what? There are some—

Madam Deputy Speaker: Order. Time for oral questions has expired.

Speaker's Ruling

Madam Deputy Speaker: I have a ruling for the House.

Order. During oral questions on June 7th, 2010, the honourable member for River Heights (Mr. Gerrard) rose on a matter of privilege contending that he was prevented from doing his job as a member due to his inability to make explicit reference to a document that had been presented to the Legislative Assembly Management Commission

as an Estimates submission by the Office of the Children's Advocate. The honourable Government House Leader (Mr. Blaikie), the honourable Official Opposition House Leader (Mr. Hawranik) and the honourable member for Inkster (Mr. Lamoureux) also offered contributions to the Chair. I took the matter under advisement in order to consult the procedural authorities.

I thank all members for their advice to the Chair on this matter.

I want to explain to the House that the ruling I am giving is based on conditions that were in effect at the time the matter of privilege was raised and that subsequent actions that have taken place since last Monday will also be addressed at the end of the ruling. So I would respectfully request that members please hear the ruling in its entirety, keeping this in mind.

There are two conditions that must be satisfied in order for the matter raised to be a—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.

The honourable member for River Heights (Mr. Gerrard) asserted that he was raising the issue at the earliest opportunity, and I accept the word of the honourable member.

Regarding the second issue of whether or not a prima facie case exists, there are a number of factors to be considered.

In the raising of the matter of privilege on June 7th, the honourable member for River Heights is quoted on page 2754 of *Hansard* as saying that he was being limited in his ability as an MLA and as Leader of the Liberal Party from doing his job adequately as a member. I should note for the House that Joseph Maingot advises on page 225 of the second edition of *Parliamentary Privilege in Canada*, "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." Keeping this in mind, the question of privilege can only be examined in the context of privileges of the member for River Heights as a member and not as a party leader, as parliamentary privilege does not provide protection for actions as a party leader.

Turning to the essence of the point that the member for River Heights (Mr. Gerrard) was limited in his ability as an MLA by not being able to address certain questions relating to the budget Estimates submission of the Children's Advocate office during oral questions, but also dealing with the issue of freedom of speech that was raised by other members in their advice to the Chair, in order to address this aspect, I believe it would be helpful to explain to the House what the parliamentary privilege of freedom entails.

Although some members may be of the opinion that freedom of speech means that members are free to say whatever they want in the House, this is not what parliamentary protection of freedom of speech means. The protection of freedom of speech comes from article 9 of The Bill of Rights, 1689, which states: "The freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place outside of Parliament." In short, what this means is that freedom of speech is the ability of members to say what they want in the House without interference or prosecution from the courts and from outsiders.

Continuing on this point, Joseph Maingot states, on page 13 of the second edition of *Parliamentary Privilege in Canada*: while it will be seen that members enjoy all the immunity necessary to perform his parliamentary work, this privilege or right, such as freedom of speech, is nevertheless, subject to the practices and procedures of the House. This is reinforced by *Beauchesne*, citation 77, which states that "freedom of speech does not mean that members have an unlimited or unrestrained right to speak on every issue".

In a ruling given on April 9th, 1996, by Madam Speaker Dacquay on the subject of parliamentary privilege and freedom of speech, she quoted from page 45 of *The Procedure of the House of Commons* by Josef Redlich, and I'd like to share this quote with members. It states: "Freedom of speech is, in England, and throughout the Commonwealth, one of the original and fundamental privileges of the members of both Houses of Parliament, but it is a privilege intended, in the first instance, as a protection against attacks from without." "Freedom of speech, looked at from the point of view of the House as a whole, does not mean boundless licence of speech but equal freedom to all in the House and equal latitude in the application of all rules as to speech to all members."

Speaker Dacquay also quoted from the work of *Parliament: Functions, Practice and Procedures* by J.A.G. Griffith and Michael Ryle, which explains, on page 88, "The main benefit of article 9 of the Bill of Rights, as far as individual members are concerned, is to enable them to speak freely in the House or in committee without fear of actions for defamation. Although article 9 prevents attempts by outside parties or of the courts to limit freedom of speech in Parliament, it does not mean that members can say whatever they like at all times because the House itself and the Speaker, on behalf of the House, can restrict the content of speech in debate and other proceedings."

I have cited quite a number of references and I thank the House for the indulgence of listening patiently to these references. But I want to assure members understand that the freedom—that the protection of freedom of speech means protection from outside actions and does not mean the freedom to say anything in the House, because limitations on what can be said are provided through the designation of certain language as unparliamentary, and also through other actions taken by the presiding officer to ensure decorum in the Chamber.

Turning to the substance of the complaint that the honourable member for River Heights (Mr. Gerrard) was prevented from performing his duties as an MLA by not being able to ask questions, making explicit reference to the Estimates submission of the Children's Advocate office to the Legislative Assembly Management Commission, I would note for the House that at the time this issue was raised, the report in question had not been made public or disclosed to the media. So the provisions of 5.1(3)(c) of The Legislative Assembly Management Commission Act prohibiting public disclosure of Estimates submissions were in effect. Members were being asked to rephrase questions, not as means of stifling debate or preventing issues related to child welfare from being raised, but as a means of ensuring the provision of the law were not being breached.

* (14:40)

At no time did the Chair indicate that questions relating to child welfare were out of order or could not be asked. When the Chair was asking the House—excuse me—what the Chair was asking the House was the questions be carefully framed. I would note that, after the matter of privilege was raised, the member for River Heights (Mr. Gerrard) and other members

were still able to raise questions about children's welfare in Manitoba, so I would respectfully rule that there was no prima facie case evidence of a breach of privilege. Although I am finding there's no prima facie evidence of a breach of privilege, there are several issues to note for the House.

Since the time the matter of privilege was taken under advisements, members will be aware that a number of actions have taken place, including the provision of the Estimates submission of the Children's Advocate office to the media, which opened up the realm of public consideration of the issue. Given that the content of the Estimates submission has—had received a public airing in the media, and given my statement on Thursday citing the legal opinion provided by the law officer for the Legislative Assembly, I want to reiterate that it is clearly been established that members are now free to discuss and raise questions about the Estimates submission, and that the acting Children's Advocate can also be invited to committee to respond to questions and concerns raised regarding the Estimates submission.

The finding of no prima facie case of privilege doesn't in any way change or impact the ability of members to now ask questions on the Estimates submission and the state of child welfare, nor does it impede the ability of the acting Children's Advocate to respond.

One final item I would like to note for the record comes from the comments of the member for Inkster (Mr. Lamoureux) who stated in his advice on the matter of privilege, let's not use the Speaker's chair in order to prevent the questions from being asked. I would urge members to be cautious in their remarks regarding the Chair as comments such as these can be construed as a reflection on the Chair. As all honourable members know, *Beauchesne's* advises that reflections upon the character or actions of the Speaker may be punishable as breaches of privilege. The actions of the Speaker cannot be criticized incidentally in debate or upon any forum of proceeding except by way of a substantive motion.

As your proceeding officer, I'm responsible for ensuring there is decorum and order in the House. I'm working with all members in the House, not just one side or the other, to help the House maintain dignity and decorum, and I sincerely thank all members for their patience and understanding as we work through these days together. Thank you.

MEMBERS' STATEMENTS

Tyler Dmytrow

Mr. Ron Schuler (Springfield): It is with thankful hearts and open arms that we welcome Master Corporal Tyler Dmytrow back from his seven-month tour in Afghanistan with the Canadian Armed Forces. It is not an easy decision to leave your home and the people you love, but that's exactly what Tyler did. We can never show enough thanks and gratitude to those who choose to serve our country in such a way as Tyler Dmytrow did.

Four years ago, Tyler graduated from Springfield Collegiate Institute and continued on to the University of Manitoba where he began his studies at the Asper School of Business. Making a selfless choice, he gave up half a year of university to train in the reserves with the Royal Winnipeg Rifles at CFB Shilo. Following his training, Tyler gave up another year of university to go to Afghanistan and serve in stabilization A company of the Kandahar Provincial Reconstruction Team.

He made this decision in order to help his own country as well as the country and people of Afghanistan. The sacrifice Tyler made affected not only himself but his family as well. For Tyler's mother, Lorraine, and father, Leonard, this was a very anxious time. The prayers of his family and community were answered when Tyler arrived home safely.

To Tyler's family, we'd like to thank you for supporting your son in such an honourable endeavour. To Tyler, as the Manitoba Legislature, we want to thank you so much for the choice you made to represent our province with honour in Afghanistan. We also thank you for the sacrifices that you made and we thank you on behalf of the lives you have changed for the better through your service. Your sacrifices have not gone unnoticed or unseen. As Canadians, we want to thank you so much for what you have done.

We must not forget the many others like Master Corporal Tyler Dmytrow who are halfway across the world right now keeping violence out of our country and helping those in Afghanistan, whose own country is currently under threat by the Taliban. We are indebted to those brave soldiers and peacemakers whose actions and memory deserve our appreciation and continued support. These men and women put their lives on the line every day to guarantee the

basic, fundamental rights of safety, freedom and opportunity for the people of Afghanistan.

We know that your efforts help to protect human life, prevent injustice, provide education and establish a democratic system. We pray for the safety of all our soldiers stationed overseas. May they come home soon to loving and waiting families.

I ask the Manitoba Legislature to welcome Master Corporal Tyler Dmytrow, who is present in the gallery here today. Thank you, Madam Deputy Speaker.

Ken Renaud

Ms. Erna Braun (Rossmere): Madam Deputy Speaker, on occasion in each person's life, we meet people who, through their dedication and vision, leave a very positive impression on us. Ken Renaud is just such a person who in his unwavering commitment to education has helped his teachers, students and their parents bring their dreams to life.

Ken began his teaching career at Westview School in 1977. For over 30 years as an educator, Ken served as either vice-principal or principal of Radisson, Harold Hatcher, Margaret Underhill, Wayoata and Princess Margaret schools. After a lifetime of achievement, he recently announced his retirement as an educator.

Ken's many talents benefited the schools he worked at. During his time at Princess Margaret, Ken worked in collaboration with both the local German and English communities to help enrich the students' learning experiences in their language of choice. He has worked alongside staff and students to further the use of technology in the classroom and to enhance curriculum development. Under his leadership, Princess Margaret became a pilot school for the classroom integration of laptop computers. Ken was also part of the transformation of the Princess Margaret School grounds. With his encouragement and support, the Greening Committee made up of volunteers from the parent association were able to turn their vision of outdoor classrooms into reality.

Ken is an educational leader in the true sense of the word. I highly valued each opportunity I had to visit Princess Margaret School and see a vibrant, enthusiastic school community at work and play, a reflection, I believe, of Ken's leadership. I appreciated his positive approach, openness and patience. Ken never failed to welcome me with an open door and was always ready to listen and willing

to discuss all issues and concerns while presenting a balanced and knowledgeable point of view.

Throughout his career, Ken supported students, parents and teachers, always keeping in mind the best interests of the school community. With his guidance, students were encouraged to do their best and were always given the opportunity to give wings to their ideas.

Madam Deputy Speaker, I ask all members of the House to join me in wishing Ken Renaud well in retirement. Congratulations, Ken, on a successful and fulfilling career. Thank you.

Dennis Stefanson

Mr. Hugh McFadyen (Leader of the Official Opposition): I rise to pay tribute to a great Manitoban and a good friend, Dennis Stefanson. Dennis passed away last Monday, June the 7th, at Grace Hospital, surrounded by family and friends.

Dennis spent his career as an educator. He started out as a teacher. He moved up through the ranks to becoming a principal and ended his career as a superintendent in the St. James-Assiniboia School Division.

The first time I ever saw the name Dennis Stefanson was about June the 30th, or so, of 1979, when, as a student graduating from grade 6 at Woodhaven School, I received a certificate that was signed by Dennis Stefanson as superintendent of the St. James-Assiniboia School Division. At the time I had never met him personally, but I was very privileged later in life to meet Dennis personally, as well as his entire family, and to come to know him well.

He was an outstanding teacher by all accounts. At the celebration last Saturday of his life, others who had taught along with him paid tribute to his outstanding skill as a teacher, somebody who inspired admiration and who made an incredibly positive impact on the lives of the kids that he taught. He was an incredibly competent and innovative administrator within St. James, and all of us who had the good fortune to be students in the public school system in St. James benefited from much of that innovation and foresight that he showed as a leader within this school division.

* (14:50)

I had the opportunity to get to know Dennis primarily through his kids. His son Grant is a good

friend of mine, and many of his other family members have made remarkable contributions to our province. He was very close to his three brothers, many of whom are known to members in this House: Tom, Kris and Eric. Of course, Eric served with distinction as the Finance Minister here in Manitoba and the former member for Kirkfield Park.

Dennis was known not just for his hard work but also for his attitude toward having fun. He had a motto that Fridays were flexible and he lived by that motto through his entire life: 39 Keats Way was a gathering place for many good friends of the Stefansons over the many years in St. James, and the Stefanson home in Gimli was a place of relaxation for Dennis and his family and a place where much fun was had by many over many years, a welcoming home where there were many late nights of political debate and discussion on a wide range of topics.

Dennis was always one to challenge one's positions. I benefited greatly from his willingness to challenge me without fear in many of the comments I had made and positions taken, and I, certainly, personally, will miss him a great deal.

I want to extend condolences to his entire family and, in particular, his three children, Cheryl Washington, Brent Stefanson and Grant Stefanson and, of course, to his wonderful wife, Claire. Also, I would like to extend condolences to his grandchildren who did a remarkable job, at the memorial service last Saturday, of standing up and paying tribute to their wonderful grandfather. Their names are Janna Stefanson, Reid Stefanson, Megan Stefanson, Nicole Blue, Neil Washington, Jilian Stefanson, Reyna Stefanson and Natalie Stefanson.

I join, I think, many members in paying tribute to Dennis. He was well liked and well respected by all who knew him, regardless of political stripe. He was a great contributor to the community, primarily in education but also as a leader with the Icelandic Festival in Gimli and was one who always was dedicated to maintaining and preserving Icelandic traditions within his household and for all those who came to visit.

And so my condolences, again, in particular to Claire, also to the entire Stefanson family, and may he rest in peace, and I'm very happy to pay tribute to this very fine man. Thank you.

Fisher Branch Chaika Dance Club

Mr. Tom Nevakshonoff (Interlake): Madam Deputy Speaker, it is my pleasure to rise today to pay

tribute to the Fisher Branch Chaika Dance Club, which celebrated its 40th anniversary on May 15th of this year. The Chaika Club has been promoting the celebration and retention of Ukrainian culture since its inception. With membership that hovers around 100, the dancers range in age from four years to those in their 20s. It is open to all skill levels and, in the true spirit of multiculturalism, being of Ukrainian descent is optional. However, Chaika's members and the community, as a whole, cherish the Ukrainian tradition and relish the opportunity to celebrate it.

Community support is essential to the success of the Chaika dancers. The club is famous for its annual perogy and perishky fundraiser dinner, which is made possible by families who volunteer their time and energy to prepare these tasty dishes. Volunteers also play a critical role in the making of the dancers' costumes and in the day-to-day operation of the club. Special thanks are also due to the instructors Holly and Daniel Anderson.

Due to their efforts, the Chaika Club has made a name for itself across our province. They have danced at Folklorama, the Dauphin Ukrainian Festival, the Pan Am Games, the Fisher Branch reunion and many other venues. As a result, they often bring home gold medals from competitions.

No doubt, the confidence and poise these young people have developed through the practice of dance will stay with them over the course of their lives. Most importantly, the transfer of culture from one generation to the next by this practice is assured.

On behalf of the people of the Interlake, I offer heartfelt congratulations on this memorable occasion. Thank you, Madam Deputy Speaker.

Bicycle Helmet Legislation

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, Manitoba needs legislation to make bike helmets mandatory. The time has come. Indeed, we should have had it sometime ago.

A new Statistics Canada survey shows that only 22 percent of Manitobans, aged 12 and over, are wearing bike helmets. We have the lowest proportion in Canada. Provinces which have mandatory bike helmet legislation have much higher rates, with Nova Scotia at 66 percent; British Columbia at 59 percent; New Brunswick, 51 percent; Prince Edward Island, 51 percent; Yukon, 51 percent; Alberta, 48 percent; and even Ontario at 34 percent.

Provinces without bike helmet legislation have much lower rates, with the Northwest Territories at 28 percent; Québec at 26 percent; Saskatchewan at 23 percent; and Manitoba last at 22 percent.

Liberals have pushed for years to have mandatory bike helmet legislation in our province. The NDP have resisted this for years, arguing that education and free bike helmets are effective. The NDP approach has proved ineffective. The time for mandatory bike helmet legislation is now.

I refer, as well, to the comments of Dr. Patrick McDonald this morning on CBC. He reviewed the evidence. He emphasized that the only thing that really increases helmet use is legislation making it mandatory. He talked of the large financial and social cost to not introducing mandatory bike helmet legislation. He talked of how a child can be perfectly well one moment, and the next, after a head injury when riding a bike without a helmet, can have to live the rest of his or her life in an institution. He also talked of the millions of dollars per person with a major head injury that it costs for medical and social care. He, himself, as a physician and a neurosurgeon, has asked children and parents: What can we do to help? Children and parents say: Make bike helmets mandatory.

We must do this. Liberals call on all MLAs to bake—to make bike helmet legislation mandatory as soon as possible.

GRIEVANCES

Madam Deputy Speaker: Orders of the day—oh, I'm sorry, grievances.

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I rise on a grievance. I want to raise my concern, as I have on many occasions in this House, but it is particularly fitting and appropriate at the moment.

My concern is that there are many farmers who are suffering because of the situation in which the NDP, over the last 11 years, and, indeed, the Tories, for years before that, have not provided our province with adequate water management planning and implementation. This year has seen major problems, and these major problems in Manitoba have been in various parts of the province. I've talked to farmers who are in desperate straits as a result of the high rainfall and the poor provincial water management, which has not sufficed to provide adequate protection to farmers.

Since 1999, Liberals have been calling for an adequate plan for water management in our province, one which considers and employs both water storage and water drainage, one which protects Manitobans and Manitoba farmers. We have had severe rains in the last 11 years in southwestern Manitoba, in southeastern Manitoba, last year in the Interlake and in various parts of the province this year. And, indeed, as I speak, there are storms threatening to pour a lot of extra water on parts of western Manitoba.

It has been predicted for more than 10 years, more than 12 years, from the climate change models, that Manitoba would experience increased wet weather in the spring and increased dry weather later in the summer and early fall. These are, in fact, the trends that we have been seeing.

Madam Deputy Speaker, we need to be ready and prepared to be prepared so that farmers don't have this problem when we have a lot of heavy rain. I've been calling on the government to act for more than 10 years, and that action has been sorely short. It has been surely inadequate. We saw this very clearly last year in the Interlake. I was there, visited with many farmers, saw the problematic conditions that the farmers were facing. And farmer after farmer told me—indeed, we held a workshop there with a group of people—that the major problem was the lack of adequate water management in the area so that the level of water that was rained on to the area in the Interlake was beyond the capacity of the existing drainage system.

* (15:00)

And people have been calling for years and years and years for better water management in the Interlake, and the NDP have been neglecting this for years and years and not providing an adequate effort which would have prevented or largely mitigated much of the problems last year.

Many countries around the world are faced with much higher levels of precipitation than we have in Manitoba and still are able to do well, from an agricultural perspective. We cannot just sit back and say, oh-oh, it's just nature and there's nothing we can do about it.

We have to be much better protected. We have to have a much better water management plan than we have had.

So I rise today on a grievance because this matter, in the last 11 years, has not got the attention

it should have had. We need to have such a water management plan implemented, and we should have had it to protect farmers this year. And as I've pointed out, there are many, many farmers who are suffering today because this government did not act to prevent the problems when it had an opportunity.

Mrs. Leanne Rowat (Minnedosa): Madam Deputy Speaker, I have—I want to rise today to present a grievance.

It's with regret that this NDP government has refused to make addictions treatment a priority in this province.

One only needs to look at a newspaper to see that addictions are a growing problem in our province and this NDP government cannot keep up with the challenges. Wait times have skyrocketed for treatment at AFM for both residential and community-based treatment. There's a dire shortage of treatment beds—residential treatment beds—and front-line service providers feel totally unsupported by this government.

They feel that their concerns aren't being heard. In fact, it's June, and the service providers still don't even know how much funding they're going to get from this government for this budget year. That means they can't plan for staff or for services and, ultimately, it's Manitobans that will pay the price.

