



Second Session - Thirty-Seventh Legislature

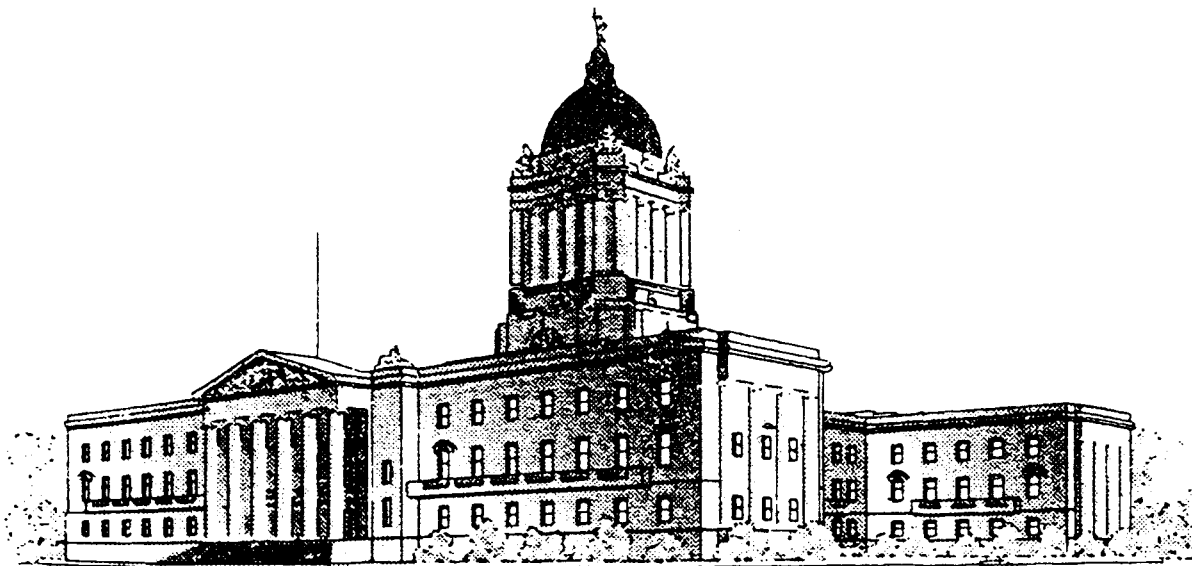
of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALLOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren	Lac du Bonnet	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim	Assiniboia	N.D.P.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Joy	Fort Garry	P.C.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 28, 2001

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Kenaston Underpass

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I beg to present the petition of L. Grapentine, V. Sigurdson, D. Janzen and others, praying that the Premier of Manitoba (Mr. Doer) consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes.

READING AND RECEIVING PETITIONS

Kenaston Underpass

Mr. Speaker: The honourable Member for Charleswood (Mrs. Driedger), I have reviewed the petition and it complies with the rules and practices of the House. Is it the will of the House to have the petition read? *[Agreed]*

Madam Clerk (Patricia Chaychuk): The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the intersection at Wilkes and Kenaston has grown to become the largest unseparated crossing in Canada; and

THAT the volume of traffic for this railroad crossing is twelve times the acceptable limit as set out by Transport Canada; and

THAT vehicles which have to wait for trains at this intersection burn up approximately \$1.4 million in fuel, pollute the environment with over 8 tons of emissions and cause approximately \$7.3 million in motorist delays every year.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Premier of Manitoba consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes.

TABLING OF REPORTS

Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines): Mr. Speaker, I rise to table the 2000-2001 annual reports for the Manitoba Development Corporation, the Manitoba Trade and Investment Corporation, and the Manitoba Horse Racing Commission.

* (13:35)

Hon. Oscar Lathlin (Minister of Conservation): Mr. Speaker, I am pleased to table the Annual Report of the Manitoba Association for Resource Recovery Corporation for the year 2000.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I would like to table the Report of the Amounts Paid to Members of the Assembly, as required by the Legislative Assembly, for the year ended March 31, 2001.

ORAL QUESTION PERIOD

Antigang Strategy Government Action

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, last Thursday, six shots were fired in the constituency of Concordia at a Hell's Angels member. Last Friday, five shots were fired at a Hell's Angels associate. Then, again, last night, there was another shooting, the third in six days. Thankfully, none of the stray bullets actually killed anybody or hurt anybody, and there were no innocent bystanders that were affected by these stray bullets, but Manitoba families are afraid and are scared for their lives.

The Premier has had nearly two years to take action to reduce gang activity and crime, but he has failed. When is the Premier going to take action to make our streets and communities safer?

Hon. Gary Doer (Premier): There are a number of bills that will make our streets safer. The fulfilment of our commitment on car thefts, with the toughest penalties in Canada now before this Legislature to deal with both joyriding and individual car thieves, we think is very, very positive, some of the strictest laws on drinking and driving in the country, if not the strictest laws in Canada on drinking and driving, particularly with repeat and excessive offenders.

The member opposite may have a little bit of amnesia, but I remember some serious assassinations that took place in fact in the Minister of Health's (Mr. Chomiak) community. So gangs and dangerous gangs are a concern for us. Mr. Speaker, a few years ago, prior even to being elected into government, I was concerned about one of the gang houses. I used to have to take my daughter to Girl Guides across the street, and I have always believed that those houses should not exist in our communities.

Mr. Murray: I do not know if there is a medical term for inaction, but if that is the case then that is what that member has.

It is pretty clear that gang membership has more than increased by 500 members since he has become Premier. Gang membership, as a matter of fact, it is a second generational gang problem that has happened since he has become Premier.

In the last eight months, there have been more than a dozen shootings in the city of Winnipeg. The Premier says for Manitobans to be patient and wait because next week there will be another photo op and another press release. That is his answer.

When is the Premier going to get serious and take action against gangs, stop the press conferences and the photo ops and take serious action about reducing gang activity in the streets?

Mr. Doer: We made commitments a few months ago, 18 months ago, on car thefts. We made commitments on drinking and driving. We

are keeping those commitments. The legislation is before this Legislature. For years some of these operations existed. We know the federal government has amended the Criminal Code to deal with antigang houses, antigang activity, including houses that protect the gang members unacceptably in our community.

* (13:40)

We have been, in the last couple of months, reviewing the federal law which is being held up now at the Senate, something that members on this side do not believe in. The law should be the law now, as far as we are concerned, when it passes Parliament. Having said that, if that federal law does not deal with these houses, we will pass a law here in Manitoba.

Mr. Murray: The Premier, the First Minister, makes comments about: We made a commitment. Well, all Manitobans know that during the election campaign he made a commitment to end hallway medicine and failed. He failed. Now he is talking about making a commitment in terms again— *[interjection]*

Mr. Speaker: Order.

Mr. Murray: Thank you, Mr. Speaker. This is a serious issue. I believe that we on this side take it seriously. I hope that the Premier and the New Democratic Party take it seriously.

Clearly, what we have seen from this Premier is a lot of talk and no action. There is no question that his Government talked about an 18-point plan to restrict gang activity. They failed on that. They have had two years to ensure that they will get something done, and they failed. This Premier is all talk, he is all excuse, and he is no action. That is not solving the problems of making the streets in our communities safer.

In the Throne Speech, in his Budget, there was no mention of the word "gangs." When is the Premier going to take the situation seriously and do something about the gang activity in Manitoba?

Mr. Doer: Mr. Speaker, this member opposite worked for a federal government that did not

pass antigang legislation in Canada. When there was similar action in the United States, there was no similar and comparable action under the Criminal Code in Canada.

We believe the Criminal Code that has been amended in Parliament and is being held in the Senate, an obsolete institution if there ever was one, should apply to the issues of gang houses that are in communities. I was upset for years when members opposite were in office about the lack of activity about a gang house that was in a community where I had to drop my own daughter off for Girl Guides. If that federal law does not deal with this matter, the Minister of Justice (Mr. Mackintosh) is dealing with that matter now. We would prefer a federal Criminal Code amendment apply to these gang houses, but if it does not, we will pass a law here in Manitoba.

Maples Surgical Centre Workers Compensation Cases

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, a recent publication from the Workers Compensation Board states that a crucial step in reducing the impact of workplace injuries is to return the injured worker to health and to work as soon as possible. I would like to table some letters from The Maples Surgical Centre that states that they would like to provide surgical services to the injured workers of this province in support of the mandate of Workers Compensation and in support of the workers.

My question to the Minister of Health is that this minister has a blind adherence, I am sorry to say, to a philosophy that causes him to block access, to reduce access to surgical centres. Will he be prepared to allow WCB to send patients to the surgical centres?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, let me correct some of the misapprehensions that have been in the member's statement and the members opposite all throughout this issue.

As I understand Doctor Godley, when he came to Manitoba, the entrepreneur from B.C., in January, he approached the WCB and gave them a presentation, he approached MPI and gave them a presentation. He did not approach

Health. He said he was going to open this private hospital, with rates—

Mr. Speaker: Order.

Point of Order

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, in the letter that is just referenced from Wally Fox-Decent, the chairman of the WC Board, the comment in the letter is taking offence with this Government's use of the word "private hospital" for The Maples Surgical Centre. They have never intended it to be that, and this Government continues to misuse that information.

* (13:45)

Mr. Speaker: Order. Prior to recognizing the honourable Minister of Health on the same point of order, I would just like to remind all honourable members when rising on a point of order, it should be to point out to the Speaker a breach of the rules or for unparliamentary language.

Mr. Chomiak: Mr. Speaker, I do not think the member has a point of order. If the member wants to act as a lobbyist for The Maples, she ought to register as one.

Mr. Speaker: I would like to remind all honourable members that points of order are not to be used for debate. It should be to point out to the Speaker a breaking of a rule, a breach of a rule or use of unparliamentary language.

Mr. Marcel Laurendeau (Opposition House Leader): Mr. Speaker, *Beauchesne's* 417: Answers to questions should be as brief as possible, deal with the matter raised and not provoke debate. This minister continues to provoke debate by putting misinformation and attempting to mislead Manitobans, and that is where he is wrong on this.

Mr. Speaker: I have already recognized the Minister of Health once on the same point of order.

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, on the same point of

order, I mean, reluctantly taking the time of Question Period to deal with a matter like this is unfortunate because this was a mere interruption. It was a rude interruption. It was an obstruction of the process of the Legislature. It was a dispute on the facts.

Mr. Speaker: Order. On the point of order raised by the honourable Member for Charleswood, she does not have a point of order. It is a dispute over the facts.

* * *

Mr. Speaker: The honourable Minister of Health, to conclude his comments.

Mr. Chomiak: Yes, Mr. Speaker, I was trying to explain to members opposite how they simply, by lobbying for this particular facility, are not aware of the facts. So they made a presentation to WCB and they made a presentation to MPI, and we have always said the only issue we have is that we do not want private hospitals opening in Manitoba, which we think is in the interests of Manitobans. The WCB does what the WCB does. The WCB has expedited surgery at all kinds of centres. They can go to The Maples centre if they so choose.

Mr. Cummings: Mr. Speaker, in B.C., which happened to have an NDP government at the time, surgical centres saved—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Mr. Mackintosh: The question is a supplementary question, Mr. Speaker. No preamble is required. Would you please remind the member of that rule.

Mr. Speaker: Order. On the point of order raised by the honourable Government House Leader, the honourable member was on his feet for a very short time, and in that short time I cannot determine if he was using the words to form a sentence or if he was using the words for a preamble.

* * *

Mr. Cummings: Mr. Speaker, when the NDP government in B.C. saved \$92 million using private surgical centres, why is this Government so philosophically hidebound that they will not work with them?

Mr. Chomiak: Mr. Speaker, in Manitoba we use private surgical centres. There is Western Surgical; there is Pan Am surgical. We do utilize private surgical centres. The WCB does utilize private surgical centres. In British Columbia, as I understand it, Maples said they saved \$92 million. Whether they did or not, the False Creek entrepreneur from B.C. who came here to Manitoba, there were difficulties in B.C. I understand from newspaper reports there were investigations. I also understand that it is listed on his Web site as a hospital in B.C. That is what I understand, but the point is we have private surgical facilities here. We have had them. We do deal with them. The WCB deals with them.

* (13:50)

Mr. Cummings: Mr. Speaker, I make no apologies for trying to assist the injured workers that need care in this province.

Why will this minister not reverse his policy and stop changing the rules in the middle of the season?

Mr. Chomiak: Mr. Speaker, the rules that are in place are identical to the rules put in place when the member was a member of Cabinet, except all we have done is close third party payment loopholes in conjunction with the Canada Health Act. Secondly, we do not want overnight stays. I might add, The Maples Surgical Centre charges \$1,200 a night for a stay, which is far in excess of anything that I have seen.

Private Hospital Definition

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, in Bill 25, the Minister of Health's new definition of a private hospital is a house where a patient is lodged for care. Is it the minister's intent that if a palliative care patient is being cared for at home or in a hospice, these are now considered private hospitals?

Hon. Dave Chomiak (Minister of Health): First off, Mr. Speaker, I believe that the definition of "house" was in the old Private Hospitals Act that has been amended. Nothing changes, whether it is midwifery or any other surgical service, by design. By design, we are aware of all of those issues. Nothing changes at all with any of those definitions, with the exception of a surgical centre, a surgical centre that is defined, that cannot be a private hospital if it lodges patients overnight. That is the only definition that applies. We checked it with legal counsel and we did it by design in that fashion, contrary to what members opposite continue to state.

Mrs. Driedger: I do not think this minister has read his bill, Mr. Speaker. I would like to ask him: Will palliative care health care workers be able to perform procedures where they treat the patient overnight and administer mild sedation? Because, with all of the minister's definition changes, this is now considered a surgical service in a private hospital.

Mr. Chomiak: Mr. Speaker, the member's interpretation is not accurate. If that was the case, the same definition could have applied when members opposite were in office. There are regulatory exceptions that have been applied, that are still going to apply, that have always applied. We deliberately designed the bill to ensure that no exceptions that the members keep inventing—because this is about the sixth or seventh one they have come up with—fall under that. We have checked them all with legal counsel. We defined them with legal counsel, and we were aware of this going into the drafting of the bill in the first place.

Mrs. Driedger: We have talked to a lawyer, as well. There could be some interesting challenges. Can a palliative care home care worker now be subjected to a \$30,000 fine when they perform a procedure like wound care, which by his new definition is a surgical service, in a patient's home, which is now defined, if he would read his bill carefully, as a private hospital?