I want to talk first about youth addictions in Manitoba because this is a particularly troubling problem and one that the current NDP government has done almost nothing to address. According to a report recently issued by the Addictions Foundation, approximately 27 percent of high school students meet the criteria for alcohol dependency. In fact, according to the same report, more than 12 percent of youth who have had a drink in the last year report using alcohol to cope with their problems.

Of course, many students are also reporting using crystal meth, ecstasy, stimulants and other people's prescriptions to get high. There are so many reasons why youth addictions have to be an urgent priority. Addictions to alcohol, drugs and other substances left unaddressed in youth will carry forward to adulthood. The long-term effects of illegal drug use and alcohol abuse include unemployment, poverty, homelessness and involvement with the criminal justice system, along with increased costs of our health care, social services and criminal justice systems.

Unfortunately, it's clear that the current NDP government has no comprehensive strategy preventing and treating youth addictions. In fact, last year the NDP government suspended its support for the school-based programs offered by the Addictions Foundation of Manitoba.

Addiction to opiate painkillers is another serious problem, and one that appears to be on the rise. Many Manitobans, including youth, are becoming addicted to prescription painkillers like OxyContin. OxyContin and other opiate painkillers are being resold on the street by people who shop around among doctors and get multiple prescriptions. This is having a devastating effect on our communities and particularly our youth.

Last summer, the Addictions Foundation reported that more than 75 percent of people on the wait list for treatment at the Addictions Foundation of Manitoba are between the ages of 18 and 25. And just this weekend, we learned that a growing number of people addicted to OxyContin are, in fact, women.

There are currently more than 150 people waiting for treatment at the Addiction Foundation's Methadone Intervention and Needle Exchange Program, which is AFM's treatment program for people with—addicted to opiates like OxyContin. The wait time is as long as 12 months. In recent weeks, we learned that in the last two years, at least 25 people have died of an accidental overdose of opiate painkillers. At least half of these people were on wait lists for treatment.

Madam Deputy Speaker, that's shocking and very troubling that we have Manitobans actually dying on wait lists to be treated. Unfortunately, the current government has done nothing to solve this problem and wait times are getting worse, not better. In fact, just a few weeks ago, we learned that the director of the opiate addiction program at the Health Sciences Centre, Dr. Lindy Lee, has resigned.

When asked why, she told the media that she was tired of asking for resources and being told to wait. She was tired of turning people away who were desperate for help, and the truth is that the reason she has to turn people away is because this government preferred to spend money on football stadiums instead of addiction treatment.

Fortunately, there are many dedicated addiction professionals in the addiction treatment community who are committed to the issue of addictions among Manitobans of all ages. The Addictions Foundation

of Manitoba is just one such organization. Others include the Behavioural Health Foundation, the Salvation Army, the Main Street Project, Tamarack rehabilitation centre, the St. Raphael Wellness Centre, Two Ten Recovery, and the Native Addictions Council of Manitoba, to name a few.

These organizations are staffed with dedicated professionals who are committed to helping Manitobans overcome their addictions and prevent relapse. I'd like to take this opportunity to thank them for the work that they're doing in our communities across the province. I'd also like to take this opportunity to urge this government to make addiction treatment and these organizations an urgent priority. These organizations are competent and well established. Rather than trying to take control of addiction treatment the NDP government should be empowering these organizations to do more with their programs and reach more people.

I want to say a few words, in particular, about the Behavioural Health Foundation. I've had the pleasure of visiting both their St. Norbert and their Selkirk facilities, and I was so surprised when I learned that the entire third floor of the facility at Selkirk is empty. There are 12 single rooms and a couple of common areas all with new carpet and new paint. The facility has a kitchen. It has laundry and it has a track record of success in treating addictions.

This facility is ready to go, Madam Deputy Speaker. All we need is the will from this government to invest and support this initiative. Behavioural Health Foundation wanted to use this space, and they know that there is a dire shortage of treatment beds for women, so they put forward a proposal to this government back in March. They were encouraged by this government to put a proposal forward and they did. They can treat an additional 60 women a year using this perfectly good space and, actually, it's better than perfectly good. It is a place from Heaven. It—the facility and the grounds are beautiful, but they haven't had so much as an acknowledgment from this government, and that defies logic.

I think it's important, as we discuss this bill of AFM that was presented and gone to committee, that they should actually be supporting what that—what the work that AFM does and other organizations such as them. We need to ensure that addictions treatment is being addressed.

Addressing wait times in the area of addictions is urgently important. When an addict decides that

they are ready to seek treatment, they must be able to access treatment. A day, a week, a month, and at times now we're seeing wait times of 300 days, so almost a year, they are no longer going to be able to step forward, Madam Deputy Speaker, because the time will have passed and they will move on.

At present, many Manitobans will find themselves waiting, especially if they need—of what they need is longer term intensive residential treatment. Information obtained through the Freedom of Information and Protection of Privacy Act indicates lengthy wait times for addiction foundation treatment programs in recent months.

In the last year, the wait times for treatment has skyrocketed, and this is not just in Winnipeg, Madam Deputy Speaker. Wait times across the province are on a rise. Let's look at some examples. The wait time for residential treatment in Thompson has gone from 31 days in May 2009, to 77 days today. The wait time for men's community-based day treatment in Winnipeg has gone from five days to 35 days, plus additional 28 days just for an initial assessment.

The wait time for residential treatment in Brandon is 46 days for men and 34 days for women. The wait time for women's residential treatment is 105 days, plus another 28 days for treatment. The wait time in Ste. Rose has increased by a month, from 54 days to 86 days. And the wait time for women in Winnipeg who want to access community-based treatment has gone from 14 days a year to 300 days, plus another 28 days for an initial assessment. That wait time has grown by more than 21 times. These wait times show two things: (1) that the demand for these programs far outstrips the supply of available addiction treatment, and (2) that a sustained effort is required to bring these wait times down and reach more people who are in need of treatment.

*(15:10)

Addictions have severe consequences for an addict and his or her loved ones. Addictions can lead to unemployment, family breakdown, poverty, homelessness, and involvement with the criminal system. It is a vicious cycle that can be very hard to break free of. That's why the services provided by the front-line providers are so important. The minister should be focussed on helping these agencies bring down their wait lists and treat more people. Instead, wait lists are through the roof and families are suffering, and this minister and this government should be very ashamed of the record

they have with regard to addiction treatment in Manitoba.

Thank you, Madam Deputy Speaker.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

OPPOSITION DAY MOTION

Madam Deputy Speaker: As previously announced, this afternoon we will be dealing with the opposition day motion of the honourable member for Tuxedo.

Mrs. Heather Stefanson (Tuxedo): I move, seconded by the member for Minnedosa (Mrs. Rowat),

THAT the Legislative Assembly endorse the concept that legislation should not be changed to protect ministerial salaries for failure to adhere to legislative requirements.

Motion presented.

Mrs. Stefanson: I stood before this Legislature a few weeks ago to grieve, in fact, for all Manitobans who believed, Madam Deputy Speaker, that this NDP government would live up to its commitment to uphold balanced budget legislation in our province and the fact is that, unfortunately, they haven't and this issue rings—it just rings of hallway medicine all over again and I think it's just unfortunate that, apparently for the NDP government, a promise made is nothing more than a promise broken and, you know, I would encourage members opposite to support this.

I asked in question period today—I asked the Minister of Finance (Ms. Wowchuk) if, in fact, she would support this legislation and she avoided the question, and so it led me to believe that, unfortunately, they wouldn't maybe support this motion, but I would still encourage members opposite to think twice about that because, quite frankly, the NDP government, Madam Deputy Speaker, made it the priority of this legislative session not to protect vulnerable citizens in our community but to change the balanced budget law to protect their own salaries.

And, if they want to claim otherwise, Madam Deputy Speaker, they have an opportunity to support our motion today. The motion before this Legislature that the Legislative Assembly endorse the concept, okay—the concept that legislation should not be changed to protect ministerial salaries for failure to

adhere to legislative requirements. This is a no-brainer and I would think if—what are they afraid of, and why wouldn't they just support this salary if the minister is trying to claim that protecting their salaries is not, in fact, a priority of her government, then she should have no problem supporting this motion.

And, of course, I asked her in question period today, and she avoided the question and went on with all sorts of rhetoric and tried to claim that they're not running a deficit and all of this sort of nonsense, Madam Deputy Speaker, when, in fact, we know that that is not true and many of the things, unfortunately, that this Minister of Finance went forward with was not, in fact, true.

And so I would encourage members opposite to support this motion today. It's a good motion. It's a bit of a no-brainer. I believe that if their priority wasn't, in fact, to protect their own salaries this session, that they would support this motion and would not have a problem doing so.

Of course, Madam Deputy Speaker, Bill 31, The Budget Implementation and Tax Statutes Amendment Act amends Manitoba's balanced budget legislation, which was also—and I might add—amended in 2008 and again in 2009. So it's the third time that this government has changed balanced budget legislation in this province—the balanced budget laws. And I think it's unfortunate that members opposite, every time they don't want to live within the law of this Province, what do they do? They simply go out and they change the law to suit their own needs and their own wants, and I think it's unfortunate. It sets a bad example in our province, and it's unbecoming of legislators in this province.

Under the original legislation, Madam Deputy Speaker, if the government of the day failed to balance their books, Cabinet ministers faced a 20 percent pay cut in the first deficit year and 40 percent pay cuts in subsequent deficit years. Instead of paying the price for their mismanagement, the NDP are changing the law to give their Cabinet ministers, essentially, a raise. And, of course, the sole reason for this legislation and that this legislation is being changed is to protect their own ministerial salaries, and, of course, we disagree with that. And while the NDP have been focussing on protecting their ministerial salaries, they have cut services for Manitoba's most vulnerable citizens, including children with autism, hearing impairments and special needs, and they have expanded the size

of their Cabinet and their support staff, as we know the Minister of Health (Ms. Oswald) expanded her ministerial staff by some six people, which, of course, should not be a priority of this government. If they really cared about those most vulnerable in our society, then they would focus their priorities on that, rather than protecting their own salaries and increasing Cabinet and all the other nonsense that they have spent their money on.

And so, of course, we need to go back, Madam Deputy Speaker, and we've heard this from many members on our side of the House with respect to this legislation that we need to remind members opposite that, in fact, they supported balanced budget legislation. Back in the 1999 election campaign, they ran on balanced budget legislation, on protecting it and on keeping it. They ran again on protecting and keeping it in 2003. They ran again on protecting and keeping it in 2007. But then, you know, once it didn't quite suit their needs and their wants and then they—what they did is they changed it and they changed it twice already, and now because they couldn't get it right twice, they're doing it again. They're still—this is effectively putting the final nail in the coffin of balanced budget legislation in this province, balanced budget legislation that Manitobans were very and are very proud of, you know, the original legislation as it came in; we're very proud of it because it was to protect Manitobans from the very things that the NDP is doing to our province today.

They've—what they've done since they came to office is they've increased the debt of our province by more than \$10 billion, some 74 percent increase, and they're—and now they've got a five-year plan to increase that debt even further by running deficits for the next five years, and I think, Madam Deputy Speaker, the unfortunate thing is that when members opposite can't live within their means, what they do is they change the law so that the law says okay, well, now we're living within our means. But it doesn't mean that they actually are, and so I think it's unfortunate.

I hope members opposite see fit to support this motion. It's a very important motion before us today. I know the member for Steinbach (Mr. Goertzen) brought in another very good motion not so long ago and members opposite saw fit to support that motion and rightly so in the end, and that was a good thing and I think we're on a roll here. We are able to work together in this Manitoba Legislature and agree that motions that are being brought forward by members on this side of the House can actually be supported

by all members in this Manitoba Legislature. So I think that while we're on a roll, I think that members opposite should now support this motion as well so we can all move forward in harmony towards the better good for all Manitobans. I thank you very much, Madam Deputy Speaker.

* (15:20)

Hon. Bill Blaikie (Minister of Conservation): I want to congratulate the honourable member not so much for her motion, but for being able to complete those last five sentences with a straight face. I thought that was something that was admirable in and of itself, Madam Deputy Speaker.

Now what we have here, Madam Deputy Speaker, is part of a continuing pattern. And just in case the members opposite haven't noticed their own pattern, it's a pattern of not wanting to talk about the budget, of not wanting to talk about what's actually in the budget, of not wanting to address the overall economic context in which that budget was drafted and presented to this House.

And so, before I speculate on why it is they don't want to talk about the budget and why they want to focus in on this one particular aspect of Bill 31 and then again misrepresent it while they're doing so, before I do that, I thought I might just remind honourable members about the content of that budget that they don't want to talk about. And if I was them, I wouldn't want to talk about it either because oppositions never like to talk about good budgets; they only like to talk about bad budgets. And so they've got a good budget in front of them and they don't want to talk about it. They just want to zero in on some particular aspect of it that they can blow out of all proportion and actually misrepresent to the people of Manitoba as to what that particular piece of the budget actually says. But I'll get to that if I don't run out of time first.

So, Madam Deputy Speaker, what's in the budget? Well, Manitoba's five-year economic plan is in the budget, a plan that returns the Province to surplus while continuing to support front-line services and growing the economy. Now, I know front-line services, that's something that the Conservatives, when they're in this kind of situation, they'd rather cut, but our plan is to continue to support front-line services and grow the economy.

It's a budget that is obsessed with managing the effects of the global recession over five years instead of absorbing them all in one year, as the official

opposition would seem to want this House and the people of Manitoba to do. We want to absorb the effects of the recession over a five-year period without deep cuts to front-line services.

And so Budget 2010 takes strong action on the following fronts: investing in vital front-line services by targeting more than 90 percent of all new spending on health care, education and training, family services and justice; stimulating economic growth by investing 1.8 billion in infrastructure stimulus projects, creating 29,000 direct and indirect jobs—[interjection] These facts seem to be driving the honourable member for Ste. Rose (Mr. Briese) crazy. He can't contain himself. I don't know whether he seems—he thinks this is bad news or not—but, you know, 29,000 direct and indirect jobs; managing government spending by reducing spending in half of government departments to focus new spending on front-line services; restoring balance—restoring balance, Madam Deputy Speaker, by returning to surplus within 5 years and paying down the debt; and keeping Manitoba affordable, a very important dimension of this budget, keeping us in the top three provinces in Canada for combined living costs and taxes.

Continuing to meet the requirements of the current balanced budget law in today's environment would require deep cuts to public services, tax increases and cancellation of stimulus investments. Now, I know the Conservatives wouldn't like to see tax increases and they wouldn't like to see, I presume anyway, cancellation of stimulus investments, at least the stuff in their ridings. So that only leaves one thing. Maybe they want deep cuts to public services. That's the only, you know—unless, of course, they want to change their mind about the budget.

So to implement our five-year plan, Madam Deputy Speaker, we're making changes to the balanced budget law that will do the following: require the budget shortfall to be eliminated over four years and a return to surplus in year five of the plan; keep the legal requirement to have balanced budgets into the future—we're not abolishing the balanced budget legislation. We're amending it in accordance with the requirements of the context that we find ourselves in and the context that all governments find themselves in at the moment. I'll get to that in a minute if I don't run out of time—paying down the debt more aggressively than required by the current law; keeping the prohibition on increases to major taxes without a referendum;

and cutting ministerial salaries by 20 percent early, early, when it didn't have to be done, because there was no need for the 20 percent reduction this year; the budget was in balance, but we decided in order to show leadership, to take that 20 percent cut when we didn't actually have to take it, to take it early; and freezing MLAs' pay.

Now, if we don't change the existing balanced budget law, Madam Deputy Speaker, Manitoba would have to, as I've said before, absorb the impact of the global recession by next year, and what investments would that put at risk?

I'm sure the honourable Minister of Agriculture (Mr. Struthers) knows, but just in case, members on the opposite side either don't know or don't want to know what investments would be put at risk, if we were to take the path—we were to go down the path that they're encouraging us to go down.

So these are the things that would be at risk: increased numbers of doctors and nurses in training, including the largest class of medical students in Manitoba history; operating support for the new state-of-the-art medical equipment like the Artiste, which offers new hope for patients with otherwise inoperable cancer; construction work on the regional cancer centre in Brandon; the new birth centre in Winnipeg; the first mental health crisis response centre; and the cardiac care centre of excellence at the St. Boniface Hospital; funding for more police officers and cadets; additional prosecutors; new youth crime prevention Lighthouses and Winnipeg's new police helicopter; and investments in community programs like Neighbourhoods Alive!; investments in hundreds of new, safe, high-quality child-care spaces; construction work on schools across Manitoba, including new schools in Steinbach and La Broquerie; new schools in—it seems to be a hard thing to be against, Madam Deputy Speaker, but they've managed over there—incentive grants for school divisions that hold the line on property taxes; support for universities and colleges that will help keep Manitoba tuition fees the third lowest in Canada; infrastructure stimulus projects that will create—as I've already said—29,000 direct and indirect jobs across Manitoba; and road work in every region of the province, including improvements on Highway 75 south, Highway 1 east and Highway 6 north.

Yes, Madam Deputy Speaker, the official opposition—are you looking at me like I only have a little time left? Is there some kind of light on? Okay.

Well, then, I better get to the—what I wanted to say.

An Honourable Member: Not blinking.

Mr. Blaikie: Not blinking yet.

Well, let's concentrate just for a moment, Madam Deputy Speaker, on why it is that they don't want to talk about the budget, that they don't want to talk about the fact that this government is doing exactly what all other governments are doing, including Conservative and Progressive Conservative and Conservative Conservative governments, whether they be provincial or federal. It's the federal government that's got—that's—and they ran on balanced budgets. I mean, who ran on balanced budgets more than the Reform Party and the Canadian Alliance and the Conservative Party? It's part of their mantra for a million years.

And even they realize that, in this particular economic context, you've got to run a deficit. You've got to keep the economy stimulated. It's their cousins in Ottawa—the honourable member from Brandon West should know; he was part of them for a long time. It's his cousins in Ottawa that are running a deficit and are shaking off all their previous commitments to balanced budgets.

Now, they don't have balanced budget legislation, but if they had it, they'd be changing it. If they had it, they'd be changing it, but because they don't have that kind of legislation, they don't have to go through the exercise that we're going through here today.

So, you know, very interesting, Madam Deputy Speaker, why it is they don't want to talk about this budget, and the other thing they don't want to talk about is what they would do. What would they do? I mean, even if their recommendation with respect to ministerial salaries was implemented this minute, what else would they do? What else would they do?

Mr. Mohinder Saran, Acting Speaker, in the Chair

They haven't come forward with one suggestion—not one suggestion, Mr. Acting Speaker. Now I—so if I was them, I wouldn't want to talk about the budget either, and I wouldn't want to talk about what I would do if I was them, because I know what they would do. And they don't want to admit what they would do.

They would be cutting front-line services. They would be acting like Conservatives act in this particular kind of context, Mr. Acting Speaker.

So I can understand their reluctance to address the big picture, their reluctance to talk about all of Bill 31 and their desire only to concentrate on that one little piece of the legislation having to do with ministerial salaries and, even then, not telling the whole truth and nothing but the truth when it comes to that—not acknowledging that members on this side are taking a 20 percent cut early, before there is no balanced budget. Because we're being honest about what's going to happen next year, and we're taking that reduction in pay this year, next year, the year after and on, Mr. Acting Speaker.

* (15:30)

We don't hear that from them. They don't want to talk about that. They don't want to talk about the budget. They want to talk about whatever will keep them from having to admit that what this government is doing is what all other governments are doing, including right wing and Conservative governments, and they don't want to talk about they—what they would do, Mr. Acting Speaker, because that would cost them even more seats than they lost in the last election.

Mr. Rick Borotsik (Brandon West): I know that the member from Elmwood, the Minister of Conservation (Mr. Blaikie), would like to know what it is that we would do with respect to the budget.

Well, first of all, what we would do if we were ministers of the Crown, we would live up to our commitments. We would live up to an agreement that was made by those same very ministers when they passed legislation a year ago or two years ago or the original balanced budget legislation that said that if the ministers were not able to balance a budget that they would—there would be remedies. There would be sanctions. And of those sanctions, they would lose some of their ministerial salaries.

So that's what—the first thing we would do would say, if there has to be a deficit, then we'll live up to the commitment that the ministers are responsible. It's not the backbenchers that make the decisions. It's not the bureaucrats, ultimately, that make the decisions. It's the ministers that sit around a Cabinet table and decide what the policies and the expenditures of the government are going to be of the day, so it's the ministers that have to take responsibility. And that's why in the balanced budget legislation it said, if the budgets don't balance, then it's the ministers and their responsibility and their portfolios that are going to take a financial hit, and

that financial hit would be 20 percent for the first year of a deficit budget.

Now, this legislation didn't just come out of the blue. This actually was put into place in 1995, where it said: From a policy perspective, the government of Manitoba will live within its means. We will, in fact, generate revenue and we will spend the revenue that we receive on an annual basis. That's the whole premise of a balanced budget. They don't seem to get that idea, but the premise is: you live within your means, you spend what you earn. That was accepted in 1995.

It was accepted in 1999. When another gentleman ran, by the name of Gary Doer, he said, Absolutely, we will retain balanced budget legislation. We will retain that, because Manitobans deserve it, because people in Manitoba deserve to live within their means. We'll do that.

They ran on it again, Mr. Acting Speaker. In fact, in 19—or in 2007, they ran on it again. It's not like they threw it out the window and said, no, no, no, no, we're now going back to our true ideological socialist roots, we no longer want to have balanced budgets. In fact, in 2007 they said, we will retain balanced budget legislation because we have to live within our means. And if we don't live within our means and we don't balance that budget, then it's the people who make the decisions that are going to suffer the consequences—minor consequences, nonetheless: 20 percent of a salary for the first year that they can't balance the budget.

Well, to be perfectly honest, they've been playing with the books for quite awhile. They haven't balanced the budget for awhile because they've been bringing in money from the Fiscal Stabilization Fund to balance off the budget. They've still spent more money than what they actually earned, but that was considered a balanced budget.

We kind of accepted that, but then all of a sudden they knew that that wasn't going to work any more, so they wanted to change the balanced budget legislation. So what they did is they then said, well, we're not going to do a core balanced budget; we're going to do a summary or what they refer to as a consolidated budget, so we're now going to bring in all of the other entities, the Crowns. We don't just want to balance the core—spending of departments, revenue coming in—so we're going to bring this summary budget into place where we can have Hydro revenues and MPI revenues and MLCC revenues and all those revenues, and then we can

actually budget the—and we can balance the summary budget, we wouldn't have to take a financial hit.

Well, that didn't work, because now all of a sudden they were spending more money than even the summary budget could balance off. So now they said, well, we're not going to do that. What we're going to do is we're going to balance the budget on a four-year rolling average so we don't really have to balance every year.

And before—the Minister of Conservation (Mr. Blaikie)—maybe wants to hear this—he suggested that we should talk about the budget, not so much about the penalties and not so much about the balanced budget legislation. And I'd like to know where the minister from Conservation was during eight days of budget debate. We debated the budget for eight days. We debated their inability to balance a budget. We debated their inability to not stand on their own two feet but continue to depend on the federal government for 40 percent of a budget. Where was the Minister of Conservation when those debates were taking place in this House for eight days? So we did debate the budget.

But what happened was is the NDP government can't live within their means, but they also cannot not be devious about the way they operate. So when BITSA comes forward, The Budget Implementation and Tax Statutes Amendment Act, when it comes forward, all it deals with is the budget that we debated for eight days, and all of the information that's included in that budget comes forward into this act. But no, we have to be devious; we want to add one little clause in this act that we don't really have the right to do, but we're going to add that clause because we want to protect their ministerial salaries.

Now, most people probably don't know, but because the ministers—and I'll accept this—being a minister of any government of any Crown is very onerous. A Cabinet minister makes a lot of sacrifices. A Cabinet minister, in fact, has some very difficult decisions that he or she has to make. A Cabinet minister, in fact, works extremely hard, and because of that a Cabinet minister receives an additional stipend. And that's not a bad thing. That's not a bad thing at all because of the additional workload that has to go into running a portfolio and running a department. You have to have special skills, although that's not necessarily demonstrated by all the ministers opposite. But they do work extremely hard, and because of that they get a stipend.

But not only do they work hard, but they're the ones responsible for the operations of government, and each individual minister is responsible for his department or her department. And they've made a commitment to balance the budget, and if they didn't balance that budget, then they were going to take a financial hit. And that was the commitment that they made. So they get a \$40,000 additional stipend in their salary. No one would ever dispute the fact that they shouldn't get it, but when you make a commitment and that commitment is to manage, properly, on behalf of Manitobans and you fail that commitment, then you take the consequences. So the first year that you don't balance a budget, and being a minister of the NDP government of Manitoba, the first year, under the legislation, it said you would lose 20 percent of your salary. So 20 percent of \$40,000, ministers would lose \$8,000 of their stipend. That's a fairly substantial penalty to pay as being a minister of the Crown.

But the second part of that was if you do it for two years in a row, which means that if you're doing it for the first year and taking a hit for eight grand, then you better get your act together. You better start managing in such a fashion that you don't want to take another financial hit. But, no—no, no, no, no, no. We didn't want to do that because the next financial hit is 40 percent. So they'd have to take a \$16,000 hit to their ministerial stipend. But, no. Heaven forbid. Two things happen. One is they figured it out that they don't know how to manage. They figured it out that they cannot balance a budget. They figured it out. They figured it out so now what they said was, well, we're not going to take a \$16,000 hit to our stipend. We better get our act together, and rather than manage the departments and be fiscally responsible, it's a lot easier to put a little clause in BITSA that says, oh, well, we don't have to balance the budget and we don't have to take our financial hit.

So the Minister of Conservation (Mr. Blaikie) says, we didn't want to talk about budget. They don't want to talk about budget. They want to talk about saving their salaries, and the way they do it is by devious methods, putting it in this legislation and now they don't have to give up 16 grand. Aren't they the best Manitobans? Aren't they putting Manitoba first by saying, we work so hard we don't want to take our consequence and take our 16-grand hit? So let's pass this legislation and we won't have to worry about it.

This resolution from the member from Tuxedo is really a simple resolution; support it. Support it. Take the consequences the way you're supposed to and make Manitobans proud of you. Don't make Manitobans sit on back and say, why is it that ministers of this government are more concerned about their salaries than they are about the regular Manitoban?

Thank you, Mr. Acting Speaker.

*(15:40)

Mr. Drew Caldwell (Brandon East): Just, Mr. Acting Speaker, just want to give a quick reality check to members opposite. Cabinet ministers on this side of the House took a cut of just under \$10,000 this year. The highest paid member of this House is the Leader of the Opposition. The highest paid member in this House is the Leader of the Opposition. Thank you.

Mrs. Mavis Taillieu (Morris): Mr. Acting Speaker, I'm pleased to rise and speak in support of this motion brought forward from the member from Tuxedo, that the Legislative Assembly endorse the concept that legislation be not changed to protect ministerial salaries, for failure to adhere to legislative requirements. We just heard the member from Elmwood stand up and say, we don't want to debate the budget. We are the ones that stood in this House for eight days. Every single one of us stood and debated this budget, because that's our duty, that's part of our duty here to debate and try and convince the government of their errors. Not one of those ones stood up and defended their budget. They didn't even stand up and defend and debate their budget.

And, Mr. Acting Speaker, this Bill 31, what we see here after two further—former amendments to the balanced budget legislation, where they took apart the balanced budget laws, now we see again the final nail in the coffin. Balanced budget legislation is dead in Manitoba. And what needs to happen here? Because they have failed to balance the budget, in the legislation, and I quote from Minister Selinger in—or, sorry, I quote from 2008, the Premier said: ministers would take a penalty if they failed to balance the budget under the new rules. But they figured that out; they figured that out pretty quickly that they're going to have to run more deficits because they are unable to manage the finances of the province.

So, when they figured out that they were going to have to run a deficit the next year after that and

the next year after that, then the legislation says, well, if you do that, you're going to have to take a cut in your salary of 40 percent. Now, they figured that out. They didn't want to have to take a cut in their salary of 40 percent. In fact, they made that the priority. That was the priority—protecting their ministerial salaries. That was the priority of this bill. We saw that, because Bill 31 was called every single day first, days in a row. Bill 31; call Bill 31; debate on Bill 31. Did they call any other bills for debate? No, they called Bill 31 over and over and over again. That was the first bill, the only bill, their priority bill, their top-of-mind bill, the bill that protects the Cabinet ministers' salaries.

And it's very, very unfortunate, Mr. Acting Speaker, because they ran on balanced budget legislation in 1999, when they said: we've said all along that we're not going to change the things they got right—and that was Mr. Doer referring to Mr. Filmon. And in 2003 and in 2007 they ran on keeping balanced budget legislation. I'd like to know if any of them went and knocked on doors and said, you know what part of our platform's going to be? We're saying right now that we're going to protect balanced budget legislation. But you know what we're going to do? After we're in power for a year, when you elect us and we've been there for a year, we're going to take that balanced budget legislation apart.

I'd like to know if any one of them went to the door and told people up front that's what they were going to do. I doubt it—I doubt it, Mr. Acting Speaker. I—well, the minister from the—the minister for Finance says she probably did that. Well, I would dispute that she did that, that she went to the door and said that she was going to gut balanced budget legislation, and they still voted for her.

Well, Mr. Acting Speaker, I'd like to know what interest groups came to them and said—because we know they react to interest groups—what interest groups came to them and said: please, government of the day, would you take apart the balanced budget legislation and would you protect your salaries and make that a priority? Because Manitobans, that's what Manitobans want of our government. Was there any interest groups that came to them and said that? I doubt that, too, because Manitobans know that, in their households, they have to balance their own budgets, and they have to live within their own means, and this government should be doing the same thing. Expect—Manitobans expect their government to live within their means.

What they don't expect from this government is for them to break their own legislation and then have the gall to go and change the legislation to protect their own salaries. They had a choice in this, Mr. Acting Speaker. They did not have to do that. They could've taken the moral and ethical and high road here, admitted—and they could have stood up and been a woman. They could have stood up and been a man and taken their cut to their pay, not only this year, but the next year and the next year, because that's what they promised, that's what the legislation said they should do. But no, instead of doing that, they decided, we'll change the law; we'll change the law so we don't have to do that.

Mr. Acting Speaker, they have a choice here. They have a choice. They can support this motion. Now, if they will—if they are—if protecting their ministerial salaries is not their first priority, then they will support this motion. They have a choice here. And if they won't support this motion, it confirms to Manitobans that this Bill 31 is all about padding their own pockets and making it job No. 1. Shame on them.

Mr. Acting Speaker, in—we have seen it over and over again, the mismanagement of this government. Years and years of unprecedented money flowing from Ottawa—now 40 percent of the provincial budget—and they couldn't manage that money in such a way that they prepared for the down times. They spent like drunken sailors during the good times and they failed to save money for the bad times. Manitobans—Manitoba families know that that's what you need to do. When times are good, you should put a bit of money away because times always get bad.

And now the bad times are here and they have to run—and they say that they have to run some deficits, but, Mr. Acting Speaker, Manitobans would expect the government to do what they do in their own homes, and that is manage their own budget and live within their means. And Manitobans know that if they can't live within their own budget that they can't have certain things. And they know they can't go and change the laws and go to the bank and say, well, you know, I'm going to change the law of the bank here and I want you to just give me all the money I want. That doesn't happen. Manitobans have to live within the laws of this province, and the government should have to live within the laws that they make.

They can't make the laws one day and change the laws the next time just to protect their own salaries. That is just unconscionable, Mr. Acting

Speaker. And I'll say again, in 1999, they thought balanced budgets were a good idea. In 2003, they thought balanced budgets were a good idea because Manitobans thought it was a good idea. And in 2007, they thought balanced budgets were a good idea because Manitobans thought balanced budgets were a good idea. But all of a sudden, in 2008, they didn't think balanced budgets were okay anymore.

But here's a news flash for the government. Manitobans still believe that balanced budgets are necessary. They have to live by balanced budgets; why isn't this government have to live by balanced budgets? Why can they break the law and change the law to suit themselves, and why do they make this Bill 31 a priority—a priority to pad their own pockets? That's job No. 1 with this government and that's what this Bill 31 is all about. It's all about protecting Cabinet ministers' salaries.

They're trying to fit this in, slide it into another bill so Manitobans won't see it's there, but people know Bill 31 is job one for this government. It's a priority. That's the bill they called first every time. That's the one they wanted to talk about the most, and that is because it's the bill that protects their Cabinet ministers' salaries. I say, shame on them for making Bill 31, the bill that protects the Cabinet ministers' salaries, the priority and job No. 1 of this government. Shame on them, Mr. Acting Speaker.

* (15:50)

Hon. Rosann Wowchuk (Minister of Finance): I'm very pleased to have the opportunity to correct some of the misinformation that the member opposite has just put on the record. We all know that we have been through an unprecedented recession. Provinces—countries around the world are suffering. Other jurisdictions in Canada have had to make some decisions in order to protect their front-line services, but Madam—Mr.—Acting Speaker, but, Madam Deputy Speaker, that—Mr. Acting Speaker—I—my apologies to you.

We had a very interesting challenge, Mr. Acting Speaker; we could have cut services as would have been required. We would've—if we would have stay with the existing legislation, we would have had to cut services because we were required, under the existing legislation, to balance—to introduce a balanced budget in the next year. Other jurisdictions saw that and made changes. We decided that we wanted to talk and protect front-line services, stimulate economic growth, management—manage

government spending, restore balance and maintain Manitoba's affordability.

Now, those are very—three or four very key points in our changes and in this budget. The members opposite choose to talk about one clause in this budget, Mr. Acting Speaker, and refuse to talk about all of the other things. You know, the members opposite say we slid something in. I would remind the member opposite to read the budget that was tabled. All of this was spelt out in the budget and we had indicated at that time that we would be amending it. The members opposite, if you remember, wouldn't even talk about this bill when we introduced it into the House because they didn't want to talk about this very—the important issues. We—they didn't want to talk about the fact that when they were in power in the '90s and had the—had been faced with a recession that was not nearly as serious as this one, they took very draconian steps that members of—that Manitobans are still feeling the effects of. They're still feeling the effects of all those nurses that were fired. They're still feeling the effects of those teachers' salaries that—and that Education budget that was brought in, minus two and zeros. Manitobans are feeling that effect. But we chose to do something very different.

We chose to keep the nurse at the bedside. We chose to teach—keep the teacher in the classroom, Mr. Acting Speaker. We chose to continue and to expand the numbers of doctors that are trained in this province so that we could address some of the challenges that members opposite talk about—about the number of nurses and doctors that we have. You don't have nurses and doctors if you don't train them, and that's exactly what happened under the administration of the Conservatives during the last recession.

But, Mr. Acting Speaker, I stand by this budget and I'm very pleased that we are able to make things—do things like stimulate the economy and build and upgrade the necessary infrastructures to create jobs. The investment that we are making in jobs is creating a significant number of jobs; \$1.8 billion in infrastructure stimulus is creating 29,000 direct and indirect jobs. Those are important jobs, but also very important is the fact that we will have infrastructure. We will have people who are trained that wouldn't, didn't have the opportunity to be trained before, in various areas.

You know, the members opposite also talk about that they would find a way to live within the existing

budget, and we know exactly what that would mean. We know that there would not be stimulus money being spent. We know that we would not have had the increase to health care that we had. We know that we would not have had the kind of funding for the schools in this province or the universities that we had. All we have to do is look at the record when they were in power.

But we have taken steps, Mr. Acting Speaker. You know, there was tough decisions made where we had to put less money into some departments. And those are difficult challenges for those departments, but those are the things that you have to do if you are going to maintain front-line services. We've done that, and we have a plan as to how we are going to restore balance and return to surplus in five years.

Members opposite also talked about that there was no planning for this and there was no savings. I would remind them to look at the numbers and look at the amount of money that was in the rainy day fund. The money in the rainy day fund far exceeded what the Conservatives were able to put in that rainy day fund, and, you know what, Mr. Acting Speaker? We didn't have to sell a Crown corporation to get that money there. We did not sell a Crown corporation, and we won't sell a Crown corporation.

So I have to wonder. When the members say that they would have balanced without changing the legislation, that tells me that, in all likelihood, they would be selling off more Crown corporations. That would be their agenda. I'm sorry, that is not what we would do. And I can tell the members opposite that I travelled extensively throughout Manitoba, and people in Manitoba told me when we were putting this budget together that the most important thing we could do was protect front-line services, keep—make sure people were working, make investments in education, and training was a key step for them. And that's what we did.

The members opposite would have people believe that we should have taken a reduction in this budget but that they will not admit that, in fact, under summaries budgeting, Mr. Acting Speaker, this budget is balanced under the four-year rolling average. And that is the accounting system that we have—standards that we have here in Manitoba, and our budget is balanced. So there was, in fact, no need to take a 20 percent in—reduction in salaries, but we asked—we took our 20 percent; we took—asked MLAs to take a freeze, and we've asked the public sector to

take a freeze in their salaries so that, indeed, we can all help Manitoba get through this difficult time and come back into balance.

But I would urge the members opposite, as they—as we come to the end of this session, to think about what we have done and when they go back to their communities or when they start to ask about a road or a personal care home or a hospital, that they think about, when they're asking for those things, that, indeed, they would—if they were going to balance, they would be cutting a lot more rather than improving services, as we have done.

And we know, Mr. Acting Speaker, that our schools would be devastated because, under the members opposite, they would have not given any money to education or training, and they would not have put money in them. So I—*[interjection]* Because. The member says that's not—the members opposite have to—would—the members opposite would—don't want to talk about the '90s, but we have to. History is always something you should look at. And you have to look at the history of the '90s. You have to—

The Acting Speaker (Mr. Saran): Order, please.

Ms. Wowchuk: You have to look at the history of the '90s, Mr. Acting Speaker. When the members opposite did make drastic cuts, destroyed our education system, chased our nurses out of the province, cut the number of doctors that were going to be training—be trained in this province. We have slowly built back that economy. And you have to have a plan.

And, indeed, the plan that we have put forward will move Manitoba into the future with jobs, with trained people, with more doctors and nurses, and meeting the needs of Manitobans. And I will stand by this budget any time and the steps that we have taken, particularly on the record that we have reduced our debt to GDP. We have a plan in place. We save more money in the rainy day fund to address these kind of challenges without selling off a Crown corporation, and I will continue to be—to work to improve the quality of life and make investments in Manitoba, as a government should be doing, and as the members opposite did not do when they were in government. Thank you very much, Mr. Acting Speaker.

* (16:00)

Mr. Leonard Derkach (Russell): Well, Mr. Acting Speaker, I've just listened to the most absurd and

foolish speech that I have heard in this House for a long time, and this was delivered by the honourable Minister of Finance (Ms. Wowchuk). Now, how could anybody in this province ever have any trust or belief in what this government is going to do? Now, I've been in this Legislature for a number of years. I've listened to Finance ministers over the course of time, and usually you get a fairly intelligent debate in this House when it comes to financial matters. But in the course of this past Legislature, I would have to say that that level of debate has gone down to probably the lowest standard that I have heard in this province.

Mr. Acting Speaker, the Minister of Finance stands in her place and she says, I know what they would do, I know what they would do. Well, we are seeing what this government is doing and not doing.

Mr. Acting Speaker, what we are debating here today is an opposition day motion that is calling on the government to abandon its foolhardy approach to protecting its own salaries in Bill 31 and to allow the balanced budget legislation as it was written and as it was honoured by the former premier of our province, Gary Doer, who committed that he would continue to live by the balanced budget legislation. We are calling on the government to abandon its foolhardy approach to Bill 31 and to go back and live by the balanced budget legislation that was committed to by their former Premier Gary Doer.

Now, Mr. Acting Speaker, I know that the Minister of Energy and Mines (Mr. Chomiak) is somewhat embarrassed by the approach that they are taking, because this shows the abandonment of any principles that this government might have. If you don't like a law, according to this government, you simply change it. If it's going to affect you in a negative way, you simply change the law. Now, they haven't done it once; they've done it three times, and this time it basically puts the final nail in the coffin of balanced budget legislation as it was written in this province.

Now, Mr. Acting Speaker, why are they putting Bill 31 forward? Is it really to do anything positive for all Manitobans? And I say, and I think every one of my members on this side of the House would agree, that it doesn't do anything except it saves the bacon of the ministers on that side of the House.

Ms. Marilyn Brick, Deputy Speaker, in the Chair

Because, Madam Deputy Speaker, what the legislation calls for, if the government can't balance

its books, then they take a 20 percent hit on their ministerial salaries. Well, they failed to do that last year.