Mr. Chomiak: Mr. Speaker, if the member were to read the definition section a little clearer, it

would be very clear that that is not the case. If the member is not willing to read the section, let me assure the member that all of those issues were defined and dealt with by legal counsel. When we drafted the bill, we specifically drafted it to deal with the issue that had come up in Alberta, had come up in B.C., had come up in Ontario and other provinces. The establishment of private, for-profit hospitals, Evelyn Shapiro and the Centre for Health Policy and Evaluation said in the *National Post* last weekend, drive costs and make them skyrocket.

School Divisions Amalgamation

Mrs. Joy Smith (Fort Garry): The Minister of Education publicly stated that school divisions have until June 30 of this year to voluntarily apply for amalgamation or he will, and I quote, "take stronger measures."

Then just two days ago, the same minister flip-flopped and stated, and I quote: "I am not about to meddle in the affairs of school divisions and schools We have confidence in our trustees."

Mr. Speaker, can this minister clarify his position on whether he will force schools to amalgamate, or will he allow trustees and local school divisions to make this decision, since June 30 is just two days away?

* (13:55)

Hon. Drew Caldwell (Minister of Education, Training and Youth): We on this side of the House do indeed have confidence in our locally elected school trustees throughout the province of Manitoba. We have been working with those school trustees, Mr. Speaker, for the last 20 months in a very collaborative fashion, something that they did not experience for the 10 years that members opposite were in office. We are continuing to work together with school trustees to bring a successful conclusion to the amalgamation issue, as well as on a wide array of other fronts in education in this province.

Mrs. Smith: Then could this minister clarify if June 30 indeed is the allotted deadline for the application for voluntary amalgamation, or will

he take stronger measures if school divisions have not come forward and stated they will amalgamate?

Mr. Caldwell: There is nothing magical about June 30.

Mrs. Smith: Could the minister please advise this House what plans he has in the future, in the next three to four months, to clarify which school divisions will be forced to amalgamate and which school divisions will be allowed to make that decision on their own?

Mr. Caldwell: I make it a practice not to comment on hypotheticals. I can just advise the member opposite to wait. In due course, there will be some announcements coming.

Eaton's Building Heritage Status

Mr. Harold Gilleshammer (Minnedosa): I have a question for the Minister of Culture. Yesterday, Mr. Speaker, the director of the Historical Resources branch, a key member of his department, a long-serving civil servant, well respected in the heritage community, publicly stated, she indicated after a June 9 meeting that she informed the minister's office of the details of the Manitoba Heritage Advisory Council decision on Eaton's.

This week, the minister has denied any knowledge of those recommendations. I would ask him and I would give him the opportunity to come clean with this House and state the facts on the record.

Hon. Ron Lemieux (Minister of Culture, Heritage and Tourism): I thank the member for the question. I just want to clarify something, that repeatedly I have said I had not received any formal report. Certainly the Premier (Mr. Doer) and I have said also that the council's recommendation, we heard about it shortly after the council's meeting, but formal notification had never been received. So today, what I believe is unprecedented in a sense, I am prepared to table a document of the recommendation made by the advisory council, which I feel is unprecedented in a sense.

I would really want to make sure the process is open. I mentioned also, during concurrence to

the Member for River Heights (Mr. Gerrard), I said it was in the public's interest to release a document as soon as I received it, as soon as I received a report. I am certainly prepared to do that, because I believe the public wants to know the recommendations from the advisory council as well as my department's advice, too.

Mr. Gilleshammer: The minister clearly has stated on June 25: I will be consulting and talking to them about the recommendations, whatever they may be. He has indicated he knew not what the recommendations were about. His director was—

Mr. Speaker: Order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): Well, for the second time this afternoon, Mr. Speaker, the member opposite now is on a supplementary question. No preamble is required. We are having quite extensive preamble from the member. Would you please ask him to put his question succinctly? Thank you.

Mr. Gilleshammer: This is a matter of a minister of the Crown telling the truth in this House. He is clearly contradicting himself, and I was giving him the opportunity to state the correct facts on the record.

Mr. Speaker: Order. On the point of order raised by the honourable Government House Leader, he does have a point of order. *Beauchesne's* 409(2) advises that a supplementary question should not require a preamble.

I would ask the honourable Member for Minnedosa to please put his question.

* * *

Mr. Gilleshammer: Thank you, Mr. Speaker. Does the minister still stand by his comments that he has not seen the recommendations and that he has no knowledge of the recommendations on that date, June 25? Will he confirm that the director, Donna Dul, called him after the June 9 meeting to give him those details that he is now denying?

Mr. Lemieux: I will certainly, absolutely deny Donna Dul ever called me and gave me any advice whatsoever with regard to it.

I will just remind also the member across the way that what I will say is that we are very, very progressive with regard to redevelopment of Portage Avenue, we are the Government that sees a future in Winnipeg, and we are the ones who are prepared to go ahead with this project.

* (14:00)

Mr. Gilleshammer: Can the minister confirm that Donna Dul called his office with the details of the Heritage Council following the June 9 meeting, information that he has subsequently denied a number of times? Did she call his office with that information?

Mr. Lemieux: Mr. Speaker, there is a difference between a report and a recommendation. Having said that, as members opposite know, they know full well that advice to ministers is normally considered confidential and exempt from release. What we are doing today is making this document public. This is not MTS where you just ram it through behind closed doors, have no debate on it whatsoever.

Point of Order

Mr. Marcel Laurendeau (Opposition House Leader): Mr. Speaker, *Beauchesne's* 417: Answers to questions should be as brief as possible, deal with the matter raised and not provoke debate.

Clearly, this minister, who is again deliberately misleading this House over and over again, Mr. Speaker, we have him on the record denying the fact. Now he is calling one of his people in his department a liar. We have confidence in these people.

Mr. Speaker: Prior to recognizing the honourable Government House Leader, I would like to remind the House that "deliberately misleading" is out of order, and I would ask the honourable Official Opposition House Leader to withdraw those words.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for St. Norbert (Mr. Laurendeau). If the honourable member does not respond in the manner that I have requested, I will be compelled to name him. I kindly ask the honourable Member for St. Norbert to withdraw the words "deliberately misleading."

Mr. Laurendeau: Mr. Speaker, I withdraw.

Mr. Speaker: I thank the honourable member for his withdrawal.

Order. We are still dealing on the matter of the point of order raised by the honourable Official Opposition House Leader. The honourable Government House Leader, on the same point of order.

Mr. Mackintosh: Mr. Speaker, we understand why the Opposition would feel provoked on this issue. They say they support the downtown entertainment centre and they oppose it.

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader, he does have a point of order. *Beauchesne's* Citation 417: Answers to questions should deal with the matter raised, and to not provoke debate.

* * *

Mr. Speaker: I would ask the honourable Minister of Culture, Heritage and Tourism to conclude his comments please.

Mr. Lemieux: Thank you very much, Mr. Speaker. I also thank the Member for St. Norbert (Mr. Laurendeau) for withdrawing the comments. I am sorry I made the comment with regard to MTS. In many ways it was inflammatory and I take that back. It is certainly a different issue, a different debate that has passed.

I just want to say that preserving our history is a complex issue. The people who feel that historic site is historic and they feel there are a lot of benefits to the Eaton's building have the right to do so in a democratic society. We appreciate that.

The recommendations made from the advisory council to me recommended, as people will notice, certainly in the document that has been released, they recommended that it be so, that it be—I just want to make sure my words are correct.

Sustainable Development Code of Practice

Hon. Jon Gerrard (River Heights): By this coming Sunday, that is July 1 of 2001, under section 11(1) of The Sustainable Development Act, Mr. Speaker, the Minister of Conservation has a legislated requirement to establish and put forward a provincial sustainable development code of practice to assist in the integration of sustainable development in the decisions, actions and operations of provincial public sector organizations.

My question to the Minister of Conservation: Why has the minister failed to present to the Legislature a draft of this code of practice so it can be reviewed by the Legislature before coming into effect on Sunday?

Hon. Oscar Lathlin (Minister of Conservation): I thank the member for the question. I would just like to indicate to the member that the Manitoba Round Table has done a tremendous amount of work on the sustainability indicators. Of course we all know this work was started under the previous round table and this current Round Table builds on those efforts.

I can indicate to the member I will be tabling material on this subject next week to the House.

Mr. Gerrard: Mr. Speaker, my supplementary to the minister—I thank him for the information—I would say when the development and implementation of this code is clearly one of the most important of his tasks, why has the minister not held any public hearings before presenting the code of practice?

Mr. Lathlin: As I advised the member in my first response, I know he is aware of this, the

Round Table works with the public, quite extensively as a matter of fact, doing the consultation work, and the public, through the Manitoba Round Table, put their work together through a report. That is what our sustainability indicators will be based on.

So I look forward to a constructive dialogue with the member on the subject of sustainable development once he has received that material and has had a chance to review it.

* (14:10)

Mr. Gerrard: Since the legislation requires that the code be developed in consultation with all departments, I would ask the minister whether he is prepared to table the input from the departments so the public can appreciate the process that has gone into developing this code of practice.

Mr. Lathlin: Once again, I will advise the member that I will be tabling material on this subject next week. I can also advise the member, and again he is probably aware of this, in any event, that the subject of how to measure sustainability is one that all governments in Canada are trying to deal with right now. As a matter of fact, the national round table is presently working on sustainability indicators, and I know that our work here in Manitoba will be incorporated into the work that the national round table is doing.

Eaton's Building Heritage Status Recommendation

Mr. Mervin Tweed (Turtle Mountain): Mr. Speaker, the Doer government is quickly gaining a reputation for being less than honest with Manitobans. The Premier denies statements that film indicates that he stated, and I quote: The VLT money is up to \$1.5 million.

Now the Minister of Culture, Heritage and Tourism (Mr. Lemieux) denies being aware of any of the recommendations of the Heritage Council.

Yesterday, in Question Period, the Premier stated: That was transmitted to the Government I believe late last Friday, June 22.

Mr. Speaker: Order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): I know the member and the members opposite have been working on this scenario for some time, for a week. Surely they can come up with a question in a succinct sentence as the introductory question. Would you please ask him to put his question now that he has already used his preamble?

Mr. Tweed: It sounds like the scenario has been planned on that side since the date of the release of the paper, and the Premier is sitting on it.

Mr. Speaker: On the point of order raised by the honourable Government House Leader, I would like to take this opportunity to remind all honourable members that according to *Beauchesne's* Citation 409(2): A preamble should not exceed one carefully drawn sentence. I would ask the honourable member to please put his question.

* * *

Mr. Tweed: The document that the Premier confirmed yesterday, that was sent to Government late last Friday, I want to ask the Premier: When did he share this document with the Minister of Culture?

Hon. Gary Doer (Premier): I think there is some back and forth between two separate issues here. We are dealing with the one issue, the historic designation of the Eaton's site. I can assure the member that this discussion started even before we went along with some of the negotiations, because I asked the question to my own people in the discussions: Is Eaton's an historic site? Has it been designated as an historic site? Because at one point we were talking about the Convention Centre parking lot, as members opposite know and I have stated in the public, and then later, when there was no other use for Eaton's, we obviously asked the question: Has this been designated? Has it been designated before it was abandoned 18 months ago? Has it been designated since it has been abandoned? What are the various considerations that must go into this?

I was also advised that normally we deal with historic buildings with the owners of those buildings. These are also questions we asked when we were successful in restoring historic buildings, restoring the historic façade at the former Grain Exchange Building for the Red River campus. We are restoring the old Ashdown, the Big 4 building on Main Street.

There is a committee that is advisory in nature to the Government. The advice from the committee goes, I believe, to the senior administrative official. The senior administrative official is one Tom Carson. He, in turn, writes a report which is different from knowledge of a recommendation. I am just trying to get the sequence. The recommendation is different from the report. For example, the recommendation has one view, the report from the Deputy Minister of Culture, Heritage and Tourism is to deal with some of the historic parts of that building but to not consider it an historic building. So, another credible senior civil servant, the deputy minister, has given us a report. The report was received by the minister yesterday, and it is released in an unprecedented way in this House today.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Mr. Marcel Laurendeau (Opposition House Leader): Mr. Speaker, *Beauchesne's* 417: Answers to questions should be as brief as possible, deal with the matter raised. Leader to leader, yes, he would have latitude, but this was—

An Honourable Member: The leader has no guts to ask these questions.

Mr. Speaker: Order.

Mr. Laurendeau: That will be another one, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. May I remind all honourable members that a point of order is a very serious matter. I would like to ask for the co-operation of all honourable members, please.

Mr. Laurendeau: Yes, Mr. Speaker, on my first point of order, that is the one I will deal with right now, I have already quoted *Beauchesne's*. If the First Minister (Mr. Doer) wants to prevent his ministers from answering questions, I can understand that because he has already shuffled this one one time, but he might want to stay within the rules.

Mr. Mackintosh: Well, two points, Mr. Speaker. First of all, members on this side recall asking questions of ministers on the government side, the Filmon government, and the premier of the day then getting up and answering at length, at will. What is good for one government is good for another.

Second of all, aside from the issues of leaders' latitude is the fact that the Premier was responding to remarks that were made from the Member for Turtle Mountain's seat. He was just responding and being accountable in that regard.

Mr. Tweed: On the same point of order, Mr. Speaker, and with new information, we know that the minister was advised by his own employees, his own staff, on the 9th of June. The Premier said yesterday that the Government received the document on June 22. On June 25, the Minister of Culture (Mr. Lemieux) denied that he had ever heard of the recommendations or seen of them. Obviously, the numbers would indicate that somebody in government sat on the information and failed to share it with the Minister of Culture and is now holding the Minister of Culture out to dry.

Mr. Speaker: On the point of order raised by the honourable Official Opposition, as I stated, in the past Manitoba practice has been to allow leaders' latitude, and I will be following that same directive until I am given an alternative directive that has been jointly agreed to by both House leaders.

So the honourable Official Opposition House Leader does not have a point of order.

Voice Vote

Mr. Laurendeau: Regrettably, Mr. Speaker, I must challenge your ruling.

Mr. Speaker: The ruling of the Chair has been challenged.

All those to support the ruling of the Chair, to support the motion, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Yeas have it.

Mr. Laurendeau: On division, Mr. Speaker.

Mr. Speaker: On division.

Point of Order

Mr. Laurendeau: On a new point of order, Mr. Speaker. It is not what words we use. It is in the way we use the words. I am sure that you heard it quite clearly from your seat, terms of which I do not think a premier should be using from his desk. For this leader to stand up and say that my leader did not have the guts, that should be ruled unparliamentary.

I would ask this First Minister to apologize.

* (14:20)

Mr. Doer: Yes, Mr. Speaker, I do withdraw those words. I could use other words to make the same point. I do apologize. I do apologize. I do.