And this afternoon I heard again the Minister of Finance (Ms. Wowchuk) from her place state that, in fact, they had balanced the books this year. Now, what a kind of a foolish statement is that? Do you really think that Manitobans will believe that statement? Do you really think there's anybody out there in the business community and in the just general public who would ever believe that statement? There is no integrity in that statement. There is no truth in that statement. That statement has no validity in this province.

But, Madam Deputy Speaker, what this government is doing is it's putting the smoke screen in front of the public of Manitoba so that they can somehow justify that they are within their realm to protect that 20 percent of their salary. Now, Manitobans are not foolish. When we put the balanced budget legislation in place, Manitobans wanted to know that we were serious about it and that we wouldn't be changing it from day to day, and that if we could not balance the books in the province for the people of Manitoba, there would be consequences, and those consequences would be directed at the ministers who have the responsibility to make decisions on behalf of the citizens of this province around the Cabinet table.

And what it said was that if you can't abide by the legislation, the consequence is that you will lose 20 percent of your ministerial salary; and, if you can't balance the books in the second year, you will lose another 20 percent of your salary, Madam Deputy Speaker. That's called accountability. That's called transparency. That's called being accountable to the people of this province.

Well, it was all right, Madam Deputy Speaker, when they were receiving billions of dollars from the federal government and they could play around. But when the recession hit and they were standing in their places saying, oh, well, we're immune to the recession, we're still going to have economic growth of X number of points. All of a sudden, they found out that the revenues were not enough to satisfy their spending habits and they found themselves in a deficit position. And then, when they did their budget this year and they realized that they couldn't dig themselves out of the hole, they had absolutely no choice but to forgo 20 percent of their salary or to

put in a bill that would relieve them of that responsibility, but would destroy balanced budget legislation as it was intended.

The other curious thing, Madam Deputy Speaker, is that none of us in this Chamber are going to have the ability to debate Bill 31 in third reading. We will not have the ability to bring forward amendments to Bill 31 because it isn't going to be called. This bill will pass by virtue of the legislative agreement that was reached to end the session. And it wasn't done by simple negotiations. It was done as an order. And so, therefore, Bill 31 will not have that full debate in this House that it should normally have. It won't have the ability to have amendments made to it in report stage.

So, when we talk about dark days, Madam Deputy Speaker, we have to look at the dark days of this administration, the dark days of this government. And we can look at these days and reflect that at one time, we had integrity in government.

And we're going back to the days of Howard Pawley and that administration, where deficits were the rule of the day, debt was the rule of the day, and, eventually, it got so bad that even one of their members voted against them to oust them out of government. Now, can you believe that? Has that ever happened in the history of this province, in any other jurisdiction? No. When one of your own brings you down—and that's what happened.

And, you know, the Minister of Energy and Mines (Mr. Chomiak) was sitting in his place when that happened. Oh, no he wasn't, I'm sorry, he was not here then. No, he was not here then. He was in the backrooms at that time. He was in the backrooms working very hard. He was working very hard for Howard Pawley at that time and Vic Schroeder, I might add.

And, Madam Deputy Speaker—but it was Jim Walding, a member of the NDP party, who finally saw fit that he could no longer live with his conscience and allow the budget to pass, and he voted the government out of office.

Well, here we go again. Now, under this Premier (Mr. Selinger), under this Minister of Energy and Mines who sits beside the Premier, under this Minister of Finance (Ms. Wowchuk) who sits on the other side of the Premier, they are driving us back to the old days of Howard Pawley where, Madam Deputy Speaker, we see deficits as the order of the day, driving this province into debt, taxing

everybody in the province to the maximum. And we are no longer competitive with other jurisdictions. We are no—we can no longer compete with Saskatchewan, Alberta or British Columbia.

As a matter of fact, we can't even join the economic alliance that has been formed by the three western provinces. We used to be considered as one of the western provinces. Today, this government does not see itself as a part of that western union that has formed a bloc for economic purposes for trade, Madam Deputy Speaker.

But this government sees itself as an outsider, and, of course, they should, because none of their policies—none of their policies are geared to business development, to ensuring that there is growth in this province. We see businesses leaving this province today because they fear what is coming down the tube with this government.

* (16:10)

Madam Deputy Speaker: Order. The honourable member's time has expired.

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I appreciate the opportunity to speak on this resolution and this—I just want to say that Liberals believe that you shouldn't be introducing legislation with a primary purpose of protecting ministerial salaries, which is one of the major purposes of the BITSA bill. So we will support this opposition day motion.

I want to put on the record several facts, first of all that we oppose the previous NDP change to the balanced budget legislation which they brought in before, because it was fundamentally deceptive and misleading, and no better example of the result of that can be this year when the government has a deficit of more than \$500 million last fiscal year and this year, and yet they are calling this a balanced budget.

And when the Minister of Finance and the Premier get up and say, oh, we have a deficit of \$500 million, but that's a balanced budget, it's not very credible, and people in Manitoba can see through that. People in this Chamber can see through that, that when you have a deficit of more than \$500 million spelled out very clearly in the financial accounts, in your core operating budget, then that deficit is a deficit. It is not a balanced budget, and it doesn't matter whether the Finance Minister and the Premier say this one time or 10 times or a hundred times or a thousand times, it's still a deficit.

And the credibility of this government has been eroded on this and many other matters. I think the government would have been far better to call a deficit a deficit, take their cut in pay recognizing the situation they were in, but don't suggest that they are balancing a budget when they have a deficit of more than \$500 million.

And then, when they get themselves into a deficit, a bad deficit, and they want to keep on spending and spending and spending, it would appear, because they don't want to have any cutbacks before an election then and they want to build up more debt before the election, then the NDP, quite frankly, should be ashamed of themselves for trying to rewrite the balanced budget legislation so that they protect their own ministerial salaries. This is bad politics. It's bad policy. The NDP should have grown up and learned that they should be a little bit more honest and a little more credible.

And so we oppose the BITSA bill. We support this legislation because we feel that the NDP are on the wrong track and Manitobans should know they are on the wrong track.

Mr. Blaine Pedersen (Carman): Madam Deputy Speaker, and I guess it's become quite apparent that this government does not support balanced budget legislation, and with their opposition to the motion being presented today, that's fairly certain.

But there are—we know that there are some—certainly some priorities of this government, and Bill 31 is definitely a priority for them. We know that they kept calling it in second reading. They—that was the only bill they would call every day to get it—in second reading to get it through second reading, to get it to committee so then it would come back to the House for third reading. However, now we see that they really have no intention of bringing it back for third reading. They don't want any more debate on this. They're—they've—it's mission accomplished with this. And, you know, when you think about mission accomplished, I think back to—gee, there was a former U.S. president that stood on a ship and said, mission accomplished. And, of course, we all know what happened to him after—what happened to his political career after that.

So I can see here, tomorrow, now, we're getting to the end of the session, they're not going to call Bill 31 back for third reading. It's going to pass by sessional order tomorrow afternoon at 5 o'clock. And regardless—and I can see the Premier and the Finance

Minister out there doing a press release saying, mission accomplished. We've managed to save our salaries.

I could even write the press release for them if they like, you know, because that is, basically, the bottom line is that they've saved their salaries. And that is—that was the major piece of legislation through this whole session. There's 30-some bills but, really, their priority has been Bill 31 to make sure that they save their salaries.

And there's so many other priorities that they could've had. And, you know, the Premier is out right now in Vancouver meeting with the three western premiers and it would—we're going to hear back press releases how they were—how he was involved in discussions with them. But I would give you a different scenario of what happens out in British Columbia right now when our Premier is meeting with the three western premiers, because they would be in a room together, the four of them talking and—talking about the weather and talking about holidays and whatever else they're talking—and then suddenly our Premier has to exit the room for whatever personal reasons he has to, and when he's left the room, very quickly the three western premiers, Campbell, Stelmach and Wall say, well, quick, quick, we've got to talk about New West Partnership now because that other guy is gone. We can talk about New West Partnership. We can talk about harmonizing regulations. We can talk about saving tax money. We can talk about buying in bulk and all those great things. We can talk about trade missions to China and Japan. Oh, quick, before he comes back in the room we got to talk about this stuff. Oh, good, good, okay. And then he comes—our Premier comes back in the room—oh, quick, quick—no, we weren't talking about you. We weren't talking about—honest, we weren't talking about you. We were just talking about something else that you don't want to talk about. So that's unfortunate.

Now, I don't think we'll see that in a press release coming out. But, hey, I could write that one for them, too, if they really want to, you know.

So it's really unfortunate. We know what their priorities are. We know that their priorities is to save their ministers' salaries—50-some days of session this spring, they're going to walk out of here tomorrow at 5 o'clock with mission accomplished because they've saved their salaries.

And—and—they've brought their true socialist roots out in the public. They've gotten rid of

balanced budget legislation. In Manitoba, we no longer have balanced budget legislation with the passage of Bill 31. And that is so unfortunate because that's not the way Manitobans themselves treat their own budgets, their budgets in their businesses. They know they have to balance their budgets, but apparently, with this government, that's not a priority.

They've had 10, 11 years now to save some money through those windfalls that they've had from the federal government. They could've put some money aside to save for such a time as—they claim it's a recession now, although it depends which day they're talking about. Some days, the recession; some day, it's booming; depending on the questions that come from us, whether it's a recession or whether it's—whether Manitoba's escaped the recession, but they failed to save. They spent everything that was in the rainy day fund because they can't control their spending, and not only can—they've blown the bank account on the savings account, they're also going to put us further in debt. And I think it's, what, a billion dollars a year that they've put us into debt in the last 11 years? Every year they've overspent what they've had coming in, despite windfalls coming from the federal government. And they can rattle their tin cup all they want when they go to Ottawa, but that money is going to dry up. It's drying up. We can see that all over.

So there's no way that they can continue to spend the way they have without going further into debt and that's going to put my children, my grandchildren into debt even farther to pay out this. We're going to pay it in taxes, in fees and licences. We already see that happening in this budget. They're going to even tax milk, eggs and poultry products. They are so low that they need to raise money anywhere. That's how desperate this government is. There's—they will stoop at nothing to collect more taxes in order to keep their socialist roots alive and well in Manitoba. And that's very unfortunate.

*(16:20)

So, Madam Deputy Speaker, with that, I—they should be supporting this motion, and when they don't support, that means that then they now have decided balanced budget legislation is gone from Manitoba, they will spend themselves into further debt—or they'll spend Manitobans into further debt

with no regard of how to pay that, and that is very wrong.

Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: Order. Just prior to recognizing the next honourable member, I want to remind all honourable members and give them a caution about referring to the presence or absence of members in the Chamber.

Mr. Ralph Eichler (Lakeside): I do want to put a few things on the record in regards to this motion brought forward by the member from Tuxedo, and, in fact, this is about protecting ministers' salary.

And I'm very disappointed that some of the backbenchers didn't take the opportunity to get up and put some things on the record in regards to protecting their own salaries. I mean, this is not good legislation. When you muzzle your own backbenchers and not let them have an opportunity to get up and speak, it is a shameful day for some of those members. I know the member from Transcona, the member from Interlake would love to get up and speak. The member from Flin Flon and the member from St. James would love to be able to get up and have that opportunity to put some things on the record in regards to ministers not being able to do their job and not protect their salaries as result of that.

So they're rolling their dollars back in, change the legislation once again in order to make sure that their salaries are protected. And we heard a number of comments put on the record in regards to protecting their salaries, and we know that the former premier of this province, Gary Doer, was very adamant about the fact that they would do the right thing and that is, in fact, if they mismanage the affairs of this Province that they would take a cut. They did that one year. They realized what's going on and then figured, well, we can't do this for two years in a row and that's going to be something we don't want to do, so we'll change legislation. So they did that, and the unfortunate part is that all Manitobans are going to pay for their mismanagement, through no fault of their own. This government was elected to govern for Manitobans. They never did their job, and they should be held accountable for it. And that's what our job is as opposition, to make sure that the government is held accountable, but yet they're bringing the majority of their government in to say that this is good

legislation, we're going change it one more time to make it right.

But I can also tell you, Madam Deputy Speaker, that there's a number of things that they should have been doing, and that was on the New West agreement, and if they would have been at the table would have had extra dollars at the disposal of this government in order to do some of those things that they talked about doing. And they say, we're standing up asking for different things in regards to changes in government in order to make sure that those things and the priorities are spent on the right area that we're requesting. So it's a matter of priorities.

And back to the New West agreement, we can certainly make sure that if we were at the table with those other provinces, such as Alberta, Saskatchewan and B.C., we would have that opportunity to have some of those things that we need for our families, our grandchildren, our great-grandchildren and the generations to come. So I know that with that, Madam Deputy Speaker, we would have had those opportunities put forward. And the member from Carman did very well in pointing out that at the premier meeting, I'm sure a lot of those issues will, in fact, be talked about. And where's Manitoba going to be? Left out.

We have a initiative in this province that we're all very proud of in this Legislative Assembly, and that's called CentrePort. Now we have three of the provinces battling together, uniting together, without Manitoba at the table. They're going to make offers to other countries, other states, our partners to the south, other areas where they're going to be trying to get businesses to come to Manitoba, and we're not going to be at the table. We're going to be there by ourselves saying, what are we going to do as Manitobans? Where are we going to be as Manitobans? The deals are going to be off the table. They're going to be at the other areas. They're going to have areas of which they're going to be able to negotiate sweet deals for.

And one of the presentations that we've heard, as business, is to make sure that it's very simple. We had an illustration not that long ago in regards to Calgary, and Walmart was looking for a distribution centre there. And they went to the City of Calgary; they said, it'll be 12 to 18 months before we can get you a decision. They went outside, talked to a municipality there, and they said, we can do a deal in three months for you. Where did they go? Where it

was convenient to do business. So we got to get rid of the red tape. We have to make sure we're open for business.

This government is doing the wrong thing by bringing this legislation forward on Bill 31. We ask the government to support us on this resolution, and all members of this House should be held—hold their head high in regards to making sure that Bill 31, in fact, does not pass and not in the dark of night and the days to come.

Thank you, Madam Deputy Speaker.

Mr. Larry Maguire (Arthur-Virden): Madam Deputy Speaker, and I just have a few words to put on this private, or opposition day motion, as well. The member from Brandon East was commenting earlier about the pay cuts in salaries. And, you know, I just now have to put on the record that he's probably jealous in the fact that he's taken the biggest pay cut of anybody; he's not a minister any more. Because he's not a minister any more, and I—so just for the record.

And I wanted to say as well that in—that, you know, the member from Elmwood was talking about how our member from Tuxedo finished those five—last five lines in the—in what she was saying with a straight face. And then he turned around to say that, you know, it's the same party that defeated Bipole III as NDP defeated a private members' resolution from our side on Bipole III, which is a cheaper, more environmentally friendly side of Manitoba to put the line on, Madam Deputy Speaker. He talked about a five-year plan. He talked about—and then he goes on to say that, well, our five-year plan means that we took a 20 percent pay cut last year when we didn't have to. Well, I'd just say that his conscience is so guilty that he had to take it. He had to do the right thing. He knew that they'd had a \$602-million deficit already, so it's just straightening out the record—that they'd made sure that they took their pay cut last year like they should have.

But this Bill 31 is all about protecting the government Cabinet ministers' salaries. Make it very clear. The whole BITSA bill could've excluded that portion of it from the bill, Madam Deputy Speaker. And I just want to put that on the record again. This government's priorities have been to put \$260 million into a company that's building a wind farm that we know is, by all other sources, having financial difficulty in other parts of the world. It was to \$115 million into a football stadium. These are borrowed funds that weren't even in their budget. It's

to build a Bipole III on the west side, to put \$1.75 billion of taxpayers' money that doesn't have to be spent. And then there's \$350 million to take nitrates out of the waste-water treatment plants in the city of Winnipeg that they just don't have to do; 63 scientists told them not—that they didn't have to do it. That's just under—well, it's two-point-two and a half billion dollars in those four items themselves.

That is not about fiscal responsibility or accountability. It is atrocious; it's an atrocious way to run a budget in this province. And yet at a time when they're going to protect their own salaries, at a time when they've put another, you know—if they were wanting to be accountable, they could have stayed with one deputy premier instead of two. They could have kept that the Cabinet at an 18 number like Mr. Doer had previously done, instead of expanding the Cabinet. I mean the Cabinet, if the members thought of it themselves, if the Cabinet ministers thought of it themselves, they could've kept their pay cut if they hadn't of increased the Cabinet size.

Now, I don't know which one of them was going to be cut, but it's very clear that they couldn't even follow their former premier's comments about supporting balanced budget legislation. And as soon as he left, they cut and run. He may have known it, but they cut and run as soon as he was gone. They changed the balanced budget legislation. They broke it; they couldn't live within it—third time in three years, Madam Deputy Speaker, that they've broken balanced budget law because they couldn't live within it. Thank you very much.

Mr. Gerald Hawranik (Lac du Bonnet): Yes, Madam Deputy Speaker, I think a lot has been said on the record. We didn't hear, though, a lot from the opposition—or from the government members, particularly those who are not ministers. And I would urge them, I think, to vote for this resolution. It's an important resolution. I think that really—uneven—there's an uneven playing field between the government members, the ministers and backbenchers. And I would hope that the member from Selkirk, I would hope that the—

* (16:30)

Madam Deputy Speaker: Order, please.

The hour being 4:30, pursuant to rule 28(14), I must interrupt the debate to put the question on the motion of the honourable member for Tuxedo (Mrs. Stefanson).

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Deputy Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Deputy Speaker: All those opposed to the motion, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: In my opinion, the Nays have it.

I declare the motion lost.

Formal Vote

Mr. Hawranik: A recorded vote.

Madam Deputy Speaker: A recorded vote has been requested; call in the members.

The question before the House is the opposition day motion of the honourable member for Tuxedo (Mrs. Stefanson).

Do members wish to have the motion read?

Some Honourable Members: No.

Madam Deputy Speaker: Dispense?

Some Honourable Members: Yes.

Madam Deputy Speaker: Yes. I hear some—

Order. I hear some individuals requesting that the opposition day motion be read, so I will read it.

Put forward by the honourable member for Tuxedo (Mrs. Stefanson)

THAT the Legislative Assembly endorse the concept that legislation should not be changed to protect ministerial salaries for failure to adhere to legislative requirements.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Borotsik, Briese, Cullen, Derkach, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen,

Mitchelson, Pedersen, Rowat, Schuler, Stefanson, Taillieu.

Nays

Allan, Altemeyer, Bjornson, Blady, Blaikie, Braun, Caldwell, Chomiak, Dewar, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Rondeau, Saran, Struthers, Swan, Whitehead, Wiebe, Wowchuk.

Madam Clerk (Patricia Chaychuk): Yeas 21, Nays 29.

Madam Deputy Speaker: I declare the motion lost.

House Business

Madam Deputy Speaker: The honourable Government House Leader, on orders of the day.

Hon. Bill Blaikie (Government House Leader): In terms of orders of the day, Madam Deputy Speaker, I think you would find there would be leave to proceed now to third reading of bills in the following order: 3, 5, 7, 8, 13, 14, 16, 19, 20, 21, 22, 25, 26, 28, 29, 30, 34, and 35. Furthermore, I think you would find that there would be leave for the introduction of amendments at report stage when we get to these two particular bills, to Bill 16 and 35. *[interjection]* And 29? And 29.

Madam Deputy Speaker: Is there leave of the House for the following bills to come forward for third reading: 3, 5, 7, 8, 13, 14, 16, 19, 20, 21, 22, 25, 26, 28, 29, 30, 34, and 35? Is there leave? *[Agreed]*

Also, is there leave for report stage amendments to come forward for the following bills: 16, 29, and 35? Is there leave? *[Agreed]*

* (16:40)

CONCURRENCE AND THIRD READINGS

Bill 3—The City of Winnipeg Charter Amendment and Municipal Amendment Act (Derelict Property)

Hon. Bill Blaikie (Government House Leader): I move, seconded by the honourable Minister of Justice (Mr. Swan), that The City of Winnipeg Charter Amendment and Municipal Amendment Act (Derelict Property), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Madam Deputy Speaker: It has been moved by the honourable Government House Leader, and

seconded by the honourable Minister of Justice, that Bill 3, The City of Winnipeg Charter Amendment and Municipal Amendment Act (Derelict Property), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Are there any speakers? Is the House ready—the honourable member for Ste. Rose.

Mr. Stuart Briese (Ste. Rose): I am pleased to rise for third reading on The City of Winnipeg Charter Amendment and Municipal Amendment Act (Derelict Property).

We had this bill presented at committee last night and we had one presenter who wasn't too in favour of this bill, but we've done our homework and we've talked to the City of Winnipeg and we've talked to the Association of Manitoba Municipalities, and they are supportive of this bill.

This particular amendment will actually speed up the process a little bit on dealing with derelict properties. The City of Winnipeg already has a by-law that covers these things, has had that by-law in place for a number of years, and all this bill does is streamline the process a little bit. It's taking way too long to deal with these properties. It—also the amendment will apply to The Municipal Act, and it wasn't available to municipalities outside the city before. It now will be. Prior to this, the municipalities outside the city controlled these types of properties with their unsightly property by-laws and through their planning districts and planning by-laws.

The—it's my understanding that at any time in Winnipeg there are three to six hundred of these properties, although very few of them go through this process. The mere fact that this process is there does create—does cause property owners to come into compliance with the by-law. In the last number of years, there've been some 23 properties taken into this process, and I believe there were 19 of them that were brought into compliance very quickly once they entered into this process.

We've heard nothing from any organizations to be opposed to this bill so, with those few words, I will conclude my remarks on Bill 3 and allow it to go to the third reading vote.

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, very briefly, just to add a few words, the principle of Bill 3 is a very positive one, but, having said that, I think that we need to recognize the fact

that derelict homes is a very serious problem. As has been pointed out, hundreds of homes in the city of Winnipeg every year are in situations where they're being boarded up, and the detriment and the eyesore that is caused in many of these communities because of dilapidated homes has a very significant negative impact on local community development. Governments at all levels need to do more to protect the viability of our communities by insisting on and improving the conditions of our social housing stock, and that includes both private and non-profit.

The impact of a slum landlord is very negative and we need to take actions that are going to lead to direct improvement in urban revitalization as opposed to allowing communities to go into a downward spiral. We have far too many homes, in particular in Winnipeg's North End and inner city, that are in need of repair. Thank you.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 3, The City of Winnipeg Charter Amendment and Municipal Amendment Act (Derelict Property).

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

**Bill 5—The Cottage Property Tax Increase
Deferral Act (Property Tax and Insulation
Assistance Act Amended)**

Madam Deputy Speaker: We will now move on to Bill 5.

Hon. Bill Blaikie (Government House Leader): I move, seconded by the Minister of Justice (Mr. Swan), that Bill 5, The Cottage Property Tax Increase Deferral Act (Property Tax and Insulation Assistance Act Amended), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mrs. Heather Stefanson (Tuxedo): Madam Deputy Speaker, we—this bill went before committee last evening, and we heard from a number of presenters that they were all opposed to this bill.

An Honourable Member: Every one?

Mrs. Stefanson: Yeah, including the Winnipeg Realtors, the Manitoba Real Estate Association, some private citizens and the Manitoba Association of Cottage Owners; there were a couple of presenters from there, as well.

All of these presenters represented over 200,000 Manitobans and various stakeholders and the, obviously, various stakeholders in the community. And what we heard loud and clear from these presenters last night is, No. 1, they were not consulted on this issue and, No. 2, that nobody had asked for this piece of legislation.

It's an ill-conceived piece of legislation. We don't believe that it should pass in this Legislature; it does absolutely nothing for cottage owners or to provide any kind of tax relief on their property at all. It encourages people to go further into debt, which we know this government, that's what their policy is, but they shouldn't be encouraging that and forcing that on hardworking Manitobans.

And so we believe that this bill should not pass in this Legislature. As a matter of fact, we would encourage members opposite to do the right thing today and pull this bill to ensure that we are—and go back to the drawing board, go through a proper consultation process before bringing forward further legislation that pretends to bring tax relief for Manitobans, which this doesn't. And they should really bring forward a bill that doesn't just look—have window dressing and say that it looks—it says that it's maybe doing something for providing property tax relief for Manitobans. They should actually just really bring forward a piece of legislation that does do that.

And so I would ask that members opposite, at this time, consider pulling this bill until further consultation takes place, and they can bring something forward that's more meaningful for the various stakeholders. Thank you, Madam Deputy Speaker.

Hon. Jon Gerrard (River Heights): Yes, Madam Deputy Speaker, Liberals have heard nothing that would be reason to support this legislation, and continue to believe that it's badly designed, that it is a bill which is designed to put off to tomorrow, expenses which are legitimate today. And the fact is that the government, instead of trying to look at it this way, should have tackled the fundamental issue, and that is the education tracks inequities on cottage property owners. And that's what the government

should have done instead of bringing forward this bill.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 5, The Cottage Property Tax Increase Deferral Act (Property Tax and Insulation Assistance Act Amended).

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Deputy Speaker: All those in favour of adopting the motion, please say yea.

Some Honourable Members: Yea.

Madam Deputy Speaker: All those opposed to adopting the motion, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: In my opinion, the Yeas have it.

Mr. Gerald Hawranik (Official Opposition House Leader): On division.

Madam Deputy Speaker: On division.

* (16:50)

Bill 7—The Highway Traffic Amendment Act (Suspending Drivers' Licences of Drug Traffickers)

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

Hon. Bill Blaikie (Government House Leader): I move, seconded by the Minister of Health (Ms. Oswald), that The Highway Traffic Amendment Act (Suspending Drivers' Licences of Drug Traffickers), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Kelvin Goertzen (Steinbach): It is a pleasure to rise and speak to this bill this afternoon. We

certainly have had some debate already regarding the legislation in second reading and at committee.

We are happy that the government took another one of our ideas by bringing forward—[interjection]—some members would say stole; I would never use such an inflammatory language here in the Legislature. But certainly they took the idea that we brought forward in the last session, photocopied it, introduced it here in the Legislature, but the photocopier broke down halfway through.

They got halfway through the bill, and either the minister's department ran out of paper or ran out of ink or something happened to the photocopier or they had to go get more Slurpees for high-risk offenders, but whatever the—whatever happened, they left off a strong part of the bill which we introduced in the last sitting about seizing vehicles. And we believe one of the strongest messages you could send to drug dealers is to take their vehicle and seize it from them and have it forfeited, because that would provide a financial disincentive quite apart from the fact that it takes away one of the tools drug dealers use. But the government, for whatever reason, despite the fact that I think there are many Manitobans concerned about the drug activity that's happening in the province, in our schools, in communities, for those drug dealers which are selling and peddling some of the most dangerous drugs that we've ever seen, the government decided not to accept the strongest part of the legislation and just took the first part of it.

And I don't understand why any of the ministers opposite wouldn't have gone to the Attorney General (Mr. Swan). I think of the Minister of Health (Ms. Oswald), who would have some interest in trying to reduce drug addiction in the province of Manitoba because it has an impact on the health budget and on the health system. But she obviously was silent at Cabinet and didn't speak loudly and strongly to try to get the strongest part of the legislation included. She'll have to explain at some point why she didn't do that, why she didn't take a stronger stand against drug dealers and against those who are trying to harm young people in our community. Whatever the reason is, Madam Deputy Speaker, I don't think it would be one that the public would support and, ultimately, they'll have to justify the reason for that.

But, having said that, I guess taking a half measure is better than no measure at all, and we're glad that they took a part of the idea that we brought forward. And we hope that at some point in the

future they'll either pick up the rest of the idea that we brought or perhaps a subsequent government will do that for them.

Thank you very much, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 7, The Highway Traffic Amendment Act (Suspending Drivers' Licences of Drug Traffickers).

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

**Bill 8—The Highway Traffic Amendment Act
(Safety Precautions to Be Taken When
Approaching Tow Trucks and
Other Designated Vehicles)**

Madam Deputy Speaker: We will now move on to Bill 8, The Highway Traffic Amendment Act (Safety Precautions to Be Taken When Approaching Tow Trucks and Other Designated Vehicles).

Hon. Bill Blaikie (Government House Leader): Madam Deputy Speaker, I move, seconded by the Minister of Justice (Mr. Swan), that The Highway Traffic Amendment Act (Safety Precautions to Be Taken When Approaching Tow Trucks and Other Designated Vehicles), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Madam Deputy Speaker: Is the House ready for the question?

Mr. Ralph Eichler (Lakeside): I do want to put a few things on the record in regards to Bill 8.

I was under the impression that a letter received by myself from the Association of Manitoba Municipalities was sent to the Clerk's office, but unfortunately, it wasn't, so I'd like to read it into the record. And it was addressed to the Clerk's committee—Clerk of committees.

Re: Bill 8, The Highway Traffic Amendment Act.

The AMM would like to take this opportunity to offer support for Bill 8, The Highway Traffic Amendment Act. Municipalities feel strongly that the greater safety precautions must be put in place to

protect emergency service providers. While Bill 8 expands the list of vehicles that drivers have to take precaution when approaching, legislative changes alone are not enough. Right now, far too many drivers fail to slow down when passing emergency service providers at accident scenes. Bill 8 is certainly a positive step; however, its impact may be minimal without increased public awareness of the legal requirement for drivers to take precautions when passing emergency vehicles. Therefore, AMM would like to see an educational campaign accompany the changes to Bill 8, so that all drivers in Manitoba are made aware of the need to slow down and protect emergency service providers. AMM is fully supportive of Bill 8 and is hopeful that the changes proposed, along with increased education, will have positive results for Manitoba.

Submitted on behalf Doug Dobrowski, President of AMM.

So we certainly would recommend that during the regulation stage of the drafting of Bill 8, that they take this information and put it to good use in regards to the education side of things. And certainly, we are in support of, in principle, of Bill 8 and look forward to seeing it move forward for final passage during this session.

So, with those few words, look forward to moving the bill forward.

Hon. Jon Gerrard (River Heights): Just, Madam Deputy Speaker, to say that Liberals support this bill and want to thank Sam Charran for contributing some of the ideas and effort that went into it.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 8, The Highway Traffic Amendment Act (Safety Precautions to Be Taken When Approaching Tow Trucks and Other Designated Vehicles).

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

**Bill 13—The Civil Remedies Against Organized
Crime Amendment Act**

Madam Deputy Speaker: We will move on to Bill 13, The Civil Remedies Against Organized Crime Amendment Act.

Hon. Bill Blaikie (Government House Leader): I move, seconded by the Minister of Justice (Mr. Swan), that Bill 13, The Civil Remedies Against Organized Crime Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Kelvin Goertzen (Steinbach): I'm pleased to have the opportunity to put a few words on the record regarding this bill at third reading. Of course, there's been significant debate already on the legislation at the second reading and some debate at the committee stage.

* (17:00)

Obviously, one of the concerns we have with this legislation is this is the third attempt by the government to amend this particular act. It was brought in many years ago under a few different ministers, or a few ministers ago. I think it was the member for St. Johns (Mr. Mackintosh) who originally brought it in, and it was typical of the member for St. Johns. You know, he had the big news conference. He rolled out the cake and they had the balloons and all the media came and they had the cameras on and he pounded the table. I don't think he said he was out of his skin, but he talked about how—that was later on, in a different ministry—but he talked about how important it was to pass that piece of legislation because it would take away the assets of organized criminals. It could help close down the Hells Angels clubhouse which many people know is in—and it was—

An Honourable Member: It came here under the NDP.

Mr. Goertzen: —in Winnipeg right now and, of course, the member for Springfield (Mr. Schuler) acknowledges that it was, in fact, under the NDP government in 2000 that the Hells Angels set up a chapter here in the province and, you know, they're not exactly a shy group. They're not a group that isn't brazen in what they're doing. They have a clubhouse that's got a big Hells Angels logo right on the iron gates in front of the clubhouse—

An Honourable Member: Does he even know where it is?

Mr. Goertzen: —and I think—I do know where it is and I suspect, you know—I do expect that many Manitobans know where it is and I'm surprised the Minister of Education—or sorry, the former, former

minister of Education, the disgraced minister of Education, the member for Gimli (Mr. Bjornson), seems to have no knowledge of gang activity in the province and perhaps that's one of the problems that the government has. They simply aren't attuned and aware of the issue of gang activity in the province of Manitoba.

But the legislation was rolled out to that fanfare with the idea that assets would be seized from gangs on a regular basis and what we found out, of course, was that the legislation, in fact, sat there for years, for days, weeks, months, years, gathering dust. It was never used and it just simply had never been put to work and so we looked around at other jurisdictions and we wondered why assets weren't being seized from criminal organizations as they were in British Columbia and Saskatchewan and many other jurisdictions around us.

So the government then brought in an amendment to the legislation a few years ago and they said, this time, we got it right. This time we figured out the problem with the act and this is going to work if we pass the amendment. All of the assets from gangs are now going to be stripped away from them, taken away from those gang members and, again, the legislation—we passed the amendment and the legislation sat there for days, months, weeks, years, and it wasn't used again.

And now it's the third time—the third time the minister, a different minister, but he brings forward under the same government another amendment to the act and says, oh, this time, we've got it right. This is the amendment that's going to make it work even though in British Columbia, for years, they've been seizing millions and millions of dollars of assets under similar legislation and so you have to stop and wonder. Is it the legislation that doesn't work? Or is it the government that's responsible for enforcing the legislation that actually isn't working?

And so that is our concern, not with the legislation itself. Obviously, the motives and the intention of the legislation are good and are honourable and we would, obviously, support that, but if you can't get it right, if the legislation doesn't work, then one could say it's a worthless piece of paper, that it's not worth the paper that it's printed on because the member for St. Johns (Mr. Mackintosh) and then the member for Kildonan (Mr. Chomiak) and now the member for Minto (Mr. Swan) continue to roll out press releases and say what a great revolutionary change this is going to be and yet

nothing seems to happen. We continue to wait for all of those assets to come streaming in and every time, you know, we ask the minister about it, he says, oh, just wait. This time, it's going to work, even though we've been waiting for seven, eight, nine years.

And so, you know, we're hopeful. We're optimistic. Conservatives are naturally optimistic individuals and we are optimistic that, in fact, this is something that is going to finally work and finally make a difference but there's a bit of scepticism, a tinge of scepticism you might say, Madam Deputy Speaker, because we've seen this act before and our recommendation to the government would be to spend maybe a little bit less time on the promotion of legislation, a little bit less time on the media packages and trying to bring every cameraperson out to the news conference, and a lot more time in ensuring that the act actually works, because there's a lot to be said for the fact that one's results—the actions from one's work—speak a lot louder than words, and so, instead of trumpeting legislation on the front end, why wouldn't they, in fact, work on legislation to make it actually work?

In fact, when this amendment to the act was brought forward, there were a couple of media stations who reported as though it was new legislation, a brand new act being brought forward to try to combat gangs. And I have some sympathy for those media organizations, because it had been so long ago that the original act was brought forward that most of them probably weren't even here—there were different reporters covering it—and they would have scratched their heads and go, oh, this is a new piece of legislation, not knowing that the original act was introduced years and years ago and sat there doing absolutely nothing when it came to ensuring that organized crime lost their assets.

So we'll see if the third-time-lucky is the charm for this government. They're on to their third—and, again, I—you know, I'm not saying it's not going to work, but you have to look at the history of the government, that they haven't been able to make it work in the past. And so we're hopeful and we cross our fingers and hope that this is going to make the difference, but you still wonder about those lost five or six years, where those assets weren't seized and why it was that other provinces were doing things that we weren't able to do.

So we cross our fingers. We hope that this time it's actually going to work. We're sorry that a number of years have been lost under this government where

legislation could have already been working and been in effect. They are often slow to the table and don't get the same effects of other provinces, but we'll cross our fingers, hope for the best, and look forward to further announcements about how, finally, after three attempts and after several years and three different ministers of Justice, they finally are able to get what every other province has got right long before them.

Thank you very much, Madam Deputy Speaker.

Mr. Kevin Lamoureux (Inkster): Yes, Madam Deputy Speaker, during second reading on Bill 13 and 14, I appreciated the fact that the Minister of Justice (Mr. Swan) was actually listening very closely as we talked about actually dealing with the issue of crime in our communities. In fact, I had suggested to the Justice Minister at the time, because he was getting somewhat exercised in his seat, that I would welcome him to have a discussion, and we had picked even the riding of Burrows. A nice NDP colleague of his would even be able to host the meeting.

Madam Deputy Speaker, I had sent the minister a letter and we had suggested the date of June the 23rd. I want to thank the member from Steinbach. He had gotten back to me, indicating that he would, in fact, be able to attend. I still haven't heard from the Minister of Justice, and I look forward to hearing whether or not the Minister of Justice will, in fact, be at it. I know he's going to be speaking on Bill 14 following this bill—[interjection] Well, we'll see what he says on Bill 14, and we'll wait and see what the minister says. I think that we should go ahead either way with some sort of a meeting even if the Minister of Justice is unable to make arrangements. We can even put it off to accommodate his calendar, because I do believe that it would be nice to see the Minister of Justice actually come out into the community with other members of this Legislature that are not New Democrats, so he's maybe in an environment that is a little bit more conducive to people sharing with him what they really think about the community crime issues such as community policing and so forth.

But I'll wait and see, maybe, if he'll respond to my letter when he introduces Bill 14 for third reading right after I sit down, I assume.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 13, The Civil Remedies Against Organized Crime Amendment Act.

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

Bill 14—The Body Armour and Fortified Vehicle Control Act

Madam Deputy Speaker: We will move on to Bill 14, The Body Armour and Fortified Vehicle Control Act.

Hon. Andrew Swan (Minister of Justice and Attorney General): I move, seconded by the Minister of Local Government (Mr. Lemieux), that Bill 14, The Body Armour and Fortified Vehicle Control Act; Loi sur le contrôle des gilets de protection balistique et des véhicules blindés, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

* (17:10)

Mr. Kelvin Goertzen (Steinbach): Madam Deputy Speaker, my hope was that the Minister of Justice would've responded to my friend from Inkster regarding the invitation to go and debate bills like this and other pieces of legislation and the whole justice system as a whole. When the invitation was extended in this House by the member for Inkster (Mr. Lamoureux), I was quick to accept it. I thought: what a good opportunity to debate, among different political parties, how the justice system isn't working.

And I'm not sure why the Minister of Justice is afraid to debate issues in front of Manitobans. You know, in this House he speaks about how proud he is, how proud he is about the government's accomplishments, but he's scared to go out and actually say that to ordinary Manitobans. He's worried to go out to Manitobans and debate bills like this particular bill that we're debating now or other pieces of legislation.

You would think that if a government truly believed that they were doing something important and doing something effective in the issue of crimes, they would take the member for Inkster up on his offer. You know, I've known the member for Inkster

for awhile now. He's a nice gentleman. I think he's an honourable guy. I've heard him raise issues of community safety many times in this House—*[interjection]* And, you know, the member for Elmwood (Mr. Blaikie) says am I writing his political pamphlet for him. And I think that that's the kind of partisan debate that cheapens all of us when we—Madam Deputy Speaker, when we stoop to that level, where everything becomes a partisan argument, where everything becomes a blue, green or a red, when everything has to fall within the purviews of a particular political party.

I'm happy to stand up and say that I believe that the member for Inkster has done a good job in his time in the Legislature raising issues of criminal justice and community safety. He has raised a number of different issues regarding the need for community policing and keeping his particular community safe, and I think he has done that with all the right intentions and with all the right motivations here in this Legislature. And for the member for Elmwood to make this a bitter partisan debate I think just simply doesn't do anybody any good, and it certainly doesn't advance the cause that the member for Inkster is trying to advance.

So we look forward to the Minister of Justice responding positively to the member for Inkster, and I'm certainly glad to go. You know, the member for Inkster and I might not agree on every issue as it relates to criminal justice and the justice system, but that's okay. We can have a civil debate about it and put our ideas on the table when—and speak passionately about those ideas. I'm sure there's other members—I hear the member for Springfield (Mr. Schuler) would like to have a public debate with the former disgraced Education minister, the member for Gimli (Mr. Bjornson), about how he hurt so many retired teachers and their pensions, and I think the member for Springfield would take that seriously and go to a public forum and have that debate. Why are we worried about these sort of debates in the Legislature? Can't we put aside some of those partisan differences at times? I think Manitobans would expect that from us. I look forward to the positive response to the member for Inkster and we can have this civil debate. It may be one of the last debates the member for Inkster gets to have on a provincial issue. And, if that's the case, why wouldn't we send him off to whatever great reward he'll be given politically in that sort of a style in a bipartisan way to debate issues regarding criminal justice?