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader, the honourable First Minister has withdrawn the words spoken and that should deal with the matter.

* * *

Mr. Speaker: The honourable First Minister, to conclude his comments.

Mr. Doer: Mr. Speaker, the fact of the matter is that there was a recommendation and there is also a report. Those are two separate issues. The report actually does not accept the recommendation; it actually makes a contrary recommendation to the Government. We only received that, I believe, yesterday from the deputy minister.

Members opposite will know that the deputy minister, Mr. Carson, is a deputy minister that has credibility, has worked for various governments. He was an ADM under us, a deputy minister under members opposite, remains a deputy minister under us.

So, Mr. Speaker, that report was received yesterday and for the first time we understand has been actually tabled, an internal report has been tabled in the House. We do not think that is consistent with the allegation of sitting on something. We think it is very consistent with the opposite, making that document public, because there are public concerns.

Eaton's Building Heritage Status Recommendation

Mr. Harold Gilleshammer (Minnedosa): We on this side have the greatest of respect for Tom Carson and Donna Dul.

I would ask the Minister of Culture: Does he admit that Donna Dul phoned his office with the details of the recommendations following the June 9 meeting?

Hon. Ron Lemieux (Minister of Culture, Heritage and Tourism): We also have the utmost respect for our deputy ministers and officials within the Government, and we want to make that absolutely clear.

I just want to say that once again we got down to the recommendation in the report. The recommendation went to the department, Mr. Speaker, to Government and Donna Dul in the department's Historic Resources branch, who then forwarded their recommendations on to the deputy minister, Tom Carson. Deputy Minister Carson sent me a memo as of yesterday showing those recommendations.

I just want to say, Mr. Speaker, that having looked at my department's report, comparing the recommendations of the advisory council, I am accepting the branch's recommendation not to designate Eaton's as a historic site.

Mr. Gilleshammer: On a new question, Mr. Speaker.

Mr. Speaker: Order. The honourable Member for Minnedosa, on a new question.

Mr. Gilleshammer: Mr. Speaker, until today, the minister has indicated he knew nothing of these recommendations, yet a key member of his department said that she phoned his office following the June 9 meeting. Will he admit that he knew about this far before yesterday?

Mr. Lemieux: Mr. Speaker, I think the Opposition is playing with words here. We have been absolutely open, here is the recommendation, and here is the report, as to what is being asked and what is being shown by us. I just want to state that this particular building—*[interjection]*

I just want to say a comment from one of the members opposite stated that I am being hung out to dry. I am not being hung out to dry. We as Government are very, very supportive of our Government officials. We are also supportive of the redevelopment of Winnipeg, and that is what this is about.

Mr. Gilleshammer: On a new question, Mr. Speaker.

Mr. Speaker: The honourable Member for Minnedosa, on a new question.

Mr. Gilleshammer: My question is about the truthfulness of the minister. His executive member, Donna Dul, indicated that she passed the information from that meeting of the Heritage Advisory Council to the minister. Up until yesterday he denied knowing anything about those recommendations.

Will he admit that he knew weeks ago of the recommendations of the Heritage Advisory Council, according to Donna Dul?

Mr. Lemieux: Mr. Speaker, that is kind of half the question. A lot of people spoke about this, and about this particular building. People talked about this.

I have made reference that as soon as I received the report from the department, I would release it; I would make it public as soon as I got it. So, Mr. Speaker, I am tabling it. It is unprecedented for an advice from an advisory council to a minister to be tabling it.

We want this process to be open. We want the public to know what the recommendations were from the advisory council and also what the department was recommending to me as minister. They had to look at a number of different factors, including whether the owner was important, whether the owner was in favour of having the building designated, what the city did, whether or not the site is acceptable. So I just want to say that we are very supportive of the recommendation that was made from the branch.

Mr. Gilleshammer: On a new question.

Mr. Speaker: The honourable Member for Minnedosa, on a new question.

Mr. Gilleshammer: A key member of the minister's department has clearly stated that she passed on the recommendations to his office on June 9. He has subsequently on the record denied knowing anything, any details, any information about this issue. He has misled the House, and I would ask him to correct that by admitting today that he knew full well what the recommendations were.

Mr. Lemieux: Well, Mr. Speaker, I certainly pride myself on telling the truth always. We have been very forthright as Government, we have been very open as Government, and we will continue to be open as Government.

I just want to say, Mr. Speaker, I know members of the Opposition, it is their duty, maybe as a code of the Opposition to nitpick and to try to pick and choose between phrases and so on, but we have tried to be open by tabling this document, allowing the public to see it.

I have been very open and forthright, telling the people, the proponents, who want to keep Eaton's or purporting to want to keep the buildings as a historic site. I have wanted to be as open and honest and forthright with them as soon as possible; so when I received it yesterday, I have had an opportunity to look at it and read it, and I agree with what the branch has recommended.

Mr. Gilleshammer: On a new question, Mr. Speaker.

Mr. Speaker: The honourable Member for Minnedosa, on a new question.

Mr. Gilleshammer: The issue is that the minister has not been open and forthright. He knew the information and his staff have confirmed that. He knew that information following the June 9 meeting. I will give him another opportunity to correct the record, to be honest in this House, to be correct and truthful in this House. Will he not admit that his staff brought this to his attention following the meeting on June 9?

Mr. Lemieux: Ministers, to the best of my knowledge anyway, do not table advisory councils' recommendations or the recommendations or reports from departments. I am doing that. I am putting it forward to the public. I am giving it to the Opposition, giving it to the media, giving it to people who wish to take the time to read it.

So I am trying to be as open as possible with the member opposite and trying to be forthright by tabling it and by showing the public that we want people to know what the recommendation from the advisory council was to me and also what the department is also recommending.

Mr. Speaker: The honourable Member for Radisson, on a point of order?

Ms. Marianne Cerilli (Radisson): Mr. Speaker, I have a question.

Mr. Speaker: No. I deny it. Our rotation agreed prior to me taking the Chair, I met with the House leaders and their arrangement was that the Official Opposition would get the first 5, the independent member would get No. 6, and No. 7 would be reserved for the Government backbenchers. We are already now at No. 13.

Order. For the information of the House, every day in Question Period, after No. 6 I look on the Government side. I did so today, and there was not a member standing up. I am sorry, but I follow that rotation that was agreed to by both House leaders and the independent member.

* (14:30)

This was an agreement and I will honour the agreements that are negotiated in this House. So I apologize to the honourable Member for Radisson, but at this time I cannot recognize her for her question.

The honourable Member for Radisson, on a point of order.

Point of Order

Ms. Cerilli: Just on a point of order, for clarification, Mr. Speaker, I am wondering how many first questions the member opposite has had and when we will get another chance to ask a back-bench question on this side of the House.

Mr. Speaker: The agreement that we negotiated at that time was after—I will repeat it again. The agreement we negotiated was the first five is the Official Opposition, No. 6 is the independent member, No. 7 would be—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The first five questions, we negotiated, was for the Official Opposition. Sixth question was for the independent member. The No. 7 question was reserved for the Government side, and, after that, the rest of the questions would go to the Official Opposition. That is what I am recognizing, the Official Opposition until Question Period expires. If the Government side has a question, please rise on No. 7.

* * *

Mr. Gilleshammer: Mr. Speaker, on a new question. Donna Dul, who is a well-respected member of the minister's department, well respected on the Heritage Committee, says that she phoned the minister to give him a heads up. She gave him and his office the information on what the Heritage Advisory Council were putting in their report. Does he deny receiving that information from Donna Dul from his department?

Mr. Lemieux: It normally takes four to six weeks for a report to come from the department. This has been expedited; they realized that they would move on it very quickly. I said I was

informally aware of the council's recommendation, but I refer to the Member for Fort Whyte asked me the question on June 21: Will the Minister of Culture and Heritage confirm to this House that he is in receipt of a report that recommends that Eaton's building be classified. I said I am certainly not in receipt of any report, and I am looking forward to receiving it. I keep repeating this over and over, Mr. Speaker.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Panda Bear Daycare Co-op

Ms. Marianne Cerilli (Radisson): Mr. Speaker, I rise today to let members of the Assembly know about an exciting innovation in child care services going on at the Panda Bear Daycare Co-op in the St. Boniface-Windsor Park area. The Panda Bear Daycare Co-op originally began as a workplace daycare at the former Burns Meats packing plant. I was delighted to attend the grand opening of their new expanded facility on June 23 on behalf of myself as well as the Member for St. Boniface (Mr. Selinger).

The Panda Bear Daycare originally had 40 spaces and is now expanded to accommodate up to 75 child care spaces. They have moved to a new location at 53 Speers Road. They have used a lot of ingenuity to convert a former dairy to this new location in St. Boniface. It is an amazing facility which will be completely accessible for children with disabilities. It offers the only French infant care available in St. Boniface at a child care centre, and its services will be available, when it is in full capacity, for evening, weekends and flexible care for parents who do shift work.

This over \$100,000 expansion has been funded by fundraising in the community, but we are happy that a \$25,000 Community Places grant from the Province could help them. It shows an excellent example of the kind of innovative community services this Government is proud to support.

My congratulations to the dedicated staff at Panda Bear Daycare, headed up by Executive

Director Pat Smith and to the board of directors which is currently chaired by Lynn Skotnitsky. Not only will they have done all of this to accommodate more children, but in the end, they will have the same overhead costs as the previous day care facility. I want to offer the congratulations of all members to the many volunteers and parents who supported this wonderful accomplishment. Thank you.

Canada Day

Mr. Jim Penner (Steinbach): Mr. Speaker, as members of this House know, this weekend, Canadians across our great nation will join together in celebrating Canada Day. This Chamber is made up of individuals of diverse backgrounds from different regions and representing different ideas. In our daily exchange, we do not always agree on the policies and direction that is best suited for our proud province, yet I would daresay that one thing each of us would agree upon is that we are proud Canadians, proud of our country, proud of its heritage and hopeful for its future.

On July 1, 1867, the British North America Act created the Canadian federal government, and it proclaimed us as one dominion under the name of Canada. It also gave us our first Prime Minister, Sir John A. Macdonald. Mr. Speaker, while the leading Fathers of Confederation must surely have seen future greatness for the new country they were working to create when they met in London, England, in December 1866, one wonders if they could have foreseen the proud and prosperous country that would develop.

Having had the good fortune to travel throughout the world, Mr. Speaker, as I know many other members in this Chamber have, I can tell you that the best part of any trip has always been returning home.

Of course, like all other nations ours faces challenges. While it is our responsibility as elected representatives and as citizens of Canada to work to ensure our nation remain strong for future generations, we must take the time to give thanks for our freedom, for our prosperity, and for the opportunity our country provides. Many have worked before us to provide us with this fortune.

Mr. Speaker, this weekend I would encourage all the members of this Chamber and all Manitobans to take the time to participate in the many Canada Day celebrations occurring throughout the province and to take time to reflect on the privilege we have to live in a country of peace and freedom. Thank you.

Family Fun Day

Mr. Tom Nevakshonoff (Interlake): Mr. Speaker, it is my pleasure to rise in the House today to draw attention to an event which I attended in the Ashern area this past weekend. I am referring to Family Fun Day at the Marsh Bay camp, which is a facility that was founded by an 11-year-old boy named Charles Davidson back in 1998.

The camp offers various forms of entertainment, including hiking trails, a petting zoo, a museum, campfires, berry picking, crafts, tomahawk throwing, at which I lost, by the way, and so on. The focus of Family Fun Day is on children's abilities and gifts. Too often children's disabilities are focussed on, instead of looking at what they can do well. The proceeds of the event are to go to the Fetal Alcohol Family Association of Manitoba Incorporated.

FAS is a unique affliction in that it is totally preventable if proper care is taken during pregnancy. This is one of the reasons why the provincial government recently announced a new prenatal program, the first of its kind in Canada, to provide pregnant women on low incomes with financial support to see that the nutritional needs of the fetus are met. Other social supports and information on dangers such as FAS will be brought to the attention of the women when they access the program.

Initiatives such as the Marsh Bay camp, organized by Charles Davidson and his family, are welcome additions to programs offered by the Government. If all people went out of their way to the same degree, this province would be in a much better condition. On behalf of the people of the Interlake, I thank Charles Davidson and his family for their efforts. Thank you.

Mr. Marty Murray

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I would like to congratulate an athlete from my constituency who captured a major championship this spring. Mr. Marty Murray, of Lyleton, captained the St. John Flames to the Calder Cup, awarded to the American Hockey League champions. The Flames defeated the Wilkes-Barre/Scranton Penguins in the Calder Cup final four games to two.

Murray is well-known to Westman hockey fans, indeed all of Manitoba. Marty had an outstanding junior hockey career playing for the Brandon Wheat Kings, taking the Wheaties to the Memorial Cup and representing Canada in the 1994 and 1995 World Junior Championships. Both times he returned to Manitoba with a gold medal. In 1995, Marty was named top forward at that national tournament.

Marty has been part of the Calgary Flames organization since they drafted him in 1993. This is his second stint as captain of Calgary's farm team, the St. John Flames.

I would like to congratulate Mr. Marty Murray on his very successful season with the St. John Flames. I wish him the best in the future. Thank you, Mr. Speaker.

* (14:40)

**Stevenson-Britannia Adult
Literacy Program**

Ms. Bonnie Korzeniowski (St. James): I rise today to draw the attention of this Assembly to the wonderful work being done by the Stevenson-Britannia Adult Literacy program. I was honoured to be part of the closing ceremonies on June 23, hosted by the chair of the board, Zella Vermeulen, where 29 graduates received their Mature Adult High School diploma.

This is a great achievement, first and foremost for the graduates, but also for the program, which began with just three graduates three years ago. It is programs like the one offered by Stevenson-Britannia that make it possible for adult learners to achieve their goals.

Receiving a high school diploma, at whatever age, is one of the most significant accomplishments in one's life.

As an adult learner myself, I well know the courage and personal strength that it takes to overcome one's fears and return to school. These students deserve tremendous credit for their success. They are role models for their peers, their families and for the community as a whole. I would like particularly to acknowledge Bob Thompson and Brian Head for their incredible support and enthusiasm in helping these students reach their dreams and their willingness and ability to accommodate the individual needs and lifestyles of their students.

In addition, the staff and the volunteers of Stevenson-Britannia also deserve recognition for their hard work and commitment to improving lives through literacy and learning. I am proud to be part of a government that supports lifelong education. The Member for Assiniboia (Mr. Rondeau) and myself are pleased to promote this centre and adult literacy by assisting staff and students in celebrating World Literacy Day at a barbecue on September 8, 2001. We encourage other members of the Assembly to participate in this and other events to celebrate the achievements of all our adult learners and to promote literacy as a positive life-changing choice. Thank you, Mr. Speaker.