More specifically on this bill, however, Madam Deputy Speaker, I want to say that the issue of body armour and fortified vehicles is an important one. As I've mentioned in the past in debate on this issue, fortified vehicles are not something that's been identified as a problem at this place—at this time in Manitoba by the—by law enforcement. They haven't seen any fortified vehicles. But, having said that, there is nothing wrong with trying to get ahead of a problem, even if it's a problem that doesn't exist at this current time. So we will support that piece of the legislation and hopefully it doesn't become a problem.

But, of course, there are many problems in the province of Manitoba that do need to be addressed and that the government seems to ignore for whatever reason. Instead of helping out retired teachers, which is a current and existing problem, they instead focus on trying to solve a problem that doesn't exist right now in the province of Manitoba. But, if it's a proactive measure and not simply a political maneuver, we say that's fine and we're looking forward to that part of the legislation passing.

As it relates to body armour, Madam Deputy Speaker, I think this is an issue that's more of a problem in the province of Manitoba. We know that there are some gang members who do, in fact, employ body armour either because of the disputes between gangs or because they're in some sort of act where they want to—some sort of criminal act where they're trying to protect themselves. So that is important, I think, to get a handle on body armour. We don't know, of course, how many gang members would be using body armour; you can't really poll on it and expect to get a response, but we know that there are some. Police officers have indicated to me and to others that this is an issue in Manitoba.

We only hope that the legitimate purposes both for armoured vehicles—and there are some legitimate purposes for armoured vehicles—and body armour aren't unnecessarily impeded by this particular piece of legislation. Those who are working security at socials, for example, will often use body armour, and they're there to protect the general public. I raised the issue—and I think the minister has addressed it and I thank him for that—about those who use tanks as a ceremonial vehicle at Legions or at veterans days and in parades. We don't want to criminalize that or make it difficult for individuals who use those sort of historic vehicles that happen to be armoured, and I

think that the department has looked at that concern and has some solutions for that.

So we're glad that the legislation has some sort of positive effect, that it will have some sort of useful application. Nobody believes it's going to reduce the number of gang members in the province of Manitoba, but there certainly is no harm in passing legislation like this, and so we look forward to it going forward.

And it may be something that we end up debating at our public debate with the member for Inkster (Mr. Lamoureux) and the Minister of Justice (Mr. Swan) as we have a hands-across-the-aisle bipartisan discussion about the criminal justice system and justice as it's employed here in Manitoba at the behest of the member for Inkster. We look forward to getting together and having that public discussion and seeing what ideas come forward from that.

Thank you very much, Madam Deputy Speaker.

Mr. Kevin Lamoureux (Inkster): I would like to table a copy of the letter—or the invite that I had given to the Minister of Justice and say with all sincerity that I would welcome, in the most sincerest ways, Madam Deputy Speaker, the government to take the opportunity and coming out to Shaughnessy Park School that has been suggested in the letter, which happens to be in the member from Burrows' constituency, and to discuss with people, real people in the community, in an apolitical fashion where we have representatives from all three political parties. I say it with all sincerity, believing that the Minister of Justice would see the value in communicating his message to the public as I have expressed and as the member from Steinbach has so eloquently expressed also. And I appreciate the kind words from the minister—from the member from Steinbach.

Madam Deputy Speaker, I do believe crime is a very serious issue in the province of Manitoba. Whether it's automobile theft, home break-ins, child prostitution, gang involvement, it is something in which people are genuinely concerned about.

Madam Deputy Speaker, in my speeches I talked a great deal about an example of a constituent that had some difficulties with someone under the age of 12. There is a need for governments of all levels to be more involved in ensuring that there is a consequence when there is an offence against the public or the individual. You have to ensure there's a consequence.

You also have to look at programs such as the Marymount organization and the wonderful efforts that they do and the potential that they have to prevent some of these crimes from even taking place. And we need to depoliticize and start looking at ways in which we can change the structure so that there will be less crime on our streets. Thank you, Madam Deputy Speaker.

And I look forward to hearing from the Minister of Justice (Mr. Swan). Hopefully, he will see the positive of having this public meeting, and if he would like to pick a different date, Madam Deputy Speaker, I'm sure that both myself and the member of Steinbach would welcome the opportunity any time within the next six weeks to be able to have that debate. So any day during the next six weeks, all he has to do is say, yes, I'll be there. And I can guarantee if the Minister of Justice says that he'll be there, I, too, will be there. And I trust the Conservative party will also have a representative there.

Do it for the public. Share your thoughts. What have you got to hide in regards to the issue of crime? Thank you.

* (17:20)

Madam Deputy Speaker: Is the House ready for the question?

An Honourable Member: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 14, The Body Armour and Fortified Vehicle Control Act.

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

House Business

Madam Deputy Speaker: The honourable Government House Leader, on House business.

Hon. Bill Blaikie (Government House Leader): Yes, Madam Deputy Speaker, on a point of order—

Madam Deputy Speaker: No, on House business.

Mr. Blaikie: Or rather—yes. In any event, Madam Deputy Speaker, I'm rising to ask for leave.

I know that Bill 16 is next on the list. But there is an amendment that has yet to arrive, and so I would ask leave of the House to put aside Bill 16 for now and come back to it later, at the end of the list.

Madam Deputy Speaker: Just for the information of the House, the honourable Government House Leader does not need leave to change the order of the bills. But we do thank him for asking for that.

So we will be moving—skipping over Bill 16, and then we will be returning to Bill 16 later on today, I believe. And so we will now move on.

Bill 19—The Protection from Domestic Violence and Best Interests of Children Act (Family Law Statutes Amended)

Hon. Bill Blaikie (Government House Leader): Yes, thank you, Madam Deputy Speaker. We then proceed now to the next bill, which is Bill 19.

And I, therefore, move, seconded by the Minister of Energy—Innovation, Energy and Mines (Mr. Chomiak), that The Protection from Domestic Violence and Best Interests of Children Act (Family Law Statutes Amended), as amended and reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Madam Deputy Speaker: It has been moved by the honourable Government House Leader, seconded by the Minister of Innovation, Energy and Mines, that The Protection from Domestic Violence and Best Interests of Children Act (Family Law Statutes Amended), as amended and reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Mr. Kelvin Goertzen (Steinbach): Yes, Madam Deputy Speaker, a pleasure to put a few concluding comments on the record at third reading regarding Bill 19.

First of all, I want to acknowledge the fact that we had some, not a lot of presenters at committee, but those presenters who were there spoke very passionately regarding the need to change legislation in Manitoba as it relates to the issue of domestic violence, and we appreciated hearing those concerns. There were some valid suggestions that came forward, and the presenters, at committee, spoke very eloquently. But more than that, they spoke from their heart about personal experience. And we appreciated hearing those recommendations, and I want to assure those presenters that we took them to heart. And there will be examination regarding their particular recommendations on the bill.

The legislation, as it relates to domestic violence is—we support. We think that there are some

advancements that will be made from this particular piece of legislation in terms of providing additional safety and providing less personal information about those who are dealing with abusive situations. And so that, certainly, is important. We still do have some concerns about how the Maintenance Enforcement branch, for example, is operating in the province. Not, of course, because of anything that those who are employed there are doing, but because the government itself hasn't made it a priority to ensure that Maintenance Enforcement is able to do their job properly.

We relayed, in this House, the fact that there are between 15 and 16 thousand files currently involved at Maintenance Enforcement, recognizing that not all of those files would require a lot of work because there are many people who simply pay their support. And so that is a concern that hasn't been addressed, so we hope will be addressed from the government, and that has a relation to domestic violence.

But, of course, we know there's much more that can be done to protect those individuals who find themselves in an abusive situation and where it's often difficult to cut those ties and to get into a place of safety and a place that's security. Often there are children involved in these relationships, and that makes it even more complex and more difficult.

And it's important to look at models from other jurisdictions about how one can ensure that spouses who find themselves in an abusive relationship can find safety and can find that shelter with as few hoops to pass through as possible and as quickly as possible, because often there is not just a sense of a physical confinement, a physical trapping, if you would, Madam Deputy Speaker, but there's also a sense of an emotional confinement, an emotional trapping.

And so I think that this particular piece of legislation adds something to the legislation that already exists, that it'll go a little bit further in ensuring that information that shouldn't be provided about an individual's whereabouts where there's a concern of either domestic violence or stalking, is withheld. We think that it's positive that there's some discussion about how to ensure that individuals who have orders against them aren't breaking their orders simply to arrive at court and to deal with a judicial proceeding.

So those are steps forward, but there's much, much further that we need to go, and I think that we

need only to look at the presenters who were at committee last night who—sorry, the night before—who made presentation very passionately about how things could be changed to increase safety for those who are dealing with domestic violence in their community and—in their homes, Madam Deputy Speaker.

So I hope that this bill will have the impact and the effect, in its limited scope, that's intended to have, that it will, in fact, better the lives and make a difference for those who find themselves in a domestic situation that's violent, and then they attempt to flee that domestic situation.

With those words, I would be open to hearing other comments from others in the Chamber before this bill is voted on and passed.

Mr. Mohinder Saran, Acting Speaker, in the Chair

The Acting Speaker (Mr. Saran): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Mr. Saran): The question before the House is concurrence and third reading of Bill 19, The Protection from Domestic Violence and Best Interests of Children Act.

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

Bill 20—The University College of the North Amendment Act

The Acting Speaker (Mr. Saran): Now I will call Bill 20, The University College of the North Amendment Act.

Hon. Dave Chomiak (Deputy Government House Leader): I move, seconded by the Minister of Finance (Ms. Wowchuk), that Bill 20, The University College of the North Amendment Act; Loi modifiant la Loi sur le Collège universitaire du Nord, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

The Acting Speaker (Mr. Saran): It has been moved by the Minister of Innovation, Energy and Mines, seconded by the Minister of Finance, that Bill 20, The University College of the North Amendment Act; Loi modifiant la Loi sur le Collège universitaire du Nord, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

* (17:30)

Mrs. Mavis Taillieu (Morris): I'd like to speak a little bit about Bill 20, The University College of the North Amendment Act.

The bill is really just a bill that gives the Learning Council responsibility for the academic policy of the University College of the North and makes some adjustments in the role of the minister, bringing it more in line with the more southern universities, and makes the chancellor a voting member of the governing council. And it also moves the year end of the University College of the North to March 31st from June 30th, which is more in line with what other Manitoba universities do, Mr. Acting Speaker.

And I just want to make a note as I said in second reading, that it was actually Duff Roblin who started and founded the University College of the North or the predecessor of the University College of the North until that name was changed.

And it is something that we do support. We support education wherever it's needed in the province, Mr. Acting Speaker, and certainly we've heard from people in the northern communities, and some of the concerns, I guess, that they bring forward is: Are the colleges meeting the demand of the community? Because there's a lot of mining, forestry, industries like that, construction. These kinds of things are what the community needs, and so they have some concerns that the college will be delivering the appropriate type of people that are needed for the community and the economic development in the community.

So, Mr. Acting Speaker, we don't have a problem with this bill. We can support this bill, but I, you know, I do want to just also again say, we actually noticed when we were looking over the annual returns that University College of the North seemed to have a quite an excessive travel and entertainment budget. So we sent in a Freedom of Information request for the—for that information.

And what happened? Well, we got a notice back saying we couldn't have that information until we paid over \$12,000 for the information. So, of course, I don't have \$12,000 to pay and we don't have \$12,000 to pay for this kind of information. So we—of course, you know, the cover up is always worse than the problem. So the fact that they don't want to give it to us sort of makes you more and more suspicious.

So when we spoke with the college, they were quite miffed, I guess, in the beginning that we were even asking for this information and—but, you know, it's information that the public should have access to because it's public dollars that support universities—public dollars that are being spent. And, certainly, as we know, if you have an expense account and you need to cover your expenses, you have to submit receipts or bills so that this can be properly accounted.

So the argument that it was going to take—I can't remember exactly the number of hours, but it was in excess of 300 hours to collect this information—really, in my mind, didn't hold water because this would be information that would need to be accounted for, need to be line itemized somewhere in some accounting ledger, in some kind of accounting system. And most likely it's a computerized accounting system, and as a computerized accounting system, it's very easy to pull the data in whichever form you want to search for.

So it didn't really make a lot of sense that it was going to take that many hours to collect data that should already be there and cost \$12,000.

Of course, that raises red flags when you get denied that access to that information, and you wonder, well, then you start to be more suspicious. Well, what is going on there? And certainly we understand that there may be some travel expenses in the north that may be—but, you know, if that's the case, I don't really see what would be the issue in just giving us that information. If they're legitimate expenses, which I'm sure they are, but if they're legitimate expenses, then why would you not want to provide the information? It's only when you don't provide the information that you raise suspicions as to why you won't provide the information.

So—and today, in fact, I was just checking to see whether we'd actually been given that information, and, no, even to date—to date—even though I thought that there was an agreement that University College of the North was going to provide that information, to date they have not provided that information. So, again, if it's transparent, if there's accountability, if there's nothing wrong—and I'm not saying there is. I'm not saying that at all. I'm just—simply sent in a FIPPA request, asked for more information, was denied that information, told me it's going to cost me \$12,000, because it was going to take over 300 hours of work to compile it. This makes you very suspicious about where the money is being spent.

Then, after a telephone conversation, it appeared that there was agreement that the information was going to be provided, and still we have nothing, Mr. Acting Speaker.

So it's a bit of concern to me because, as I say, I, you know, when you don't get the information, that's when you are more suspicious about—what are they hiding? If it was—if there's nothing to hide, then the information would have been forthcoming, but seeing as there's a stonewalling on providing the information, then, of course, you suspect that there might be something that they don't want to be made public.

But, Mr. Acting Speaker, education, advanced education is important. It's important for all Manitobans and we recognize that in a progressive society we need to provide a good education because that is the basis on which our society grows. People that are educated often contribute—I think studies have said, anyway, that people with higher education 'promide' more contribution to the economy because their jobs that they receive are higher paying jobs. So they are contributing to the well-being and the economy of our province.

And, certainly, anything that we can do to support education in the north, in particular, where there's a large Aboriginal population who, really, very much want these educational resources, and now will be able to access some of these programs more locally and more easily and more culturally appropriate. So we certainly support that. I have no problem with that.

And just would, though, ask that the minister maybe should be more willing to have University College of the North provide the information that we've requested because, as I've said, the colleges are supported by public tax dollars. Taxpayers of Manitoba are funding the educational facilities. So I think if Manitobans are asking a question—and, in fact, Mr. Acting Speaker, that is the point here. I do have a person that is following this and saying, have you got the information yet—have you got the information yet—which, again, makes me wonder what is in the information.

So there is a—at least one Manitoban who's very, very interested in what the \$12,000 would have been spent on—or, I'm sorry—what the \$12,000 required to get this information really means. What has the over one and a half million dollars actually been spent on when it comes to travel and entertainment? So I'm hoping that the minister will encourage the

University College of the North to be forthcoming with that information.

* (17:40)

So, Mr. Acting Speaker, as I've said, this bill, The University College of the North Amendment Act, the member—the minister said during the briefing that it was basically a housekeeping bill, and it appears to bring the University College of the North more in line with the other universities in the province.

One thing that we did note though that's different at University College of the North is that the board is actually a paid board where other boards or other governing councils are not paid. There's no remuneration but University College of the North there is remuneration. So that's something that is different with University College of the North that we haven't seen with the other universities.

But, Mr. Acting Speaker, I guess with those few words, we're—we'll let this bill go through. Thank you.

The Acting Speaker (Mr. Saran): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Mr. Saran): The question before the House is concurrence and third reading of Bill 20, The University College of the North Amendment Act.

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

Bill 21—The Highway Traffic Amendment Act (Immobilizers and Air Bags)

The Acting Speaker (Mr. Saran): Now, we go to Bill 21, The Highway Traffic Amendment Act (Immobilizers and Air Bags).

Hon. Dave Chomiak (Deputy Government House Leader): Mr. Acting Speaker, I move, seconded by the Minister of Health (Ms. Oswald), that Bill 21, The Highway Traffic Amendment Act (Immobilizers and Air Bags); Loi modifiant le Code de la route (dispositifs d'immobilisation et sacs gonflables), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

The Acting Speaker (Mr. Saran): It has been moved by the honourable Minister of Innovation,

Energy and Mines, seconded by the honourable Minister of Health, that Bill 21, The Highway Traffic Amendment Act (Immobilizers and Air Bags), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Mr. Ralph Eichler (Lakeside): Mr. Acting Speaker, I do want to put a few things on the record in regards to Bill 21, The Highway Traffic Amendment Act. It's the immobilizers and air bag act, and we know that the government brought in the immobilizers a few years ago, and some of those have been tampered with when they put in command starts and, as a result of that, there is some vehicles that have been stolen as a result of that.

They do have some very positive things in this bill in regards to the immobilizers and the air bags, and my concern is is that—is the vehicles get so complicated in the future and on down the road, the thieves will find another area to steal from vehicles. And this legislation is just one more step in order to try and put safeguards in place in regards to Bill 21 for the air bags, but we also know that the stereo systems and sound systems in vehicles will probably be the next major hurdle that thieves will go after. So we'll probably have legislation back in the spring on that. And we know that this is a safety issue as well, and when we're looking at safety for, especially, used vehicles, a consumer assumes the fact that they're going to be able to buy a vehicle that is, indeed, safe, where the air bags are, in fact, in place and whenever they buy that vehicle, they need to be assured that those, in fact, are there.

But the thieves are to the point that they are able to figure out ways to get around and make it look as if these air bags are still within that vehicle. So the consumer is assuming that fact that they will be safe when they're driving that vehicle down the road.

So I know that these are on the black market, anywhere from 500 to \$1,500 from what we've been told in regards to selling these on the black market. And if we can do anything to prevent a death or to put another roadblock up in these thieves that are using these vehicles for feeding their habits with regards to the air bags, and we know the immobilizers are working within the insured field to lower the theft of vehicles within this province, so we know very well that that is a step in the right direction.

But my main concern is, as I've said at the get-go on this bill, is, you know, the cars are getting more

complicated. They're getting OnStar systems, systems that we know that's going to be challenges for the thieves as they move forward. So we know that whenever we talk about thieves in the future, that we're going to know that there's going to be another step that we're going to have to take and try to out-figure the thieves before they out-figure us.

So the main thing that we have to worry about in regards to this is that once it's enacted—we pass a lot of bills in this House and they don't receive the proclamation in order to put the bill forward. So we would encourage the government, on the passage of this bill, to get it proclaimed as soon as possible.

And we know that the—this ban on the use of the cells phones and texting, on that legislation that was passed a year ago, I believe it was in Tuesday's paper that they're finally to the point now, they're going to start enforcing that. I believe the fines have been set around \$200, so that we know that that is, in fact, moving forward. And, of course, the hands-free units that's in a number of vehicles—in fact, I think that Ford has a situation in their vehicles. I don't have the money to drive a Ford; I drive a Chevy. So I know that these upper-class vehicles that a lot of people buy that have these OnStar systems right in them, able to utilize the phones, and so they're one of the units that might be targeted by the thieves then. So we know that the thieves will be out there trying to figure out some way in the marketplace to take advantage of that.

So I know that—you know, the other things we need to talk about in regards to this bill, Bill 21, is the use of these immobilizers, of course, and the air bags, and the fine I believe that has been talked about for tampering for this is \$5,000 for mechanics or garages that tamper with them. And I'm not sure if that's in line with the other fines that have been brought forward by this government. It does sound like an awful lot of money. It might be enough of a deterrent to do it, but, also, I think that, generally, when we look at first-time offences, they're, you know, in the neighbourhood of around \$2,000 but there, again, I guess that will be laid out in the regulations once they get drafted.

Ms. Marilyn Brick, Deputy Speaker, in the Chair

So, with those words, Madam Deputy Speaker, I think that we certainly are in support of moving this bill forward for third and final reading, encourage the proclamation of the bill once it's passed in the House tomorrow, and a quick draft of those regulations. I know that the different groups that have been

lobbying the government to get this certainly passed were very pleased that the consultation will be given back to them in regards to the regulations in regards to these immobilizers and air bags. So, with that, I look forward to moving forward on this bill.

* (17:50)

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 21, The Highway Traffic Amendment Act (Immobilizers and Air Bags).

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

Bill 22—The Credit Unions and Caisses Populaires Amendment Act

Madam Deputy Speaker: We will now move on to Bill 22, The Credit Unions and Caisses Populaires Amendment Act.