ORDERS OF THE DAY

House Business

Hon. Gord Mackintosh (Government House Leader): I would like to announce that the Standing Committee on Municipal Affairs will meet on Thursday, June 28—that date sounds familiar—at 6:30 p.m. to resume consideration of the following bills: Bill 31, The Municipal Assessment Amendment Act; Bill 32, The City of Winnipeg Amendment Act; Bill 34, The Municipal Amendment Act; Bill 38, The Local Authorities Election Amendment Act; Bill 43, The Auditor General Act; Bill 48, The City of Winnipeg Amendment (Pensions) Act.

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Mr. Mackintosh: Mr. Speaker, in the Orders of the Day, would you please call concurrence and third readings of Bill 20?

CONCURRENCE AND THIRD READINGS

Bill 20—The Farm Products Marketing and Consequential Amendments Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Conservation (Mr. Lathlin), that Bill 20, The Farm Products Marketing and Consequential Amendments Act, as amended and reported from the Standing Committee on Municipal Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is third reading of Bill 20, The Farm Products Marketing and Consequential Amendments Act, as amended.

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

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

* * *

Mr. Mackintosh: Mr. Speaker, would you please call debate on second readings of bills in the following order: 25, 23.

DEBATE ON SECOND READINGS

Bill 25—The Health Services Insurance Amendment and Consequential Amendments Act

Mr. Speaker: Resume debate on second readings of Bill 25, The Health Services Insurance

Amendment and Consequential Amendments Act, standing in the name of the honourable Member for Turtle Mountain (Mr. Tweed), who has 40 minutes remaining.

Is it the will of the House for the bill to remain standing in the name of the honourable Member for Turtle Mountain (Mr. Tweed)?
[Agreed]

Mr. Stuart Murray (Leader of the Official Opposition): I rise today to speak on Bill 25, which is The Health Services Insurance Amendment and Consequential Amendments Act. I know there will be a number of people that will be speaking on this bill, and I believe that a lot of people on our side will clearly be putting some of the facts into the record, which, I think, is important because I think, when you want to debate issues, the facts, particularly the history that makes up the facts of the day, are very important.

I will be more interested, I think, in really talking to this bill on the basis of the ideology that I believe is driving this bill.

This Government has shown in the past that they have a great desire to move in the opposite direction that the rest of the country is moving. You can look at the fact that this province is becoming less competitive and the fact that we are the highest taxed west of Québec, the fact that the new premier in B.C., where that government kicked out a New Democratic Party government, an NDP government, the new premier of that province recognized that the NDP had taken that province down a direction that was obviously taking that province to its knees. So what did they do? The minute that the new government came into B.C., they reduced personal income tax by 25 percent.

Mr. Conrad Santos, Deputy Speaker, in the Chair

* (14:50)

So what does that mean for Manitoba? It means once again we are going in the wrong direction under the Doer government. So we have seen a history over the past 20 months of this Government being out of step with the rest

of Canada. Clearly, when it comes to health care, Mr. Deputy Speaker, once again we find this Government out of step with the rest of Canada.

The difficulty that this debate, if it could even be called a debate, because the other side is afraid to have debate, is that all they are interested in is ramming through ideology because they are not concerned about the patients. They are not concerned about Manitobans. They are not concerned about patient safety. They are concerned about their ideology. That is what is driving this Bill 25.

The fact of life is: What are we to believe about this New Democratic Party, the Doer government? What are we to believe when they talk about health care? Well, let us go back and have a look and see some of the things that have been said. We know 20 months ago that this Leader of the New Democratic Party (Mr. Doer) stood up in front of Manitobans, looked in the camera and very clearly said: We will solve hallway medicine in six months with \$15 million. Well, now we are 20 months away, clearly they have not solved hallway medicine. It still exists. We know that. It is a fact of life. They have even set up a Web site so that you can monitor it. It is not \$15 million. It is now some \$500 million later over 20 months. So since they have been in, that is 22 percent more that has gone into health care spending.

I think a fair question that Manitobans would ask is: Have we received 22 percent more in terms of services? Have we seen more doctors come to Manitoba? Have we seen more nurses being hired? Have we seen the waiting lists being reduced? Are we not going to Grafton anymore? Well, the answer to that question, Mr. Deputy Speaker, is they have failed because all of those things still exist. There has been no change under the Doer government with respect to health care other than to say that it has become worse.

So we look at Bill 25. It is called The Health Services Insurance Amendment and Consequential Amendments Act. Clearly, we know that there have been clinics that have been operating historically in Manitoba for years. The Pan Am Clinic, the Western Clinic, the Midlands clinic have all been out there operating. I believe

that Manitobans would say, those that had a chance to go to those clinics for whatever reason, that they have been doing a pretty darn good job in terms of the way that they have helped deal with health issues in the province of Manitoba. So we all know the history. Again other members will put it on the record. The Pan Am Clinic and those other two clinics, a cap was put on in place so that the Province of Manitoba did not have to pay a penalty fee to the federal government. A cap was put in place.

Well, Mr. Deputy Speaker, their answer on the other side of the House, the Doer government says, well, one way we are going to solve health care is we are going to go in and we are going to buy a building. We are not going to add a doctor. We are not going to add a nurse. We are going to buy a building. So they spend \$7.3 million to purchase the Pan Am Clinic. Well, to use a phrase that happens across on the other side, they are very fond of saying they find it passing strange. Well, I think we on this side of the House find it very passing strange that they had an option to reduce the waiting lists and increase more surgeries at the Pan Am Clinic by simply raising the cap. That is all you had to do was raise the cap and allow that facility to operate more than what they currently are doing. They did not have to spend \$7.3 million. No. They did not have to do that. All they had to do was raise the cap.

Mr. Deputy Speaker, if somebody on the other side, the NDP, if they cannot own a brick, and fine, they own the building. Apparently what goes on inside is not good enough unless they own the bricks and mortar. Well, is it not interesting that, along the way, a doctor has come into Manitoba and he has built with his own money a clinic, and according to the College of Physicians and Surgeons it is a world-class facility, a world-class facility right here in our backyard, right here in Winnipeg, Manitoba.

Mr. Speaker in the Chair

What he wants to do, Mr. Speaker, is provide service and safety to patients. He wants to deal with Workers Compensation. He wants to deal with MPI, the same way that the Pan Am Clinic and the same way that Midland and

Western deal, no different, no special operating procedures. He just wants to deal with them the same way that those other three clinics historically have been dealing with MPI and Workers Comp in Manitoba.

So we have a world-class facility, Mr. Speaker. We have doctors and surgeons that are prepared to work there. So there are patients in Manitoba that deserve first-class quality health care. What does the Doer government say? They call it some sort of a virtual building because they do not even want to acknowledge that it exists. I find again to quote members opposite: Passing strange that there is a world-class facility in our backyard that would reduce waiting lists, that would help those people on Workers Comp get off a list and get back to work, but no, apparently that is not good enough for some reason.

Mr. Speaker, it is funny because it is the doctors in the community and the health care professionals that are saying, wow, look at this place. This is incredible. We are health care professionals; we would love to have an opportunity to work in here. The Doer government apparently thinks they know better than doctors and nurses. So what do they do? They say we are not going to let that clinic operate. We are not going to let a world-class facility operate in Manitoba.

So they want to bring in a bill that basically makes it difficult for that clinic to operate, and I think the difficulty that Manitobans are going to have with Bill 25 is they are going to say well, just hold on a minute, just so I understand completely what the Doer government is doing. You mean to tell me that there is a world-class facility, with doctors and surgeons that are prepared to operate, dealing with Workers Comp boards, dealing with MPI patients, the same way that they currently deal with the other clinics, the Pan Am, the Western and Midland, the same way so there is nothing different. The answer is there is nothing different.

To them, Mr. Speaker, apparently he is an entrepreneur, and we should be very afraid of entrepreneurs because somehow that conjures up an image that we cannot control an entrepreneur. How would we buy an entrepreneur? How

would we do that? Well, you know, it is not going to happen so they have closed down the opportunity to provide better patient care here in Manitoba.

Well, Mr. Speaker, I can tell you that we on this side of the House, we are very, very supportive of a collaboration between publicly funded private clinics. We support that. We support that because we believe it helps solve one of many problems that we face in the health care crisis. It reduces waiting lists and provides for patient safety.

The other side, when you talk about patient safety, the other side of this Bill 25 is that it currently is acceptable for these clinics that have been operating in Manitoba for years and years, it is acceptable today for them to have up to four beds in that clinic. Well, that makes an abundant amount of sense because clearly, if somebody were to have an operation and they were not prepared to put them in a car to send them home, or if they were from out of town, put them in a taxi and send them to a hotel, they would stay right there in the warm comfort under the observation of a professional health care, a doctor.

Well, apparently, the Doer government says that cannot happen. That is not right. That is not good for patients, so we are going to close that down. Apparently, they refer to it as a loophole. Well, why is patient safety a loophole?

An Honourable Member: Not if it is a lifeline to patients in need.

Mr. Murray: It is absolutely a lifeline to patients in need. But over here we find that on that side of the House let us make sure that we close a loophole. Well, the day that patient safety becomes a loophole in the health care system is indeed a sad day for Manitoba and that is what Bill 25 is all about, closing loopholes for the safety of patients in Manitoba.

There are incredible numbers of letters; there is an incredible number of articles that have been put into the newspaper. They are too numerous to read, frankly, but the two daily newspapers, the daily newspaper in Brandon, the *Brandon Sun*, the *Winnipeg Free Press*, *The*

Winnipeg Sun, the media in general, have been writing comments saying things like the Godley clinic is a goodly and useful thing. Blocking reform, Mr. Speaker, why is the Minister of Health (Mr. Chomiak) blocking reform?

Canadians choose nurses over tax cuts, they say, and clearly there are numerous articles in all of these papers that talk about the very opportunity that Manitobans are looking for, and I think it is represented by the media in a very general way because they also then understand why the minister would deny care and safety of patients, Mr. Speaker.

There should be a debate on this issue. There should be a debate that goes around the province, that talks about public safety and public safety for patients in the health care system. But clearly, when you get into a debate with the likes of the New Democratic Party, when they know their back is against the wall, maybe it is a brick wall, rather than talking about the issues in a debate, what do they do? They inject fear, Mr. Speaker. Let us frighten Manitobans because if we frighten them, then they will go to what we have which is the status quo. We know the status quo does not work.

But time and time again, we hear that the Doer government, when the discussions of working for better health care for Manitobans comes up, the other side over there says, oh, well, you want to go to an American system. Well, there is not anybody on this side that has said we want to go to an American health care system, but that is what they say. That is their argument, because for some unknown reason, and we know that the World Health Organization says that the American health care system is behind in terms of ranking the Canadian health care system, so why would we want to go back?

No, we want to move forward. We want to look at other options. For example, we know the World Health Organization has said that France, Italy, there are other places, countries over in Europe, Sweden, for example, they all are ranked higher by the World Health Organization than Canada. So, when the other side, the fearmongers, start talking about, oops, here we go to an American health care system, that is

their fearmongering, Mr. Speaker. We are saying let us have a debate. Let us talk about the merits of the system in France and in Italy and in Sweden because that is how we will learn, and, if we are truly interested in ensuring that we get better health care for the money that is being spent in Manitoba, why would anybody deny the opportunities to look abroad? Look over in Europe. I know it is not American. I know that that does not play with the fearmongering on the other side, but it is a good health care system. It is a collaboration of publicly funded private clinics, which we support. We support them. Why? They work. They make a difference to health care patients in Manitoba.

* (15:00)

Mr. Speaker, there are so many parts of Bill 25 that even the minister, as we had a chance to speak in concurrence, was not sure of some of the answers. For example, if the definition of surgical services applies to all health care providers, it will limit the ability to provide home birthing services if sedation is required, palliative care at home or in a hospice, outpatient procedures conducted in a doctor's office, the development of birthing centres. The fact of life is, and this is the irony, of course, it is lost on every member on the opposite side. The fact of life is that this Minister of Health has argued that tray fees will not be affected by the legislation.

Well, lo and behold, hang on to your hat because, if that is the case, then the Minister of Health, in effect, is supporting user fees and, get this, two-tier health. Way to cross the way, Mr. Speaker. He is supporting two-tier health. Wow, is that not a revelation.

Well, he will go on at length about all sorts of issues and all of the things, and the point, Mr. Speaker, we know and he is on record as saying he has no plan, no grand scheme. He has no idea of what we should be doing, so to say that they have done something on this issue, they go out and they spend \$7.3 million and buy bricks and mortar.

Mr. Speaker, I believe that we need a system that deals with the crisis at hand, and that system is publicly funded private clinics. Members opposite would say we will not bring in private

hospitals. When you talk about the surgical centre, The Maples Surgical Centre, it is not a private hospital. If the Minister of Health has his way and rams through this bill, that is what he wants it to be. That is what he wants Manitobans to think, but therein goes the old fearmongering.

It is very much like, you know, you hear these stories about these parents. They talk to their kids: You should not get out of bed at night; we want to keep you in your bedroom at night; you need your sleep. They get out, and they keep trying to talk to them. They keep running out of patience. When they cannot have a proper argument to keep the young kids in their bed at night, what do they say? They say the bogeyman will get you. If you get out of bed, the bogeyman is going to get you, Mr. Speaker. What are they doing? They are trying to frighten somebody. They are trying to frighten the young children. It is the same for the New Democratic Party. It is all about fear. Let us make sure that we make people afraid, so there will be no changes. We can be timid, and we can keep the status quo approach, but, oh, by the way, look at the changes we brought in. We bought a building. We bought a building, \$7.3 million. Look at that magnificent structure.

Well, Mr. Speaker, I am afraid that Bill 25 is very much like some of the other things that the Doer government has done in terms of competitiveness. It is going in a totally different direction than the rest of Canada. They do not recognize the fact that Canada, various levels of governments, former premier of Saskatchewan is looking at various options. They are standing up, and they are saying we have got to improve what we have. The first thing they are saying is that we do not need to necessarily put more money in, but we have got to look at other ways to ensure that the money that the outcome is providing value to what is most important, the patient of Manitoba.

So here we have this Government who is saying, well, we are politicians. The New Democratic Party is now in government. So you have got the Doer government saying: We do not care what the media says, which is a part of public opinion. We do not care what the doctors are saying. We do not care what the College of Physicians and Surgeons are saying, because we

are the Doer government, we know better. We know better and we are not going to allow this kind of situation to develop in Manitoba.