The honourable Minister for Innovation, Energy and Mines, on House business?

Hon. Dave Chomiak (Deputy Government House Leader): I move, seconded by the Minister of Health (Ms. Oswald), that Bill 22, The Credit Unions and Caisses Populaires Amendment Act; Loi modifiant la Loi sur les caisses populaires et les credit unions, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. David Faurschou (Portage la Prairie): Madam Deputy Speaker, it's a pleasure for me to rise on third reading of the Bill 22. It is a very comprehensive bill that we have before us this afternoon, but it is, indeed, futuristic in its outlook towards the industry of finance that is been in existence in our province for quite a number of years. It has something that we should be very, very proud of, our credit unions and caisses populaires and their performance in serving the needs of Manitobans.

The amount of assets that are currently under direction of the credit unions exceeds more—\$16 billion, which is very substantive. It was noted that in committee that the credit unions operating in the province of Alberta do, indeed, have a little bit more in assets; however, we got to—we must

recognize that there is more than three times the population in Alberta, and so we see that the number of Manitobans, in fact, by recent survey, 44 percent of every man, woman and child residing in Manitoba is a member of the credit union or caisse populaire financial institutions.

So the performance is truly recognized through the number of Manitobans that, indeed, entrust their families' savings and look to these financial institutions to provide for monies borrowed for important purchases that each Manitoban family has, from time to time, required. And so I—it is an opportunity for us to show support for the credit unions and caisses populaires in their effort to modernize and to provide the services that Manitobans indeed want and need and yet—*[interjection]*—okay—and yet there are something that we do in—consider as—in this House—as supporting the credit unions and caisses populaires in their bid to modernize.

And I want to take this opportunity to recognize the honourable Minister of Consumer Affairs (Mr. Mackintosh) in his support of the legislation—was receptive to and responded with amendments that enhanced Bill 22, and they were passed at committee and, indeed, do enhance the overall legislation which we have before us this afternoon.

So, with those few words, Madam Deputy Speaker, I certainly support the passage of Bill 22.

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I rise just to indicate that we in the Liberal Party support this legislation and we support the contributions that the credit unions and the caisses populaires are making to the province of Manitoba.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 22, The Credit Unions and Caisses Populaires Amendment Act.

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

Bill 25—The Manitoba Evidence Amendment Act (Scheduling of Criminal Organizations)

Madam Deputy Speaker: We will now move on to Bill 25, The Manitoba Evidence Amendment Act (Scheduling of Criminal Organizations).

Hon. Bill Blaikie (Government House Leader): I move, seconded by the Minister of Justice (Mr. Swan), that Bill 25, The Manitoba Evidence Amendment Act (Scheduling of Criminal Organizations), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Kelvin Goertzen (Steinbach): We have had extensive debate regarding this particular piece of legislation. Certainly, we support the intention of it in terms of scheduling known organizations and ensuring that those that are acting in a criminal fashion become part of the schedule of criminal organizations so that there isn't a need to re-prove that certain gangs are, in fact, a criminal organization, and so that it can help other pieces of legislation such as the civil remedies act and other pieces of legislation as well.

So, with those comments, we are prepared to see this bill now passed.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is third reading and concurrence of Bill 25, The Manitoba Evidence Amendment Act (Scheduling of Criminal Organizations).

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

**Bill 26—The Addictions Foundation
Amendment Act**

Madam Deputy Speaker: We will now move on to Bill 26, The Addictions Foundation Amendment Act.

Hon. Bill Blaikie (Government House Leader): I move, seconded by the Minister of Justice (Mr. Swan), that Bill 26, The Addictions Foundation Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mrs. Leanne Rowat (Minnedosa): I believe that this bill will be going forward obviously. I just wanted to, again, indicate that I really am concerned. This bill, which was introduced last session by a

former minister of Healthy Living, was brought forward late in December and obviously didn't make the cut and obviously was reintroduced at some point by the new minister. But, again, I'm very concerned that this government has not shown any leadership in the area of addictions. We have so many dedicated addiction professionals in the addiction treatment community who are committed to the issue of addictions among Manitobans of all ages. Manitoba association—or Addictions Foundation is just one such organization. So I really would like to see the government, you know, fund an organization like AFM and actually allow those funds to go to front-line staff and ensure that wait lists are reduced and programs are being implemented that actually do have a significant impact on Manitobans who are facing addictions and families who are having to deal with addictions with—either through their children or their spouses, et cetera.

* (18:00)

I believe that by the government taking \$90,000 out of the AFM budget to staff a person who's going to be working for Healthy Living, Youth and Seniors on their policy work through addictions is not exactly, I think, transparent. I believe that the government is looking at ways to hide staff and have done this through AFM. I believe that this is an opportunity for government to become more transparent and I urge them to be more so, especially in the area of addiction treatment, as there is obviously an urgent priority with the wait times and the issue with—that we've just recently learned of where individuals have lost their lives because they were on wait lists and just were not receiving treatment.

So, again, I'm putting on the record that I believe this government has to pay attention to this very serious issue. They haven't to this point.

And I want to again congratulate Addictions Foundation of Manitoba for the work that they do in something that is becoming more and more of an issue without government's true support.

Thank you, Madam Deputy Speaker.

Mr. Kevin Lamoureux (Inkster): I just want to put a few words on the record.

I recall in the last session in—having a bill debriefing on Bill 26, and the then-minister had expressed that there was a desire to move ahead with this and that the Addictions Foundation was in support of the changes that the government was

wanting to make. There was some cautionary notes in regards to to what degree the ministry was wanting to have more say and control over what's taking place over at the Addictions Foundation, and I think the minister attempted to kind of ease our thoughts on it. When I can recall, in the last few months, we haven't—or I personally haven't heard from the Addictions Foundation as to why it is that this bill should not be supported.

But I just want to raise, just to express some concerns in regards to the province and the state of addiction issues that are there, that are very real. And it just doesn't seem on the surface that things are getting better. And we are very needy of the Foundation and the fine work that many of those individuals within the community do to try to combat the many serious addictions that are inflicted upon Manitobans today. And we want to make sure that we do as much as we can in terms of supporting where there is a need to support.

With those few words, we're prepared to see it pass. Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 26, The Addictions Foundation Amendment Act.

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

Bill 28—The Drivers and Vehicles Amendment Act

Madam Deputy Speaker: We will move on to Bill 28.

Hon. Andrew Swan (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): I move, seconded by the Minister of Finance (Ms. Wowchuk), that Bill 28, The Drivers and Vehicles Amendment Act; Loi modifiant la Loi sur les conducteurs et les véhicules, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Mrs. Mavis Taillieu (Morris): Madam Deputy Speaker, and I just also want to put a few words on the record in regard to Bill 28, The Drivers and Vehicles Amendment Act.

And I think this bill is touted to be a measure of consumer protection, as I got a briefing from the minister, that was the message at least they wanted to put out there, is that it was a measure of consumer protection and I do think that it is a measure to protect consumers. As I said before, if there are people within the industry that are less than ethical and honest with the customer, then those people need to be sanctioned, I guess.

And the purpose of this bill is to actually, once somebody has their permit revoked for an infraction—a repeated infraction—of the law, then they would have their names posted on the MPI Web site.

Now, I would certainly think that—I would hope that the minister is not discouraging small businesses in the province, but rather would try and assist them to become in compliance with what they need to do, and then, if they still fail to do that, then if the sanctions are required, then the posting of the names on the Web site would be necessary.

I think that, as one who often would support protection of a person's privacy, I do recognize that when people are breaking the law then they do not have the rights to the same rights and freedoms as law-abiding citizens.

And, as I said, if I, you know, if I had to have my car examined, say for a safety inspection certificate, and I was told by one dealer that, no, it's not a safe vehicle, you have to get the brakes done and you have to replace something under the—in the engine, I wouldn't have the ability to know if that was, in fact, the case because I'm not a mechanic, don't know anything about cars, really.

So I might also take it for a second opinion and go down the street and talk to someone else who might say, well, I find nothing wrong with your car, so it's a safe vehicle and here's your safety inspection.

Now, I would need to be assured, that at least—I want to be assured that I'm getting the correct information. So I've got one person that's saying one thing and one person that's saying the other. So, at least if I was doing my homework, I could look on the MPI Web site and find out if there was one of these two that had been identified as a business that was less than ethical or honest with the consumer.

So, certainly, I can understand that it would be necessary to protect the consumer. I have had some people come to me with some of the parts of this bill that they feel are a little heavy-handed by

government, and just in terms of what they want to do here with—I'm not talking really about automobile dealers or salespeople or automobile recyclers, but there are some people being targeted here that feel that it is a little bit heavy-handed by a Big Brotherish type of government who's really telling private citizens what they can do, when they can do it and where they can't do it, when it's off of their own time and has nothing to do with their job.

So there have been some concerns raised in regard to this bill.

However, and I—as I said, we do support consumer protection, but we would certainly hope that the—when the registrar goes to publish the names of the people that have been negligent, that they would certainly make sure that the—all of the appeal process is exhausted and they have absolutely made sure that there is a transgression here, because it would be very inappropriate to put information on a public Web site about some that—about someone who had not done the things that someone may have reported they did.

So I certainly think there's an onus on the government and on MPI to ensure 100 percent that they are correct in saying that there's—this person has done something which requires a sanction and requires a permit to be removed before they would resort to actually posting a name on a Web site, because there is huge damage that can be done to a business by doing something like this. So it would be absolutely necessary to make sure that it was 100 percent proven that the business was in the wrong.

* (18:10)

I also just want to mention some of the things about small business in this province which we should be supporting here. We shouldn't be trying to penalize small business at every time that we can or—not even small business but any kind of business in this province, because we know that businesses are the backbone of our economy. We know that private sector growth in small businesses, and particularly small- and medium-sized businesses, is what grows the economy here in Manitoba. It's not growth in the public sector which is not sustainable. It's growth in the private sector and that means small businesses.

And, you know, there should be more supports. There should be more of a business friendly climate here in Manitoba. We should have more supports.

We should have things like—why do we have to have this payroll tax, which is basically a tax on jobs. We shouldn't have this kind of thing. We should be encouraging people to establish its businesses here.

So, as I said, Madam Deputy Speaker, I think that in the name of consumer protection we can support this bill. Thank you.

Madam Deputy Speaker: Is the House ready for the question?

An Honourable Member: Question.

Madam Deputy Speaker: The question before the House is Bill 28, The Drivers and Vehicles Amendment Act.

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

House Business

Hon. Andrew Swan (Acting Government House Leader): Yes, on House business, Madam Deputy Speaker. I wonder if we could move to call report stage amendments on Bill 29.

REPORT STAGE AMENDMENTS

Bill 29—The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act

Madam Deputy Speaker: We have already gotten leave to deal with Bill 29, report stage amendments, so I will now call report stage amendments on Bill 29.

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

THAT Bill 29 be amended in Clause 1 of Schedule A by replacing clause (a) of the proposed definition "individual student information" with the following:

(a) the following recorded personal information about an identifiable student:

- (i) the student's name, age and sex,
- (ii) the student's home address, or home telephone, facsimile or e-mail address,
- (iii) information about the student's education or educational history,
- (iv) information about the student's ancestry, race, nationality, or national or ethnic origin,

(v) information about the student's criminal history;

Madam Deputy Speaker: I just want to—for the information of all members I just want to say that this is Bill 29, The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act.

It has been moved by the honourable member for River Heights and seconded by the honourable member for Inkster, that Bill 29, The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act, be amended by:

THAT Bill 29 be amended in Clause 1 of Section A by replacing clause (a) of the proposed definition "individual student information" with the following:

(a) the following recorded personal information about the identifiable student:

- (i) the student's name, age and sex,
- (ii) the student's home address, or home telephone, facsimile or e-mail address,
- (iii) information about the student's education or educational history,
- (iv) information about the student's ancestry, race, nationality, or national or ethnic origin,
- (v) information about the student's criminal history;

Mr. Gerrard: Madam Deputy Speaker, our concern with this bill is that the way it was written by the NDP, that it was a bill which is designed or facilitates the ability of the minister to spy upon students and get all sorts of mostly irrelevant information, but it could include information on—under the NDP's bill, they could get information on sexual orientation, marital or family status, colour, religious beliefs, associations or activities, personal health information, students' blood type, fingerprints, other hereditary characteristics, in an age of genetics, gene-mapping information, information about an individual's political belief, association or activity, information about the individual's employment or occupation or occupational history, information about the individual's source of income or financial circumstances, activities or history, the student's history of regulatory offences, the individual's own personal views or opinions except if they're about another person, the views and opinions expressed

about the individual by another person and any identifying symbol apart from a particular student number.

So the intent of this amendment and, indeed, the other two amendments, is to limit the scope of the type of information the minister can get so that it is more reasonable, it is not so invasive, it is not so problematic. It is getting information which could be reasonable for the minister to get, not that which would be unreasonable for the minister to have access to.

Mrs. Mavis Taillieu (Morris): I just want to speak to this amendment as well because, really, this is such a convoluted bill, and it's a very difficult bill to understand, and I suppose that's by design. The—all of this kind of personal information that they're seeking here, they can already get this information under The Freedom of Information and Protection of Privacy Act, because that's defined as personal information in the FIPPA act.

So—and they—the problem with this access to information is when it goes—flows directly to the minister. The minister may use personal information for her own political purposes, which is why in FIPPA the information is—that can flow is limited to those who need it. And I would argue that those who need it would be administration of the act, not the minister. So this information need not flow to the minister.

It's interesting when you look at how this bill is drafted: Schedule A, B and C. And really what happens here is here is Schedule C gets down to requiring the MET number, and that is the number that then gets referred to in Schedule B and A. So that's why I'm saying it's a backdoor bill, because they have to amend the education act, then The Privacy Act and then the advanced education act. So they're going around about it in a way where they should have been up front and said, okay, this is the number we need. We'll just put it in FIPPA. We'll put it under the definition of personal information in the FIPPA bill, because this is the crux of getting this student number.

And I want to quote from the spreadsheet where it says, these amendments create a statutory framework for the student number currently assigned by Manitoba Education, the Manitoba education and training number, and also provide clear authority to obtain limited student-level data that is necessary. So this is what they need to get this number so that they

can transfer it between departments, and in order for them to do that, it has to—they have to go between the ministers, and, therefore, the minister has to get this information.

That's why I'm saying this is a bill that is so wrong on so many levels. I appreciate the fact that the member from River Heights has brought forward amendments but, as I said in committee last night, there are such—so many things wrong with this bill, the intent of this bill, the fact that the Ombudsman wasn't consulted, the fact that they are seeking personal information for political purposes.

* (18:20)

So I just wanted to speak on the amendment and commend the member from River Heights for bringing it forward, but I just don't see how any number of amendments is going to fix this bad bill.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Madam Deputy Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Deputy Speaker: All those opposed to the amendment, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: I declare the amendment lost.

* * *

Madam Deputy Speaker: We will now move on to the next amendment.

Mr. Gerrard: Madam Deputy Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux),

THAT Bill 29 be amended in Clause 4 of Schedule B by replacing clause (a) of the definition "individual student information" in the proposed subsection 12.1(1) with the following:

(a) the following recorded personal information about an identifiable student:

- (i) the student's name, age and sex,
- (ii) the student's home address or home telephone, facsimile or e-mail address,
- (iii) the information about the student's education or educational history,
- (iv) information about the student's ancestry, race, nationality, or national or ethnic origin,
- (v) information about the student's criminal history;

Madam Deputy Speaker: It's been moved by the honourable member for River Heights, and seconded by the honourable member for Inkster,

THAT Bill 29, The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and the post-secondary administration act, be amended by—in Clause 4 of Schedule B by replacing clause (a) of the definition "individual student information" in the proposed subsection 21.1(1) with the following:

(a) the following recorded personal information about the identifiable student:

- (i) the student's name, age and sex,
- (ii) the student's home address, or home telephone, facsimile or e-mail address,
- (iii) information about the student's education or educational history,
- (iv) information about the student's ancestry, race, nationality, or national or ethnic origin,
- (v) information about the student's criminal history;

Mr. Gerrard: Madam Deputy Speaker, the relevant clause in schedule B which we're trying to amend, which would allow very broad access to information by the minister—when you're talking about examining student participation, I mean, if this was not restricted, as we are trying to do, this could potentially mean examining the personal health records of the student and trying to link people's HIV status or non-HIV status, or all sorts of other health issues to student participation.

This is a bill which is fraught with problems. I think the NDP have dredged this up from the McCarthy era in the United States. This is an infringement of personal rights of students. It's

designed more to snoop and spy on students than to seek legitimate information, and, Madam Deputy Speaker, that's why we've brought forward this amendment to limit and circumscribe the types of information that the minister would have access to.

Mrs. Taillieu: Madam Deputy Speaker, and I would like to also speak to this amendment because I think—as, again—I'll say it again, it's a very convoluted and backdoor kind of bill where there's three different acts being amended here, where simply approaching it through the front door and looking at the FIPPA legislation would have been more transparent.

But I think what's happened here, even when I look at the spreadsheet and it says the amendments create a statutory framework for the student number currently assigned, I suspect that this student number has been assigned and is being collected already. And, therefore, they have to provide a statutory framework to provide for this to be legal. And so I suspect that, perhaps, what they've been doing to this point has been illegal.

And when they're collecting this information, if it is in line with the statutes on freedom of information and protection of privacy, then there would need to be consent to collect this number. Now, the only reason they wouldn't have to get consent is if they enacted another law, as that is stated in FIPPA. So that's what's happening here. They've created another piece of legislation so they don't have to go back and get consent.

And, Madam Deputy Speaker, I think, as I've said, so—this bill is wrong on so many levels. And, you know, I commend the member for River Heights (Mr. Gerrard) for bringing it forward as an amendment, but, again, I'll have to say that no amount of amendments is going to fix this bill. Thank you.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Madam Deputy Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Deputy Speaker: All those opposed to the amendment, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: I declare the amendment lost.

* * *

Mr. Gerrard: Madam Deputy Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux),

THAT Bill 29 be amended in Clause 3 of Schedule C by replacing the definition "personal information" in the proposed subsection 3.2(1) with the following:

"personal information" means the following recorded personal information about an identifiable pupil or child:

- (a) his or her name, age and sex;
- (b) his or her home address, or home telephone, facsimile or e-mail address;
- (c) information about his or her education or educational history;
- (d) information about his or her ancestry, race, nationality, or national or ethnic origin;
- (e) information about his or her criminal history;

and includes the Manitoba education number assigned to the pupil or child.

Madam Deputy Speaker: It has been moved by the honourable member for River Heights—

Some Honourable Members: Dispense.

Madam Deputy Speaker: Dispense? Dispense.

Mr. Gerrard: Madam Deputy Speaker, we are talking about the schedule in—the C and the sections 3.2(1) which talks about personal information as defined in The Freedom of Information and Protection of Privacy Act and personal health information which means personal health information as defined in The Personal Health Information Act.

Now, these definitions of personal information and personal health information are very, very broad. It must be remembered by all members of the Legislature that these are—The Freedom of Information and Protection of Privacy Act, when it's talking about information, is really talking about

information that should be protected and private, that the—that should not be allowed to be general knowledge by any respect, and it's really questionable that the minister should have access to personal information as defined broadly under The Freedom of Information and Protection of Privacy Act. The second clause deals with personal health information. Again, this is defined in The Personal Health Information Act, and this is, broadly speaking—having the minister have access in a very broad sense to the personal health information of individuals is a bad policy and bad mistake.

And the subsequent clause provided very clear that the minister can request this information, that the minister, you know, is talking about being able to do research on various things, to evaluate governing—government programming, you know, research and analysis on all sorts of things or exercising a power, carry out a duty or perform a function of the minister or the department under the act.

* (18:30)

Now, there are some inherent problems, and particularly when you link some of the other bills in here, that people could be labelled and identified under this act, perhaps inappropriately. That information could then be used in all sorts of ways by the minister that—so I submit, Madam Deputy Speaker, that I would ask for the support of all members on this amendment because it's essential that we don't slip back into the NDP vision of what McCarthy was doing in the United States in the 1950s, snooping on people's personal information and implicating—finding problems and identifying people and stigmatizing people. We have a bad enough problem in this province with stigmatization of people who've got mental health issues. We should never allow this bill to pass in its current state, and I plead with the members to accept this amendment in order to provide for some action which would be more limited and at least more reasonable.