So, despite all of the cries, the opportunities, despite all of the ability for a collaboration between publicly funded private clinics, they want to shut her down unless they can buy it lock, stock, and bricks and mortar.

Well, I am afraid that that is just not good enough for Manitobans. You look abroad, Mr. Speaker, I just want to highlight one thing, because my friend the Premier (Mr. Doer) across the way there takes great pride in always talking about the Labour government in Britain and Tony Blair and the champion of the labour movement and all those sorts of things. Well, a quote that he said, and this is from Tony Blair, the quote said there should be no organizational, ideological barriers to the delivery of a high-quality health care system. I wonder if he would put that up on his wall so that he would understand his hypocrisy. That is what this is all about.

I believe that Bill 25 is going to take the health care system that we have now in a direction that again is typical of this Government. It is going to take it in a direction that is moving away from the rest of Canada. Now, they might think they are smarter than Canadians. Mr. Speaker. I highly, highly, highly doubt that.

So I would just like to close by saying that I believe Bill 25 is flawed. It is ideologically driven. It is poorly thought out. It leaves more questions unanswered. It provides a direction to this province that is in the wrong direction. I believe if the Minister of Health (Mr. Chomiak) had any courage whatsoever that he would withdraw Bill 25, do the right thing and withdraw the bill.

Mr. Leonard Derkach (Russell): I welcome the opportunity to join my leader in putting some comments on the record with regard to Bill 25, a bill which, I think, is going to have an extremely negative impact on all citizens in this province, one that is actually going to drive this province backwards in terms of health care for the citizens of our province. I will stand on any platform and

I will tell Manitobans that this is not a bill that is designed to enhance health care for the citizens of our province in any way, shape or form.

If you look at the bill, I think most people in this province would agree. This bill is filled with the ideology of a party in this province that is fearful of any type of private health care delivery of any kind. They hide behind the issue of private hospitals, which is a phantom issue, because Manitoba does not have and has not had private hospitals, and it is not going to have private hospitals. This is a phrase that has been drummed up by the now-Premier and the Minister of Health. They are trying to instil a fear in the seniors of our province.

There are many people who will know the NDP for what they are, but the seniors of our province have always believed that government is there to serve their needs. Little do they know that the agenda of this Government is entirely different. It is entirely filled with ideological bent.

Mr. Speaker, the Minister of Health (Mr. Chomiak), the Premier (Mr. Doer) of this province talk about private hospitals. You show me one example of a private hospital in Manitoba. You will have to agree with me. There is not one. Yes, we have clinics that are run privately, clinics that have helped to achieve the goals under the Manitoba medical system to deliver the most effective and efficient services to our population. What a contradiction when we have to send out citizens to Grafton, North Dakota, to Ontario, to Saskatchewan, to Alberta to receive health care needs that should be available and, as a matter of fact, are available here in the province, but the Government denies access to them.

* (15:10)

Mr. Conrad Santos, Deputy Speaker, in the Chair

Now I have never heard a situation where a government denies access to health care within its own province except here in Manitoba. Why, even in British Columbia, under that deplorable NDP government that drove that province to its knees in one term, we had a situation where

private clinics were allowed to be used to deliver a service that would eliminate and reduce the waiting lists in the hospital systems of that province. Yet, in Manitoba, we have decided to go upstream. We are going to go against the flow. We are not going to go along with everybody else who is trying to modernize their approach to health care. We are going to go the opposite way.

Well, Mr. Deputy Speaker, I have to tell you that two jurisdictions tried that. British Columbia, and what happened to them? The economy was brought down to its knees. The NDPs were absolutely ousted out of the province. I think they have—what?—two seats left in the province of British Columbia. Well, I can go to another jurisdiction, and that is Ontario. What has happened in Ontario? In one short term, Bob Rae was able to undo everything that that province had worked for, for decades. That province was brought to its knees in one short term of NDP reign because he, too, tried what this administration is doing. That is to go against the stream, to go against the flow, to show the world that he knew better. The people did not know; he knew better. Well, the people of Ontario, the people of British Columbia showed those governments exactly what they thought of them, and it is going to happen here in Manitoba.

Mr. Deputy Speaker, I go to the neighbouring province of Saskatchewan, and I ask you to look at what is happening there. Now, I have a lot of respect for the former premier of that province, Mr. Roy Romanow. If you look at what Mr. Romanow has been charged with today and look at some of the comments that he has made since his appointment, you cannot help but know that this Government is going in the wrong direction, but Manitobans have to know. Manitobans will know because no one can show me what disadvantage there was for a citizen of our province to have access to a privately run Pan Am Clinic in the province of Manitoba.

I have to tell you I had the privilege to use that clinic in a time when I could not get access to a public hospital and where it was an emergency kind of issue. I was thankful that we had a clinic in this province that could attend to the needs very quickly, and I did not have to travel out of province, out of country to receive

that service. I did not pay. I was not charged. I did not jump any queues. I did what any other citizen of this province had access to. I walked in the door of the Pan Am Clinic with a problem, and I had my problem attended to immediately. You tell me what is wrong with that. I would have to say that you, as Deputy Speaker, would welcome that kind of a system, where you could walk in the door with an emergency issue, a medical situation and have it dealt with as quickly as possible.

Mr. Deputy Speaker, that is the ideal, but now we have a government who tried to camouflage this by saying, well, we had to buy the clinic to be able to expand the number of surgeries that are going to be done in that clinic. That is hogwash. Everybody knows it. It is hogwash. The media have reported on it. They have shown the fallacy of this, because you can achieve that same goal by simply lifting the cap on the number of procedures that that clinic could do in any given time. You will increase the number of procedures without having to spend a nickel of taxpayer dollars on capital.

What did we buy, Mr. Deputy Speaker? What did we buy? We bought a building, depreciated. We bought some old equipment and we bought surgical labs. I do not know what that means, but we bought bricks and mortar. We are going to spend \$7.3 million of taxpayer money on that facility when we could have used that money to deliver better service to our citizens.

This is how the NDP thinks. They will try to hoodwink every Manitoban into believing that they are working for you, the individual, the citizen, the little Manitobans. Well, I say hogwash to that too, because that is really what it is.

So what did the Pan Am purchase accomplish? Whose needs did it meet? Well, I can tell you whose needs it met. It met the needs of the owners of that private clinic. Yes, they became very wealthy. Well, I do not blame them, instant millionaires, they are smart guys. I blame the Government that is supposed to look after the needs of every citizen in this province and not bend to the whims of special interest groups and individuals in our province.

We see that act being repeated again and again, because I have a very, very serious suspicion about what is happening with our arena and whose needs are being met in terms of where the arena is going to be placed and this shroud of secrecy that we have and the twisting and turning of information that is coming forward from the ministers of the Government with respect to that initiative. I think we are going to see some interesting issues arise out of that incident itself.

Coming back to Bill 25, where we are supposed to be, Bill 25 puts before this Legislature a very interesting concept. It says that Manitoba will not allow private hospitals. Well, name one in Manitoba. What are we fighting? We are fighting a non-issue here. There are no private hospitals in Manitoba. So what is it addressing? Then they are going to put a little twist into this. They are going to say that if you go to a private clinic, you will not be allowed to stay there overnight. So what happens if the surgery is done in the middle of the night? You cannot do it in the middle of the night anymore if it is an emergency situation because you are not allowed to be there in the middle of the night.

I ask you: Is that enhancing access to medical services in our province? Is that indeed addressing the issues of clients, satisfaction of patient safety in the province of Manitoba? No. Not at all. I ask this Government to be honest, but they cannot be.

They cannot be. It is too much of a challenge, as my colleague the Member for Lakeside (Mr. Enns) says. It is too much of a challenge for this group, because this bunch believes in the fact that you can still hoodwink the public of Manitoba, still fulfil your ideological bent without caring what the consequences are for the average, ordinary citizen of the province that we are so proud of.

This is a sad commentary, Mr. Deputy Speaker, on what is happening in the province of Manitoba. I predict that this province too, unfortunately, will follow the scenario that has played itself out in British Columbia and in Ontario.

Mr. Deputy Speaker, I do not know anybody in the public who would welcome this kind of legislation in our province. I do not know anyone. Who would welcome legislation that prohibits you from being treated in a situation that has now been defined as a private hospital, even though one does not exist in this province? Because, by definition, this Government has now included such places as private homes, perhaps under the term of "definition of a private hospital." We have many, many citizens of our province who live out their last days in their own homes and do require procedures that are now defined as surgical procedures under the new definition by the Minister of Health (Mr. Chomiak).

* (15:20)

So we have citizens in our province who are going to be fearful in terms of what procedures they carry out in private homes because they may be subject to heavy penalties. Heavy penalties, and what are you being penalized for? For caring for a Manitoban in what the Government deems an inappropriate setting. Inappropriate for what reason? We are not sure. No one on that side of the House has been able to explain why it is inappropriate. No one, and yet they are going to levy fines. For what reason? For ideological reasons, only to fulfil their own political agendas, Mr. Deputy Speaker.

This party that is in government today has forgotten why it is government. Because it has forgotten that it is to govern for the good of the people of this province rather than to fulfil the interests of a few, Mr. Deputy Speaker, there is no way that our party can ever support the intentions or the principles of this bill. It could be a long, hot summer in this House because this is a bill that we will indeed speak to and speak against time and time again.

Mr. Deputy Speaker, I am not someone who wants to ensure that Manitobans do not have the best of care. I come from a part of the province where we do not have ready access to the kinds of important services needed in health care that you have in larger centres. So we rely very heavily on the expertise of our local general practitioners, physicians, to recommend to us the best ways that we can get access to health care.

Many times we have to travel long distances, whether it is here to Winnipeg or Brandon, to get the services that we require.

Any opportunity we can get to get quicker access into a major facility, we use that. But now the Government has decided to cut some of that off. Now they will continue to impose on us the fact that we have to go to these major facilities, go on longer waiting lists, wait for longer periods of time to get those important medical services and needs attended to.

I live in a part of the world where, no matter which way we travel, it is a long distance to a major facility. Whether it is south or whether it is east or whether it is to Saskatchewan, distances are significant to get to these services. We have had difficulty in the past because we go on waiting lists that are long, where our citizens have to suffer for long periods of time before they can get into these facilities.

Fortunately, in the past, we have had a facility in the name of the Pan Am Clinic that has been able to address those needs. Even though they were part of the system, they were privately run. So there was an opportunity in this province to expand that kind of service to allow more of our citizens to get quicker service in time of need. We had Dr. Mark Godley set up another clinic in this province. By anybody's standard, we should have welcomed that clinic into this province. Other jurisdictions are doing it. British Columbia is doing it. Alberta is doing it. Ontario is doing it. No matter where you look, it is being done, but we are going against the flow in Manitoba.

The Minister of Health (Mr. Chomiak) was so offended by the fact that a private clinic was going to establish while he was the minister that he was going to squash this clinic no matter what the price. So he went out and he bought the Pan Am Clinic. I am going to squeeze him out by buying it, but this guy has offended me says the minister, so I am not going to buy his clinic. I am just going to put him out of business. So he has made this a personal vendetta against a private clinic in our province.

Mr. Deputy Speaker, there are people who would gladly go to the Godley clinic who have

suffered an injury through the workplace, who would like to go and get their needs attended to so they could get back to work, reduce the cost of worker compensation, reduce the cost to the taxpayer and get back to work as quickly as they can and continue on with their lives. But this Minister of Health said, oh, no, no, you cannot do that. You have to go on a waiting list. You cannot go to the Godley clinic because we will not pay your costs over there, and we will not allow the clinic to charge the Workers Compensation Board for treating you because we do not like them. They are private.

The minister has been on radio. He has been quoted in the newspaper as putting forward his philosophical approach, but he uses that false impression that somehow this private clinic is a hospital. He says: We will not allow private hospitals in Manitoba. Well, he is painting a false picture of the entire situation. There are people who do not live in the city and even those who live in the city who may say, well, we do not like private hospitals either. So, if this is a private hospital, then we will support the Government. But this is not a private hospital, Mr. Deputy Speaker. This is not a private hospital. This is no more than what we had with the Pan Am Clinic, where this private clinic could in fact look after many Manitobans who are today on a waiting list who have suffered an injury in the workplace, who want to desperately get back into the workforce as quickly as they can, whose families are suffering as a result. But this minister and this Government have decided that, regardless of the suffering, regardless of the inconvenience, we will hold our ground, and we will put in legislation that, in fact, will make it illegal for these kinds of clinics to treat Manitobans.

So what is the choice, Mr. Deputy Speaker? These same people have a choice. They either go on a waiting list, or they will go to North Dakota, or they will go to Ontario, or they will go to Saskatchewan or Alberta, for that matter, to have their needs looked after. So why are we imposing this hardship on our citizens? What benefit is there to any of us to do that?

Many of my colleagues on our side of this House have spoken about how we could improve the health care system. I do not envy any

individual, whether it is on our side or the other side of the House, in becoming the Minister of Health. It is probably the most thankless portfolio in government, because you are addressing critical and challenging issues every single moment that you are in that portfolio and in that office. I think we, as elected individuals in this province, when charged with that responsibility, have to look at possible solutions that may exist elsewhere in the world.

For that reason, we need to look beyond our boundaries, whether it is to the United States, whether it is to another jurisdiction in Manitoba or in Canada, or whether in fact it is across the ocean in Europe, and there are some examples that are in fact working. If you look at the ratings, Mr. Deputy Speaker, we can go to some of those who place near the top and see what they are doing that is causing them to be near the top of the scale, if you like, and being successful and efficient in the way they deliver their health care services.

We have pointed out to the Government that they do not have to replicate everything that happens in a particular jurisdiction, but take the good things, the things that you can apply to our province and use them, take the ideas that have worked in other jurisdictions and apply them to our province. We did that when we regionalized our health care system in this province.

* (15:30)

We looked at what worked in other jurisdictions. We looked long and hard at what success was being achieved in other jurisdictions, and we knew we had to change the fundamental principles of the delivery of health care in our province if we were going to sustain this health care system, not for ourselves, but in fact for the generations that come after us, because we do not want to live on borrowed time, as one would say, with respect to health delivery in Manitoba.

There are many challenges out there. We have challenges in terms of the numbers of nurses that we have available to us. We have challenges in terms of the numbers of qualified doctors practising and being graduated out of our institutions and wanting to practise in our

province. We have challenges in terms of pay scales. We are not the wealthiest province.

Every Minister of Health needs to face those issues. But, if we want to be stuck in the mud and not move off centre where we are today we will not build a sustainable health care system in our province. This legislation is just evidence of the fact that we have a government that is not prepared to look at what is modern, what is current, and what needs to be done to make our system sustainable.

When we were in government, I would be the first one to admit that we did not have all of the answers for health care. We made mistakes. I would rather make a mistake but at least be doing something rather than sitting still and never making a mistake but never taking any action. If you are going to take action you are going to make some mistakes and you are going to learn from them. But you cannot be blinded by ideology. You have to open your eyes to what is happening in the world. You have to open your eyes to the truth. You have to open your eyes to what the public are saying and what the public needs are.

That is what we did with regionalization. Oh, we took a lot of criticism from the now-Minister of Health (Mr. Chomiak), who continued day after day to accuse us of setting up a system that was going to fail, was going to fall on its face and would be unsuccessful. But he could not go too far because there were other jurisdictions that were NDP that were following in that same path, and, as a matter of fact, in some cases were ahead of us in implementing those kinds of systems.

I remember full well the debate on the issue of modernizing our health care system by using a consultant who happened to be Connie Curran. The now-minister, then-critic for Health, made a big to-do about the fact that we spent \$4 million on a consultant. Now we have a government that spends \$100,000 a month advertising two restaurants in our province. What utter hypocrisy this administration imposes upon the citizens of our province. Connie Curran was not the total answer for health care in Manitoba, but you know something, the present Government is still carrying on with the recommendations that came

from that report, that came from that individual, and they are fulfilling what in fact were the recommendations that they so criticized. They have not changed a thing.

I go to the frozen food issue. I remember the fiasco we had in this House, Mr. Deputy Speaker. You were here. You heard the debate on the frozen food issue. The Member for Lac du Bonnet (Mr. Praznik), who was then minister, took untold abuse over the issue. I mean, there were all kinds of gimmicks for the purposes of letting the media in on all kinds of information about how bad this food was. But little did some of these members know at the time, some of us had relatives in the system who were partaking of this so-called frozen food who said it is actually pretty good. Still, the Opposition nailed us day after day in the House about frozen food, but what was the issue really about? It was about unions. It had nothing to do with food. The quality of the food was fine, but it had everything to do with living up to the demands of their buddies in the union system. The union bosses were dictating where the Opposition was coming from at that time.

Mr. Deputy Speaker, the first thing that the Minister of Health did when he became minister was he was going to do away with the frozen food. You know, it reminded me of the now Prime Minister who said that, when he became Prime Minister, he would rip up that Free Trade Agreement. Well, he never ripped it up. He continues to live under the principles of the Free Trade Agreement. This present Minister of Health in the province of Manitoba did not do away with frozen food. As a matter of fact, he just bought the company, expanded it, unionized it, and today every citizen, every patient who had that same food when we were in government is still enjoying that same food.

Mr. Deputy Speaker, if you were to survey the approval rating of this food, you would find that it is very high, and yet it is the same food coming from the same sources as it was when they were in opposition. They hoodwinked the public again, and, unfortunately the public have to pay the price. What was the price of that food service that the Government bought? Was it \$30 million plus the cost of expansion, something in

the neighbourhood of \$48 million, I believe it was, that taxpayers had to pay for the capital, for the delivery of a service that was there without the investment of that much capital money in the service itself?

Well, then we moved ahead to the Pan Am Clinic, and, once again, not a large amount of money, but still \$7.3 million was wasted, was absolutely wasted in the province of Manitoba on something that we did not need to buy. Mr. Deputy Speaker, the minister made another promise. When he was in opposition, promises were easy to come by, and during the election campaign, I recall very vividly the picture of the now-Premier on television, not looking into the eye of the camera but looking off to the side, making a promise that we were going to end hallway medicine, we were going to end it in six months, that by April 1 there was going to be no hallway medicine. He made the promise that, if we need more nurses, we will hire more nurses, and if we need more doctors, we will hire more doctors. We are going to do away with all the ills of the health care system in six months, and how are we going to do it? We are going to put \$15 million to this, and we are going to make it work.

Two years later, we still have waiting lists. As a matter of fact, they are longer than they were when we were in government. We still have beds in hallways. We still have patients in hallways. They call it avenue medicine now. We have got so much hallway medicine we have to number the hallways, and everything is quiet. The Health Minister says: We are doing our best. Well, we have added an element to hallway medicine, though. We have put our patients on the highways. Not only are they in the hallways, they are on the highways now. Remember the ad. I know you remember it, Mr. Deputy Speaker. You were party to it probably, but let me not reflect on that. Let me just say that I saw the now-Premier of our province put a "closed" sign across the sign that led to Grafton, North Dakota. There was going to be no more health care delivered by an American to Manitobans. Now, if you read the statistics, there are more health care procedures being done in Grafton than there were when we were in government. Are they done by a medicare system? No, they are done by a private system. A private system is okay as long as it is across the borders, and it is

okay, we can send our patients there, but do not do it in our province. What hypocrisy. What utter hypocrisy.

All of these broken promises have happened in the course of two short years, almost two years. Not one of these promises has been fulfilled, Mr. Deputy Speaker.

* (15:40)

They said we fired a thousand nurses. Well, they ran into that same issue when they were opening up the Boundary Trails hospital. All of a sudden they realized that they had to lay off nurses in the two existing facilities in order for them to legally fulfil their contract obligations and then to allow them to be hired back by the new hospital, the new Boundary Trails hospital.

It is exactly the same thing that happened under our watch when we had a government that was opening new facilities, amalgamating facilities, where we had to amalgamate procedures and where we had to actually lay off nurses because individual units had their own contracts and then be able to hire them back in other facilities. Yes, that happened, but we did not lose these nurses. We simply had them relocate into new jobs right here in the province of Manitoba, fulfilling the needs of the people of this province, but it was easy for the Government to once again try to hoodwink the public into believing that we were a mean-spirited administration that was laying off nurses, denying services, serving frozen food and on and on and on. It was easy for them to make these hollow promises that they were going to be able to deliver a system where there would be no waiting list, a system that would not have any hallway medicine, a system that would have enough nurses, but they quickly realized that this was impossible.

Today, we have a Premier (Mr. Doer) who stands in our House and apologizes, not to us, but he says, well, we are doing the best we can, or we did not understand what he was saying, just like we did not understand in Question Period today, when we had a minister who was told by one of his staff about certain recommendations which he denied in the House and then today says, well, you do not understand.

So I think the people of Manitoba are beginning to understand very quickly what this Government is all about. They are beginning to understand how quickly they are being deceived by this bunch that is in government today, how quickly we are going down the path of the Ontario Bob Rae and the British Columbia Clark.

Mr. Deputy Speaker, it is a sad case for us in Manitoba that this Premier (Mr. Doer) did not learn from the errors of the ways of Howard Pawley. We remember what the Pawley days were like in Manitoba. After six years of Pawley administration, this province found itself in such debt it will take us 30 years to fight our way out of that debt.

We have a return to the thinking of the Pawley days. But should we be surprised, when the same operatives are still there, Mr. Eugene Kostyra, Mr. Victor Schroeder, and Mr. Bill Uruski, and I could go on and on and on. I might digress a little bit, but, you know, how did this economy of our province get brought down to where it was, where we had such a debt that it will take us 30 years to pay for it? It was all done by those same individuals who are now guiding this administration.

Mr. Deputy Speaker, I know that if you were given the privilege to head up any one of those departments, I know because of the speeches I have heard you deliver in this House that you would take a bit of a different approach, but unfortunately that is not the case. Unfortunately, the Eugene Kostyras and the Victor Schroeders are still directing the administration of this province. Unfortunately, we are being sold a bill of goods as we are with this particular piece of legislation.

We are going to vote against this legislation. We have no choice. We have to represent Manitobans. There has to be somebody in this House who cares for Manitobans, and it has to be us.

Why does this Government not hold an honest and public debate on health care? The minister has said he has no grand scheme for health care. He has no plan. Well, he can begin by having an open dialogue with Manitobans

regarding where we should be going in health care.

Mr. Deputy Speaker, that could step No. 1, but they do not have the courage to do that because they know that Manitobans would tell them to leave institutions like the Pan Am Clinic alone, to allow private clinics like the Mark Godley clinic to operate fully in this province and to give Manitobans greater choices in order to meet the health care needs of our citizens.

Mr. Deputy Speaker, the health care minister of this Government accuses our side of wanting to privatize the system, of wanting to go into a two-tier system of health. That is a lark because we have an administration that has created a two-tier system of health care in our province. They have now, by virtue of what they have done in the province of Manitoba, created a two-tier health care system. Those who can afford it, those who have the means, leave the province to get their health care needs attended to. Those who cannot have to go on waiting lists. You have to go on longer waiting lists in the province of Manitoba. If you are near death, the Province may decide to send you out of province to get your health care needs attended to.

Mr. Deputy Speaker, we have had examples of where a woman needed an MRI in our province, who could not get access to it, who had to go on a waiting list, did in fact leave this province to get an MRI, and, unfortunately, she passed away. We are not blaming the Government for that. What we are saying is they could have used some of those scarce resources, some of that \$40-some-odd million that they spent buying a health service or a food services system, \$7.3 million for the Pan Am Clinic. Why did they not use those dollars to put in an extra MRI, to hire the staff to run it? Why did not this Government use the money that they were given by the federal government? A luxury we did not have, but why did they not use that \$18 million to buy the needed medical equipment to meet the needs of Manitobans?

Mr. Deputy Speaker, I know what they are doing. Those monies will be spent, but they will be spent closer to an election, because this Government has taken such a narrow-minded ideological approach, we cannot help—

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

This bill has been under the name of the honourable Member for Turtle Mountain (Mr. Tweed). Is there leave that it stays and remains under the name of the honourable Member for Turtle Mountain?

An Honourable Member: No.

Mr. Deputy Speaker: Leave has been denied. Is this House ready for the question?

Some Honourable Members: Question.

Mr. Deputy Speaker: The question is on the second reading of Bill 25, The Health Services Insurance Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'assurance-maladie et modifications corrélatives. Is it the pleasure of the House to adopt the motion?

Some Honourable Members: No.

Voice Vote

Mr. Deputy Speaker: Those who are in favour of adopting the motion, say yea.

Some Honourable Members: Yea.

Mr. Deputy Speaker: Those who are opposed over adopting the motion, say nay?

Some Honourable Members: Nay.

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

Mr. Marcel Laurendeau (Opposition House Leader): On division, Mr. Deputy Speaker.

Bill 23—The Highway Traffic Amendment Act

Mr. Deputy Speaker: Second reading on Bill 23, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, under the honourable Member for Minnedosa.

Mr. Harold Gilleshammer (Minnedosa): It is a pleasure to be able to put some comments on the

record dealing with Bill 23, The Highway Traffic Amendment Act. This is being portrayed in two different ways. On the one hand, it is a number of housekeeping issues that the department has had pent-up within it for a long time and are bringing forward at this time. Those are quite supportable. Some of them are dealing with the approval of third-party organizations to deliver defensive driving courses.

* (15:50)

I think this is a good opportunity for the minister and the department to take a look at his other piece of legislation to deal with the acquisition of the graduated driver's licence, because in fact I think there is room within that legislation to very much create more ability in this province to teach not only defensive driving but also basic driver education skills.

The fact that the Government is open to third-party organizations, I think, is laudable. Usually they have a mindset that if government itself does not do it, it is not good. But this is an opportunity then for third-party organizations to deliver those defensive driving programs.

There is also a rewrite of part of the legislation dealing with vehicle equipment, weights and dimensions. Again this is something that probably should be in regulation rather than in law itself so that when there are changes in weights and measurements and dimensions it could be done at Executive Council rather than having to bring forward legislation. So I think that is a good change.

Also included in this bill is setting higher maximum monetary penalties for motor carriers. This is certainly consistent with everything this Government is doing, that if there is a way of raising fees, and we saw that yesterday to do with the car dealers' association, where fees were being increased by 160 percent.

The Minister of Highways is saying, well, the previous government had this report in 1995 and sat on it. We did not sit on it, Mr. Deputy Speaker, we threw it out. This was a tax grab. It was sitting in the department for a number of years. The Minister of Highways and Transportation is bringing it back. The Minister of

Finance (Mr. Selinger) has directed many departments to go out and find more revenue, even to the extent where the Lotteries Corporation has been instructed to now advertise across this province to families, to children, to anybody to come to their casinos. Again we see this as consistent with their voracious appetite for new revenues. The Minister of Finance says: If you can raise it, I can spend it. We are seeing that as this Government has spent upwards of a billion dollars more over the last two budgets than the previous government did in 1999-2000. So it is not a surprise to us that there are increased monetary penalties in this act that is before us now.

There are also other parts of this act to accredit third-party auditors. Again I commend the Government for doing this. The private sector has the ability to do some of this auditing. It certainly will make Government more efficient rather than waiting on in-house people to do this now that they are authorized to go to third parties.

As well the last part of the bill deals with clarification of driving hours for bus drivers. We have seen in this province over the last decade and more bus accidents. There is a need to make our school buses safer, the drivers better trained, and to try and avoid and eliminate some of the accidents that take place. I think of an accident in St. Norbert a few years ago where a driver started moving too quickly and a young person that just got off that bus was moving in front of it. It was a fatality. I think of a serious accident in the Virden area earlier this year where, in foggy conditions in the morning a bus was rear-ended by a tanker truck. It is amazing that there were not more accidents there. Those things have happened. Any opportunity we have to strengthen training for bus drivers is good and also limiting the number of hours that drivers can drive. Many of them not only do their regular runs but they also are taking sports teams across the province. I would support this.

But there are two areas that I think I have some difficulty with. These difficulties have also been cited by the Keystone Ag Producers and the heavy construction industry. I would ask that the minister take a serious look at this. I ask to start with: What is the problem that he is trying

to fix? He is saying that there is a need to zero in on drunk drivers. As a government we put some of the toughest legislation in place in this province in the early '90s. It has been highly successful. Now he is leaving the impression that we have people who are intoxicated driving combines and tractors and road equipment and what he refers to as implements of husbandry. I presume that is farm equipment. Again what is the real issue here that he is trying to solve?

Mr. Deputy Speaker, what this bill is going to do is ensure that anyone who has lost their licence is not going to be able to drive either farm equipment across provincial roads and perhaps municipal roads. People who work in the construction industry, some of them who members opposite have referred to as marginalized people, drive some of the packers in the ditches when road construction is being done on the shoulders of those roads. They are going to be eliminated from having that type of job. This is the only job they have had for years and years, for decades. Some of them have never had a licence. Some of them have lost a licence.