Mrs. Taillieu: Madam Deputy Speaker, and I just want to add some comments, as well, to this amendment brought forward by the member from River Heights and commend him for bringing forward this amendment, and I support the comments that he's made. But, as I've said, you know, I really don't believe that this is a bill that can be fixed; there's so much wrong with it. As the member from River Heights has indicated, there's so much wrong with this bill. They should actually pull this bill and

do some more homework on it. That's what they should do. Thanks.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House, is it the pleasure of the House to adopt the amendment?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Madam Deputy Speaker: All those in favour of adopting the amendment, please say yea.

Some Honourable Members: Yea.

Madam Deputy Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: In my opinion, the Nays have it. I declare the amendment lost.

CONCURRENCE AND THIRD READINGS

Bill 29—The Advanced Education Administration Act and Amendments to the Council on Post-Secondary Education Act and The Education Administration Act

Madam Deputy Speaker: We will now move on to consideration of Bill 29, The Advanced Education Administration Act and Amendments to the Council on Post-Secondary Education Act and The Education Administration Act.

Mr. Andrew Swan (Acting Government House Leader): I move, seconded by the Minister of Culture and Heritage (Ms. Marcelino), that Bill 29, The Advanced Education Administration Act and Amendments to the Council on Post-Secondary Education Act and The Education Administration Act; Loi sur l'administration de l'enseignement postsecondaire et modifications concernant la Loi sur le Conseil de l'enseignement postsecondaire et la Loi sur l'administration scolaire, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, the NDP have turned down this legislation, the amendments. We don't believe that the bill as amended is an appropriate bill for this Legislature to be passing. This is a very bad bill. It is invading privacy and giving the power—minister powers to get mental health information, sexual orientation, a very high degree of information on people's personal health. It's a mandate to snoop and spy on students. This bill is a very bad bill. It should not be passed, and we're certainly going to ask for a recorded vote on this bill, and we believe that it should have a recorded vote on this bill.

Mrs. Mavis Taillieu (Morris): Madam Deputy Speaker, and I've made several comments on this bill already. The fact that this personal information can flow to the minister for her own political purposes is inappropriate. It's wrong on so many levels. I cannot support this bill, because—and the way it's been done, the Ombudsman has even not been consulted and has said that she has some concerns with this bill. We believe this bill should be pulled, more homework done on it and brought back in a more transparent and open fashion.

Thank you very much.

Mr. Kevin Lamoureux (Inkster): Yes, Madam Deputy Speaker, I just want to put a few words on the record in regards to this bill. I sat in committee and listened in terms of the responses from the minister in questions. The Leader of the Manitoba Liberal Party has made it very clear in terms of concerns in regards to this particular bill, and would suggest that it's a bill that should not be passing the Legislature and would highly recommend that the government reconsider the need to pass this bill at this time.

Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 29—oh. Order.

Point of Order

Madam Deputy Speaker: The honourable member for River Heights, on a point of order.

Mr. Gerrard: Yeah, I—the reason that I'm getting up is that we have sessional orders which don't allow

recorded votes, so I would request leave to have a recorded vote tomorrow afternoon when the members are here and we could have it then, instead of being circumscribed by the situation of right now, where we have an agreement not to have recorded votes tonight.

Madam Deputy Speaker: The honourable Acting Government House Leader, on the same point of order.

Mr. Swan: On the same point of order. The member for River Heights raises a good point. We have some work going on elsewhere in this building and it seems to be a reasonable request to have a recorded vote on this bill tomorrow. So we would agree, if the House decides it's in order.

Madam Deputy Speaker: Just for the information of all House members, the agreement that we had was for no quorums. The agreement was not for not to have recorded votes, but regardless of that, if there is agreement from all members of the House that we would carry this over till tomorrow and then put that before the House tomorrow, I'm willing to agree to that if that is the will of the entire House.

Is that agreed? [*Agreed*]

So this will then appear on the order papers tomorrow, and we will not be getting—having a recorded vote on this tonight.

Bill 30—The Strengthened Enforcement of Family Support Payments and Miscellaneous Amendments Act (Various Acts Amended)

Madam Deputy Speaker: So we will then move on to Bill 30, The Strengthened Enforcement of Family Support Payments and Miscellaneous Amendments Act (Various Acts Amended).

Hon. Andrew Swan (Acting Government House Leader): I move, seconded by the Minister of Family Services and Consumer Affairs (Mr. Mackintosh), that Bill 30, The Strengthened Enforcement of Family Support Payments and Miscellaneous Amendments Act (Various Acts Amended); Loi sur le renforcement des mesures d'exécution relatives aux paiements de pension alimentaire familiale et modifications diverses (modification de diverses dispositions législatives), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

* (18:40)

Mr. Kelvin Goertzen (Steinbach): Madam Deputy Speaker, I've spoken to this bill on second reading and at committee and we're now prepared to see it proceed to a vote.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 30, The Strengthened Enforcement of Family Support Payments and Miscellaneous Amendments Act (Various Acts Amended).

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

Bill 34—The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies)

Madam Deputy Speaker: We will now move on to Bill 34.

Hon. Andrew Swan (Acting Government House Leader): I move, seconded by the Minister of Family Services and Consumer Affairs, that Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies); Loi modifiant la Loi sur la protection du consommateur (commercialisation par abonnement par défaut et amélioration des recours), as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. David Faurshou (Portage la Prairie): It is a pleasure to rise in the Chamber today in regards to participating in third reading debate of Bill 34.

I would like to take this opportunity to commend the Minister of Consumer Affairs insofar as the proposed amendments that were received and adopted at committee do, indeed, address the concerns that we had earlier in second reading, and the bill, I believe, is—does speak to the need—needs of consumers as it pertains to negative option marketing, and I believe Manitobans are served well by Bill 34. Thank you.

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, I just want to indicate that Liberals support this legislation. We believe that it's really important

that we end the practice of negative option billing in Manitoba, and so we're certainly on side with this and we're in support.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies).

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

REPORT STAGE AMENDMENTS

Bill 35—The Condominium Amendment Act (Phased Condominium Development)

Madam Deputy Speaker: We will now move on to amendments for Bill 35.

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

THAT Bill 35 be amended in Clause 2 in the proposed definition "phase" by adding "phasing" before "unit" in clause (b) of that proposed definition.

Madam Deputy Speaker: It's been moved by the honourable member for River Heights, and seconded by the honourable member for Inkster (Mr. Lamoureux), that Bill 35, The Condominium Amendment Act (Phased Condominium Development), be amended by—

THAT Bill 35 be amended in Clause 2 in proposed definition "phase" by adding "phasing" before "unit" in clause (b) of that proposed definition.

Mr. Gerrard: Madam Deputy Speaker, when you are doing a phased development, you will have phase 1, phase 2, phase 3, and these are phasing units. The purpose of this change is to make clear that this applies to phasing units, and it's to mean, therefore, that a developer will not have to go through the elaborate, you know, process, if there is some minor renovations to one of the condominiums.

And so I think that this is an important amendment, and I would hope that we would have agreement from the other MLAs to pass this. It was a point that was raised last night by Mr. Frank Bueti and he requested—he'd been involved in the drafting

of the bill and said that there were some remaining issues and this was one of them and, hopefully, this will be accepted to clarify this point.

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): Well, the legislation, Madam Deputy Speaker, is intended to apply in all situations where existing units are split into multiple units, but it's our analysis that this proposal would, in fact, defeat the whole purpose of the bill.

The honourable member certainly was interested in the submissions of counsel for a couple of developers—an individual held in high regard, mind you—but it was presenting views of developers and did not listen to the views of the consumers or the buyers, the—Olga Fuga, who is held in very high esteem in north Winnipeg and has contributed throughout her life to the well-being of our community, put great insights on the record about the need for this legislation, her support for it, as well did the Condominium Institute, and I'm very disappointed that the member would take a view that is contrary to the interests of consumers in this province.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: No.

An Honourable Member: Yes.

Voice Vote

Madam Deputy Speaker: All those in favour of the amendment, say yea.

Some Honourable Members: Yea.

Madam Deputy Speaker: All those opposed to the amendment, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: In my opinion, the Nays have it. I declare the amendment lost.

* * *

Mr. Gerrard: Madam Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux),

THAT Bill 35 be amended in Clause 5

(a) in the proposed subsection 5.7(4) by adding", subject to subsection (5)," after "may" in the part before clause (a); and

(b) by adding the following after the proposed subsection 5.7(4):

Order for registration must be made unless existing unit owner will be oppressed or prejudiced

5.7(5) The court hearing an application under subsection (4) must make an order permitting the proposed amendment to be registered, on such terms and conditions as the courts considers just, unless the court is satisfied that registration will oppress or unfairly prejudice any owner of an existing unit.

Madam Deputy Speaker: Is there agreement from the House to consider this amendment as printed? *[Agreed]*

We will consider the amendment as printed.

THAT Bill 35 be amended in Clause 5

(a) in the proposed subsection 5.7(4) by adding", subject to subsection (5)," after "may" in the part before clause (a); and

(b) by adding the following after the proposed subsection 5.7(4):

Order for registration must be made unless existing unit owner will be oppressed or prejudiced

5.7(5) The court hearing an application under subsection (4) must make an order permitting the proposed amendment to be registered, on such terms and conditions as the court considers just, unless the court is satisfied that registration will oppress or unfairly prejudice any owner of an existing unit.

Madam Deputy Speaker: It has been moved by the honourable member—

Some Honourable Members: Dispense.

Madam Deputy Speaker: Dispense? Dispense.

Mr. Gerrard: Madam Deputy Speaker, contrary to the implications of the minister, what we're trying to do is to get a balance which certainly provides a very strong position for the consumers and the owners of condominiums as well as for the developers. We want to make sure that we have a result which is practicable and workable, but one which protects consumers and developers at the same time.

And so, in this, it specifically says that, you know, the court must consider the result just, and it says that the court must be satisfied that registration will not oppress or unfairly prejudice any owner of an existing unit. I believe that this is a reasonable clause to include and would ask the minister for support.

* (18:50)

Mr. Mackintosh: Well, I think condo owners would be shocked with this position taken by this member. I wish he had listened to the concerns of those who own the condos that this legislation is attempting to protect.

But this—and I'll speak to this amendment and the next one—it provides far less protection for the unit owners. And it sets this high onus for the unit owner to demonstrate that's oppression and unfair prejudice before the court can make any other order, except that the amendment is registered.

So this is a—this would be a huge setback, in terms of where we have to go for protections for buyers of condominiums in Manitoba.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Madam Deputy Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Deputy Speaker: All those opposed to the amendment, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: In my opinion, the Nays have it. I declare the amendment lost.

* * *

Mr. Gerrard: Madam Deputy Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux),

THAT Bill 35 be amended in Clause 5

(a) in the proposed subsection 5.11(4) by adding", subject to subsection (4.1)," after "may" in the part before clause (a); and

(b) by adding the following after the proposed subsection 5.11(4):

Order for registration must be made unless existing unit owner will be oppressed or prejudiced.

5.11(4.1) The court hearing an application under subsection (4) must make an order permitting the proposed amendment to be registered, on such terms and conditions as the court considers just, unless the court is satisfied that registration will oppress or unfairly prejudice any owner of an existing unit.

Madam Deputy Speaker: It has been moved by the honourable member for River Heights, and seconded by the honourable—dispense?

Some Honourable Members: Dispense.

Madam Deputy Speaker: Dispensed.

Mr. Gerrard: Madam Deputy Speaker, I would argue contrary to the—what the minister is putting on the record, that we are very concerned on this side about condominium owners and consumers, and we heard and listened to some of the problems that happened. We want to make sure that those problems don't happen.

But, at the same time, there needs to be a—you know—a balance here, and we are talking specifically about a result which is just, which is fair to condominium owners, and we think that that is vital in this respect. And I would ask for the support of other members to have a result which is fair to condominium owners and make sure that some of the problems in the past do not occur, and that condominium owners are not oppressed and are not, you know, don't have problems because of the way that things handled as they have been handled in the last 11 years under this government.

Madam Deputy Speaker: Is the House ready—oh.

Mr. Mackintosh: The member was so enamoured with the view of a representative for developers, that he didn't even stay to listen to the unit owners and what they had to say. And, you know, there's been a lot of consultation that went into this legislation to make sure that there was a fair balance, but, you know, the fundamentals are good protection for unit owners.

For a member that always says, well, how much consultation did you put into a bill, it's very unfortunate, and I'm disappointed that there was absolutely no consultation I know with the unit owners or consumers when they brought in this hurried amendment. But it is—I think it's rather unfortunate. It's important that he listen to the views and, indeed, the concerns, and there were some very good insights offered to the committee.

Madam Deputy Speaker: Just prior to recognizing the honourable member for Steinbach, I just want to remind all honourable members that to refer to the presence or absence of members is not something that we do.

House Business

Mr. Kelvin Goertzen (Deputy Official Opposition House Leader): On House business.

Madam Deputy Speaker: On House business.

Mr. Goertzen: I wonder if you could canvass the House to see if there is leave not to see the clock until third reading has been resolved on Bill 35 and Bill 16.

Madam Deputy Speaker: Okay. Is there leave from the House to not see the clock until we have finished all the business in front of us on Bill 16 and Bill 35? *[Agreed]*

* * *

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Madam Deputy Speaker: All those in favour of adopting the amendment, please say yea.

An Honourable Member: Yea.

Madam Deputy Speaker: All those opposed to adopting the amendment, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: In my opinion, the Nays have it.

I declare the amendment lost.

* * *

Madam Deputy Speaker: We will—the honourable for Portage la Prairie.

Mr. David Faurichou (Portage la Prairie): Returning to the debate of Bill 35—

Madam Deputy Speaker: Just a moment. I'm just going to put that in front of the House.

Mr. Faurichou: Oh, sorry.

CONCURRENCE AND THIRD READINGS

Bill 35—The Condominium Amendment Act (Phased Condominium Development)

Madam Deputy Speaker: We will now move—order.

We will now move on to Bill 35, The Condominium Amendment Act (Phased Condominium Development).

Hon. Andrew Swan (Acting Government House Leader): I move, seconded by the Minister of Family Services and Consumer Affairs (Mr. Mackintosh), that Bill 35, The Condominium Amendment Act (Phased Condominium Development); Loi modifiant la Loi sur les condominiums (aménagement par phases), as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. David Faurichou (Portage la Prairie): I want to take this opportunity on third reading of Bill 35 to express support for the bill and also, to recognize, once again, that the Minister of Consumer Affairs (Mr. Mackintosh) did, indeed, look to the legislation and suggestions of enhancement were taken under advisement, and there was amendments passed at committee recognizing these concerns. And I do believe the bill is a better bill today than for the—following committee.

Thank you ever so much.

Hon. Jon Gerrard (River Heights): I just want to indicate that we in the Liberal Party will support this legislation. We recognize that there is a need to move forward on this legislation, and although we think that it could be improved with the amendments that we put forward, that we, nevertheless, believe

that there is a need for this legislation on phasing of condominium units and so we support it.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 35, The Condominium Amendment Act (Phased Condominium Development).

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

REPORT STAGE AMENDMENTS

Bill 16—The Order of Manitoba Amendment Act

Madam Deputy Speaker: We will now move on to Bill 16, the amendments on Bill 16.

Mr. David Faurshou (Portage la Prairie): It is a pleasure to rise in the House and to participate in the Bill 16 deliberations on third reading.

I had proposed two amendments to Bill 16. I would like to formally withdraw those report stage amendments at this time.

Thank you.

Madam Deputy Speaker: Is there leave of the House for the member for Portage la Prairie to withdraw his two amendments to The Order of Manitoba Amendment Act? *[Agreed]*

Is there any other—

* (19:00)

Hon. Rosann Wowchuk (Minister of Finance): I move, seconded by the member for Portage la Prairie (Mr. Faurshou),

THAT Bill 16 be amended by replacing the proposed Clause 3 with the following:

3(1) *Clause 12(1)(a) is amended in the part before schedule (i), by striking out "three members" and substituting "four members".*

3(2) *Subclause 12(1)(a)(iii) is replaced with the following:*

(iii) one is the President of the University of Manitoba, Brandon University or The University

of Winnipeg, each serving for a term of two years on a rotating basis in the order that they are listed; and

(iv) one is the President of the—*is one—excuse me—one is the President of the college St.—Collège universitaire de Saint-Boniface, University College of the North, the corporation established by The Mennonite College Federation Act or Red River College, each serving a term of two years on a rotating basis in the order that they are listed; and*

3(3) *Clause 12(1)(b) is amended by striking out "four" and substituting "six".*

Madam Deputy Speaker: It has been moved by the honourable Minister of—

An Honourable Member: Dispense.

Madam Deputy Speaker: Dispense.

Ms. Wowchuk: And, indeed, I want to thank the member for Portage la Prairie (Mr. Faurshou) for withdrawing his amendment because after some discussion we came to an understanding that not—that both of our concerns could be addressed in one amendment, and that is that in the other member's—there would be a rotation whether it be between St. Boniface College, the—St. Boniface College, the University College of the North, the Mennonite College or Red River College.

And, indeed, with that kind of rotation, we will be able to have a representation on—of the various colleges and universities throughout the province that will play a part in the Order of Manitoba and selecting those people who would be—then be awarded with the award of—award of the Order of Manitoba, and in this way we can have a broader representation, and I thank the member for Portage la Prairie for pointing this out, that we could have broader representation.

Mr. Faurshou: I'm—I rise for the fourth time this afternoon to actually recognize and express appreciation to government members insofar as listening to suggestions and enhancing the legislation before us, and I do believe that it was a gross oversight not to include Red River College and the Mennonite College Federation in the—in initial legislation.

But I commend the government for recognizing the oversight and to—indeed, being inclusive in the amendment, and I ask all members of the House to support the amendment.

Mrs. Heather Stefanson (Tuxedo): I just want to thank the member for Portage la Prairie for bringing this issue and this matter to the attention of the government and the government agreeing to include this and bring this amendment forward today.

This will obviously allow for the Canadian Mennonite University to be a part of this council, potentially, and we obviously think that that is a very good thing on this side of the House.

And I just want to thank all of the people at the Canadian Mennonite University. They're a wonderful part and very vibrant part of our—of my community, and they add a lot to the community, and I know that they will add a lot to this council.

So thanks very much again to the minister for bringing this forward but, more importantly, for the member for Portage la Prairie for bringing it to our attention. Thank you.

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, just to add comment in the sense that this is a positive amendment, acknowledge the—where it originated from.

And, in fact, in listening to the amendment, I was kind of thinking maybe the member from Portage la Prairie should go back to the Minister of Finance's (Ms. Wowchuk) office and talk about the BITSA legislation and see if he can resolve that issue. One never knows, but, just at the very least to acknowledge that, you know, the broader that we can give the appeal to the Order of Manitoba, I believe, the better it is for all Manitobans.

It is, indeed, an award that deserves great attention from all Manitobans as we signal and identify Manitobans, wonderful Manitobans, that have ultimately qualified for the award in the past and look forward to its ongoing awardees into the future. Thank you.

Madam Deputy Speaker: Is it the pleasure of the House to adopt the amendment? *[Agreed]*

CONCURRENCE AND THIRD READINGS

Bill 16—The Order of Manitoba Amendment Act

Madam Deputy Speaker: We will now move on to the bill, Bill 16, The Order of Manitoba Amendment Act.

Hon. Andrew Swan (Acting Government House Leader): Madam Deputy Speaker, I move, seconded by the Minister of Finance, that Bill 16, The Order of Manitoba Amendment Act; Loi Modifiant la Loi sur l'Ordre du Manitoba, reported from the Standing Committee on Legislative Affairs and subsequently amended, be concurred in and be now read for a third time and passed.

Motion presented.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is concurrence and third reading of Bill 16, The Order of Manitoba Amendment Act.

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

* * *

Mr. Ralph Eichler (Lakeside): Madam Deputy Speaker, I just ask if the—

Madam Deputy Speaker: On House business?

Mr. Eichler: —since we agreed not to see the clock, if we can have leave to resume debate on Bill 31?

Madam Deputy Speaker: I just want to inform all members of the House that it cannot be done by leave. We cannot, by leave, put forward debate on Bill 31.

The Government House Leader is the one who calls bills forward and puts forward the order of the day, in terms of what we would be debating. So we do not—we cannot ask for leave on that.

So, at this point, I would like to say that it be—the time being after 5 o'clock p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning. Thank you very much.

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 16, 2010

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