I would ask the minister to bring forward some statistics to tell me how many of these individuals without a licence driving a packer on the side of a road in a construction area have had an accident. Have they run into school buses? Have they tipped in the ditch while the driver was intoxicated? What this legislation is going to do is prohibit people from having those jobs, and, as I say, it is the only job that they have. In most cases, the employer has arranged to either pick them up or have somebody else pick them up and bring them to the jobsite. They work long hours, and then when the construction season is over, they probably go on unemployment insurance until the next construction season starts.

So if the intent of this bill is to drive more people onto the welfare rolls, and the Minister of Family Services (Mr. Sale) probably likes to get his numbers up, this bill is going to do that. Keystone Ag Producers and the heavy construction industry are saying: What are the alternatives here? Nobody in this House and nobody in our society is recommending being lenient on drunk drivers. We see accidents on our highways and our roads every day, and alcohol is still a cause of some of them. But I do

not believe that there is a problem existing here that this legislation is going to fix. It is going to have unexpected collateral damage to people who are going to be outlawed from having the only job they ever do. Again I would ask the minister to give some serious thought.

It is also going to make a criminal out of a 14- or 15-year-old who drives the combine, drives other implements of husbandry during seeding or during harvest time that, if they have to go from one field to another, and sometimes during the harvest season, there is a very short window when that harvest has to be done. That individual, that skilled 14- or 15-year-old, is going to have to stop work, stop the combine, perhaps stop his dad who is on the next combine and say: Can you drive across the road for me, because I do not want to break the law?

* (16:00)

Is there a problem there that we are trying to fix? Has there been a statistic shown that, at harvest time, there is a high number of accidents on our roads because of these young people without licences who are driving these implements of husbandry? I think not. These are issues that were before government in the '90s and ideas that were rejected because we do not believe somebody should drive while intoxicated or, if they have lost their licence, they should pay that penalty.

We recognize that in the farm community, and members opposite sometimes pay some lip service to understanding what the family farm is. I think one of the vice-presidents of the National Farmers Union is their poster boy for the family farm. In their mind, that is exactly what they are preserving.

But I can tell you this, on the one hand, is going to be an inconvenience for those family farms and for the farm industry in our province. On the other hand, it is going to interfere with what they do during harvest time. It is going to impact on people trying to get the work done as fall is closing in.

Again, what is the problem we are trying to fix here? Have there been people to the steps of the Legislature or to the minister's office saying,

hey, we have to get tough on those farm kids because they are driving combines across a provincial road? I think not, Mr. Deputy Speaker, and I would ask the minister to take a good look at this and to listen to what the leading farm organization in this province, the Keystone Agricultural Producers, is saying.

I just happen to have a letter that was sent to me. They have looked at the legislation that is before us, and their first comment is: The committee, this is the KAP committee of producers, has many concerns with the introduction of this legislation, since there are sectors of our industry that do rely on non-licensed employees. I reference the construction industry, but the same thing happens in the farm community. There are people who work on farms. There are people whose only job during the year is to help on farms, whether it is at seeding time, or haying, or during the harvest period. The farm family picks them up, brings them to the site, puts them to work, and they are good workers. Again, these are people who have not participated in the mainstream of society. These are people who have not had regular jobs, and this legislation is going to eliminate them as employees for both construction and for farm operators.

I would ask the Government: Is this what you really intend, to be absolutely right and enforce this in the strictest way? I would ask what this means for the building of winter roads in northern Manitoba. I would think that the companies that operate in northern Manitoba to build winter roads will be impacted on this because they are not building municipal roads; they are building provincial roads. I would dare say that many of the employees that are engaged by those companies that build those winter roads are going to have employees that, if they are rehired, it would be illegal, and they would be charged under this legislation.

Again, has there been a large furor in northern Manitoba about the employees who build the winter roads? I do not think so. This is good employment, and I would say that you are going to make criminals out of these people by passing this legislation. I would ask the Government to reconsider that. There are many parts of this bill that could go through and be

passed, and some of the housekeeping issues could be passed. It, in fact, would be well received. I would ask him to look at this and see how it impacts farm operations and construction operations.

* (16:10)

KAP goes on to talk about the decrease in the available farm labour pool. We are talking about a society these days that is short of nurses, short of teachers. Well, I can tell you that the pool of workers that work on farms and on construction is also growing smaller. This will do nothing to enhance the ability of producers or of construction companies to carry on their normal business, because that pool of workers is going to shrink. I think that is a real concern.

Again I say to the Government that a lot of these people are going to end up as clients of the Minister of Family Services (Mr. Sale). I know he is on record as saying that he has never met someone that does not want to work. Well, here you are going to pass legislation affecting people who want to work, and they are going to be clients of the Minister of Family Services. That should be of great concern to the Minister of Finance. There are always heavy expenditures on social assistance in this province. This bill is going to increase the business Family Services is going to get and it is going to impact on the Budget.

We know already that there is a budgeted amount that is going to be exceeded in that area. This bill, when it comes into effect and when it is passed in this House, and the Government will certainly pass it, is going to impact on that budget.

KAP also says that their committee that reviewed this believes that this bill will do little to promote the safe movement of machinery on roadways. Again I said is there a problem. Certainly there have been accidents in the earlier '90s with farm equipment. We took some good action to try and prevent that. A lot of that had to do with lighting. You will see that when vehicles that are over-width are moving on our highways that there are lots of lights to signal them. I think drivers generally are aware. In the spring in particular, in the fall in particular, you are going to see farm machinery moving on the highways, but I would say probably in the last five or six

years there has not been a serious farm accident on the highways since we put some of those regulations into effect.

This legislation is going to impact on the ability to move machinery from one farm to the next, in fact from one field to the next. When farm families use those 14- and 15-year-olds who do the work of adults, this is going to prevent them from doing that.

KAP goes on to raise another number of criticisms about this bill. This is going to drive up the cost for producers in trying to find somebody else to do this work because these people will no longer be accepted under the law. They make the point that quite often farm machinery moving from one field to the next is going a very short distance. Some of the young and inexperienced drivers are pretty competent at what they do. So again, in the eyes of the Keystone Ag Producers, this bill is going to impede their ability to do their work.

Now, I also talked to the executive director of the heavy construction industry. He has talked to a number of the construction companies. They readily admit that a lot of the drivers they have, a lot of the employees they have do not have a licence. Some of them have never had a licence. Some of them lost that licence 20 years ago, but they have become valuable, valuable employees in the construction industry.

I would ask the minister to find some creative way to maintain that workforce, to maintain jobs for those people. It has to be a mechanism that can very quickly be acted upon. When construction season was upon us, this year in particular the Government was very late in getting its tenders out, and we had construction workers moving out of the province. We had construction companies where half their workforce was in Ontario, or three-quarters of their workforce was in Alberta, or people simply had not been called back to work because the construction season was so late.

Mr. Harry Schellenberg, Acting Speaker, in the Chair

You are going to be eliminating those people who have been very, very significant

people in that particular industry. So I would ask the minister to take a look at that, and to talk to Keystone and to talk to the other farm organizations, and to talk to the heavy equipment industry and some of the construction companies in this province, because this bill was brought forward without that consultation. There was no consultation with those groups, and this is going to have a significant impact on them. I believe that they are prepared to come to committee, but the minister does not have to go through that. He can contact them now. He can have his discussions and his meetings, find some middle ground on this, because he need not have to take a hit from the farm community or from the construction industry on this.

It will give him the opportunity to hear their side of the story, something he should have done before. I mean, these are initiatives that should have been offered for discussion to the farm community. I know the Government and the minister went through a long process on the graduated drivers' licence to hear the opinions of Manitobans. On this particular piece of legislation, he did not speak to anybody. This has hit the farm community and the construction industry as a surprise, but it is not too late to do that consultation before the heavy hand of Government brings in new laws that are going to impact on people trying to make a living in this province. Trying to maintain an industry or industries that are vital to this province.

The last thing they need is more bureaucracy, more red tape and, you know, are we going to have the construction cops out there? Are we going to have the people in the department or the police, who are already very busy, stopping combines to see if the person has an appropriate driver's licence? This is not the way to remedy a problem, and, in fact, I would say to you I do not think a problem exists here.

So, again, we would like the minister and the Government to look at this, that I would think he is going to have enforcement problems; in fact, when I talked to the deputy in highways and had a briefing on this, he said, maybe we could use some exemptions.

Mr. Conrad Santos, Deputy Speaker, in the Chair

Maybe some people could be exempt from this legislation, but I say to you, that is a slippery slope, when you pass laws and say they are in place for some people but not for other people. So I do not think the exemptions would work. He also suggested that perhaps part of the construction zone, the ditches and the shoulders of the road, could be deemed not to be highways. Well, again, this is doing some form of gymnastics to try and be on both sides of the issue. And I say to the Member for The Pas (Mr. Lathlin); he represents northern Manitoba where the building of winter roads is very important. He had better talk to the minister of highways and say, you know, are we going to make criminals out of people who work on the winter road projects, because some of them do not have a licence? They have never had a licence but this is a good, good job that they have, and I would say to him that maybe he should intervene, and talk to his minister of highways and transportation and say, have you thought this through? Is this going to impact on some of these companies in the North who do this very valuable work?

So, Mr. Deputy Speaker, I think there are some colleagues who want to add a few words on this, but we would say take that sober, second look with this legislation. Take a look at the impacts it is going to have, see who it is going to affect, and for goodness sake, ask you know what is the problem we are trying to fix here? Have there been petitions that have come in? Have there been resolutions that have been passed at the AMM meetings? Have there been resolutions passed at the KAP meetings? These are of some concern, I think, to people who are just trying to work and make a living out there. I think these are unintended results that are going to flow from this legislation, and it would be wise to have a second, sober look at this, to talk to the user groups, talk to the producer groups, talk to the people this is going to affect and see if some amendments can be made, some modifications made to the legislation, over and above the housekeeping issues that this is going to impact on, I think that there is some collateral damage there that the Government might want to take a look at.

So, Mr. Deputy Speaker, with those few words, I am prepared to yield the floor to colleagues who want to put some words on the record here.

* (16:20)

Mr. Leonard Derkach (Russell): Mr. Deputy Speaker, I rise to put a few comments on the record with regard to Bill 23 because, although it is difficult to argue with some of the aspects of this bill because they are what we would term, you know, areas of public safety that we have to all agree with, the nature of this bill is somewhat sloppy. When you look at the section that my colleague just spoke about, this has been done without any consultation with people who are affected by this legislation.

I have spoken to people in the construction industry. I have spoken to people who are in the agriculture industry. My colleague referred to speaking to the KAP organization. These people have not been consulted with in any detail with respect to this legislation. This is going to impact on the MLAs who represent areas where we have construction people and where we have seasonal people who work in construction or on farms who do not presently have valid drivers' licences, and there are many.

I look at the Minister of Conservation (Mr. Lathlin), and I know that, within the Aboriginal community, there are many people who are skilled operators on backhoes, on high-hoes, on construction equipment of all kinds, who have been employed for years and years in this industry but who do not have drivers' licences. These are the people that this bill is going to impact on. I do not know how the Minister of Conservation, who says he stands up for his people, can ever endorse a piece of legislation of this—unless he does not care.

The other issue here is that you have young people in the province of Manitoba, young people who work in the agriculture industry, who do not have valid drivers licences at this time, who have been operating vehicles on our highways and on our roads and have done so safely to assist with either the bringing in of a crop or in fact in times of the year when harvest is on or seeding is on and at other times of the year.

In my own community, I see a lot of these young people operating equipment in a very skilled way, and they do it cautiously. Mr. Deputy Speaker, I have not seen the need for this kind of legislation from the statistics that we have before us in terms of accidents that have been caused by these people operating equipment. So I do not know what motivates the minister to bring forward legislation of this kind.

Now, I spoke to the Premier (Mr. Doer) about this, because I identified for the Premier the issue of construction workers on highways who are now going to be subject to fines by officials if in fact they are known not to have a driver's licence. The Premier's response to me was: Well, are you in favour of drunk drivers on the road? I said no. He said: Well, are you in favour of suspended drivers who have been charged with drunken driving to be operating equipment? I said: That is not the issue here. That is not the issue.

Anybody who has been charged with an offence in terms of drunk driving has to pay the consequences. The legislation that we have today, enshrined in the province of Manitoba, prohibits them from operating any kind of equipment on our highways, so it does not matter. If you have been suspended because of drunk driving, you cannot get on a piece of industrial equipment or farm equipment and drive to town. The law prohibits that. The current law prohibits that. So I do not know what the minister is trying to fix by this legislation, but where does it put our law enforcement officers now? How are they supposed to enforce this legislation? Every time they see a young person driving a piece of equipment on a provincial road, now not on a municipal road. You see, we have created a two-tier system, apparently.

Now you look at this. It is okay for a 16-year-old who does not have a driver's licence to operate a piece of equipment on a municipal road, but it is not okay on a provincial road, and now we do not have signs on our province roads so you sometimes do not even know if you are on a provincial road or not. Well, so what are we enforcing here? How are we imposing this law to be enforced by our officials? You know, the police force, if the minister had for once

consulted with the police force in our province, he would have realized how impossible it will be and what a situation he is putting our law enforcement officers into.

Mr. Deputy Speaker, in my own family, I can tell you that, when my children were under the age of 16, yes, they operated equipment during harvest season on our roads, whether it was provincial or whether it was municipal. I also know that law enforcement officers would turn a blind eye to that because they understood the nature of agriculture, which this minister does not. I ask this minister, as well, now he is going to force any person, and I say that there is a large number of Aboriginal people who do not have drivers' licences, who operate construction equipment on our provincial highways in constructing our provincial highways, that now the minister is going to tell them that they cannot do it. Well, he says maybe we will have to change the definition of a highway. Maybe we will just deem that paved section as the highway, and anything beyond that will not be a highway. Well, let us not get ridiculous. Let us not get ridiculous.

I say this is sloppy legislation. This minister has not done his homework. He has not consulted with KAP. He has not consulted with the construction industry. He has not consulted with people that this is going to impact.

What about winter roads? My colleague the Member for Minnedosa (Mr. Gilleshammer) raised the issue of winter roads. Many times these winter roads are constructed by people who do not have drivers' licences. This is now a provincial road. Now what is the minister saying to these people? You cannot do it, he says. Oh, now I am going to change the definition of provincial roads, he says. Okay. So, if we cannot, we are going to put a law in place, and then we are going to change definitions.

Now, Mr. Deputy Speaker, this minister of highways has been sloppy in bringing this legislation forward. He has not thought it through. He has not consulted. He has not done some of the fundamental things that one has to do in order to bring forward legislation. He knows better.

An Honourable Member: Vote against it.

Mr. Derkach: Oh, he says vote against it. Yes, but, you see, this is the kind of silliness that we get from the Government. What we hear is some squawking there. I do not know where it is coming from.

Mr. Speaker, let me put it this way. Had the minister consulted with people in Manitoba, the municipalities, the KAP organization, the construction industry, the Chambers, he would have realized that indeed he was not being diligent in the work that he was doing here.

Now there are aspects of this bill that we agree with, and I said that at the outset. Had the minister been listening to this debate, he would have heard that indeed I said there were elements of this bill that we will support, but it does not mean that you should support trash, garbage, just because he has put some things in this bill that are good. I think he needs to do his homework. He has not done his homework. He has not consulted. He has not been diligent. I call this sloppy work.

An Honourable Member: You do not understand it.

Mr. Speaker in the Chair

Mr. Derkach: Mr. Speaker, he says you do not understand it. Well, what do I not understand about someone who does not have a driver's licence and operates, well, just a minute. We call it an implement of husbandry? Now what is that? What is an implement of husbandry?

An Honourable Member: A farm machine.

* (16:30)

Mr. Derkach: A farm machine, says my honourable colleague from Burrows (Mr. Martindale). He knows it is a farm machine. What kind of a farm machine is it, I ask the Member for Burrows? Tell me which farm machines would be considered implements of husbandry. *[interjection]* Anything but a horse, he says. There we go. Here is the definition. If you operate anything but a horse, then it is considered an implement of husbandry. Well, Mr. Speaker, I think the Member for Burrows just showed us how silly and how sloppy this

legislation really is. *[interjection]* My blood pressure is fine. The Minister of Advanced Education (Ms. McGifford) is worried about it. I think she should worry about her own blood pressure and the advertising that her department does with the casinos in this province. Anybody who spends \$100,000 a month advertising two private restaurants to the children of our province and then is also in charge of the Advanced Education portfolio should not say too much about where we stand.

I want to read from the bill. The minister tells me I do not understand. Well, maybe he can help us. It says here, and I quote: No persons shall drive an implement of husbandry special mobile machine, I do not know what that means, or tractor, I do know what that means, on a provincial highway or a highway within a municipal boundary of a city, town, village or urban municipality while the person's driver's licence is suspended or cancelled, the person is disqualified from holding a driver's licence, the person is otherwise prohibited from driving a motor vehicle on the highway, the person is disqualified or prohibited from operating an off-road vehicle.

Any young person or any person who does not have a driver's licence for whatever reason means he cannot operate a vehicle or motorized machine on a road. Is that really what we want to do? I know of instances where a person who, because of bad driving habits or because of excessive alcohol consumption, has lost a licence for a period of five years. Now the minister is saying, by virtue of this legislation, that person, if he were a construction worker or a person who was employed in the agriculture industry, then is denied employment and has to go on welfare because—*[interjection]*

Oh, oh, wait a minute now. The minister, from his seat, says he can go to the License Suspension Appeal Board. No, you cannot. Mr. Speaker, you cannot. The minister simply does not understand. We have been there. We have seen where people who have been denied driving a car or a truck on the road have been gainfully employed, have been good employees for farmers, have been good employees in the construction industry while they have been

suspended from driving a car or a vehicle on a road.

I challenge the minister to tell me how many organizations support this legislation. He knows, from the letters he has been receiving, from the letters we have been receiving, that there is significant opposition to an element of this bill. I am not saying the entire bill is bad. That is not what I am saying. *[interjection]* Well, Mr. Speaker, the minister says: Well, what do you support? Okay, I will tell him what I support. There are elements of this bill that we can support. When he talks about vehicles that are operated as school buses, making sure that their signal lights are operating when they are stopped, why would we not support that? Warning lights, signal lights being operated by vehicles when they are transporting young people or when they are transporting anybody should be operating. We agree with that. That is not a point of disagreement. So let the minister not say that we would be against the entire bill.

I think what we are asking him to do is to consider an element of this bill that is going to impose hardship on people in Manitoba. And he cannot deny this because he is asking the law to turn a blind eye in circumstances where it is almost impossible for people to comply with it.

I have travelled the North. I have been up there when the winter roads were being constructed. I know how many people there do not have valid drivers' licences, who work on construction and do an excellent job. He says I do not understand it. They are still roads that are being used by Manitobans. Does it matter whether it is a provincial highway, a PR road or a municipal road? They are still operating vehicles on public roads which are used by others.

He says read the bill. Well, we are reading it. He says that this does not apply to municipal roads. That is exactly what we have been telling him. Why does he not listen? We said: Why are you creating one law on a PR road and another law on a municipal road? What is the difference?

I have a PR road that runs right by my place. It runs right by my house. It is not even identified as a PR road. There is no signage on it.

Now, anybody who comes in as a new employee can drive on that road all of a sudden and find himself against the law, but he could just drive off the road and be on a municipal road, and then I guess he is okay. What is the difference? What is the difference? Oh, he says now: If you want to include a municipal road, move the amendment. Well, why do we not go the other way, Mr. Minister?

Suspended drivers are covered now. Under the law, suspended drivers cannot drive any motorized vehicle on a road. That is the criminal act. We are not simply talking about anybody who is suspended. We are talking about people who have never had a driver's licence, people who cannot have a driver's licence.

I have a friend. His licence was lifted because he did not pass his eye examination. Yet this individual reads without glasses. This person does wear corrective lenses like I do, but because of his age he did not pass an eye examination that was given to him by a doctor in Brandon. So his licence was lifted, but he still has to conduct his work on his farm. He still has to go out there and make a living.

The minister says: You shall not drive any kind of an implement if you do not have a valid driver's licence. He does not have a valid driver's licence. He has been restricted from having one because of his eyesight. So how is this person supposed to make a living on his farm today when his eyesight—it is a marginal issue in terms of whether or not he is able to or not able to hold a valid driver's licence. But because it is a subjective thing, his licence has been lifted, and today he cannot drive a tractor, a combine, a swather or any other motorized vehicle which the minister calls vehicles of husbandry, I suppose. He cannot drive that down a provincial road.

He is not going to run into anybody. He is not blind, but he cannot operate. They say it is marginal as to whether he can operate safely or not. He has to go for a re-examination, but he has to wait for a period of time. So these people all of a sudden cannot drive motorized vehicles down provincial highways. Is that what the minister wants to do? Now, you tell me that he is

not doing that. Let the minister stand up and say that is not what he is doing.

If we are wrong, then I ask the minister to stand up and correct the record. Tell us precisely what he is doing, because that is what the bill says. That is what the bill says. I do not think the minister has read the bill too carefully. I think this is a piece of sloppy legislation, sloppy in the respect that he has not consulted with the people that this bill is going to have a direct impact on.

He is saying it is drunk drivers. It is not drunk drivers. People who do not have a valid driver's licence—does everybody who does not have a driver's licence, is that everyone who has been caught drunk driving? Are those the only people who do not have drivers' licences? Is that how narrow-minded this minister is, that he thinks that the only persons who do not have a driver's licence are those who have been caught for drunken driving? That is foolish. No. It is anybody who does not have a valid driver's licence.

* (16:40)

Read your own legislation, Mr. Minister. Find out what your own legislation says before you start yipping. *[interjection]* Oh, I will explain it to rural Manitoba, all right. I think rural Manitoba is giving the minister a message through KAP, through the construction industry. They are giving you a message, Mr. Minister. So you had better listen to it, and listen carefully. *[interjection]*

Mr. Speaker, the minister cannot tell me that he is acting for rural Manitoba. Obviously he does not have a clue what happens out in rural Manitoba. He does not have a clue about what happens in northern Manitoba, what happens in the construction industry.

Mr. Speaker, I was through a construction zone yesterday where there must have been 40 people working on this construction site. I will bet that if I had gotten out of my vehicle and asked for a driver's licence from any one of those, very few would have had their drivers' licences with them. Secondly, there would have been a number who do not have drivers' licences.

So who is this minister trying to kid? That is the element of this legislation that I think is bad.

There are other parts of this legislation that are good. Let the minister not say, on record, that we are opposed to this legislation and to safety in Manitoba, because that is not the issue. That is not the issue. As I indicated to the minister, there are good elements to this bill, but you cannot simply use a blanket approach to this, and say, you are either for it or against it. You cannot be that simplistic. Oh, no, no, no, Mr. Speaker, you cannot be that simplistic.

The NDP is very wise; they are very slick in the way they slip in little pieces of legislation and little amendments to legislation where they try to impress upon the people that this is good for safety. But, on the other hand, do not worry about those little clauses that we slip in that have a negative impact on citizens in our province. Mr. Speaker, once again, this is hoodwinking the public of Manitoba. I ask the minister of highways to go back and do his homework, and to do his homework in respect of ensuring that he is targeting this legislation at the people he wants to prohibit, and not affecting the livelihoods of people who have legitimately, over time, demonstrated that they in fact are competent; that they, in fact, are as able to operate equipment as anyone who has a driver's licence.

Yes, if a person has been caught drinking and driving, then we understand why those people should be suspended, but I do not understand why young people, why people who work on a farm, why people who have never had a driver's licence perhaps are covered by this legislation. What is that piece of paper going to do for them, Mr. Speaker, in terms of doing their jobs better?

I ask the minister, in all seriousness, how many people are going to be unemployed as a result of putting this kind of legislation in? And so, all I ask him to do is to give it some second thought and to perhaps, instead of embarrassing himself in committee when KAP and the construction association stand up before committee and point out to him how short-sighted he has been, this minister can save himself some of that embarrassment by bringing in, perhaps, an

amendment prior to these presentations and prior to us going into committee. Mr. Speaker, I suggest to him that maybe he should sit down with these organizations and talk to them and ensure that in fact his legislation is meeting the mark as far as these people are concerned.

With those few comments, I do not know what else I could say to the minister except to encourage him to look at the practicality of this legislation and to address the issues that we have identified for him, Mr. Speaker. Thank you.

Mr. Speaker: Prior to recognizing the honourable Minister of Transportation and Government Services, are there any other speakers? *[interjection]* Okay, the honourable Minister of Transportation will be closing debate.

Hon. Steve Ashton (Minister of Transportation and Government Services): Mr. Speaker, just to close debate, I want to stress again, as I did in my opening remarks and as I did from the floor to the member opposite, that currently there are restrictions on who can drive on our provincial highways. There is a restriction that people have to be 16—the member may not be aware of that, but that is the case—and that the person not have a conviction, a Criminal Code conviction of more than 0.08. So that already applies. I think everybody would agree, in terms of the provincial highway system, that is a reasonable restriction.

Now, what the member, I think, perhaps also does not realize is that the requirement that someone have a licence is based on a very simple principle, that if you need a licence to drive a car, you should need a licence to drive, in this case, items, whether it be tractors or heavy equipment, that are far bigger and certainly require a bare minimum.

I want to stress, too, because I must admit I was concerned by the member from Russell suggesting that somehow, if someone loses their licence for five years, that should not impact on their ability to drive this type of equipment. I would say to members opposite that they may want to be very careful in their consideration of this bill, because, quite frankly, if somebody has done something serious enough to lose their licence for five years, they should not be able to

licence for five years, they should not be able to drive on our highway system unless they go through the same process that everybody else does, which is you can apply for a work permit from the License Suspension Appeal Board.

I say to the member opposite, the people in rural Manitoba and northern Manitoba and in the city of Winnipeg expect, when someone is driving on our highway system, that they have obeyed the laws and that they have a reasonable driving record, and they have the skills to deal with that. I would suggest, Mr. Speaker, and I have said this before to members opposite, that the member might want to look at the current requirement. What we are doing is very basic. We are doing it in advance of the bringing in of graduated drivers' licences. What we are doing is we are giving plenty of advance notice to people who perhaps have not taken out a driver's licence for good reason, that they will be able to do it, in fact, prior to the graduated driver's licence system coming in place.

But, you know, I really believe, and I say to the member opposite, a commercial trucker who loses his licence because he has been drinking is impacted, Mr. Speaker, and it is no different in this case. I want to suggest, as well, that the member opposite might also want to understand that, without the impact of this bill, all of the provincial sanctions in regard to alcohol do not apply, including the 0.05 up to 0.08 administrative sanctions. So, unless we require a licence, what happens is and the member should know this, because I know it to be a fact, and I can suggest he talk to some of his constituents—that you will see people who will be driving items of heavy machinery out of bars, because they know they are not subject to the requirements other than the 0.08 under the Criminal Code. That is a fact.

I would suggest to the member opposite that this issue is a critical issue—*[interjection]* Well, the member opposite is saying: Whatever. Mr. Speaker, I documented this before. We have had cases identified to us of people who are legally blind driving heavy equipment on our highways, people who are suspended for various different reasons driving on our highways, people who have a court date pending for 0.08 driving on the highways because, until there is a conviction,

none of the administrative sanctions apply. So this bill is indeed very well thought out.

I say to the member opposite, he says, in terms of consultation, we do not consult on our drinking and driving with some of the suspended drivers. I appreciate the views of KAP, and I look forward to their presentations at committee, but I can say to the member opposite we have received calls in our office from people who have been involved in accidents with unlicensed drivers, and do you know what their response is? Their first reaction. They are amazed that it is not a requirement in the province of Manitoba. As it is, in a significant number of other provinces, you have to have a licence. We are talking here not about a commercial licence. We are talking about a basic licence that you can walk in right now under the system and, in two weeks, you have a full licence, and even under the GDL, within nine months, you can be driving.

So I say to the member opposite, if he wants to oppose that section of the bill, that is fine. If the members opposite want to oppose that section of the bill, that is fine, but this bill, by requiring the people to have nothing more than a licence, and by making sure that some of the people who are suspended are not out there operating this kind of machinery, I say to members opposite, this Government is choosing public safety, public safety for rural, northern and urban Manitobans over the current situation, and this is part of our continuing effort in this session with graduated drivers' licensing.

All this will mean in the end is that when you drive down our highway system, you will have some sense of certainty that the person who is driving that grader in front of you has a driver's licence just like you do. I say to members opposite. In the 21st century, I do not think that is an unreasonable requirement. I am very disappointed in the Member for Russell (Mr. Derkach) that he would get up and give such a great speech, full of sound and fury, to quote Shakespeare. I will not quote the rest of it, because it is unparliamentary, but full of sound and fury.

* (16:50)

But what he is doing is he is saying that you should not have to have a licence to drive on our provincial highway system. The member is

wrong. This legislation, I think, is quite reasonable and will be supported by the vast majority of Manitobans and I daresay the majority of his constituents as well, because they do not want unlicensed or suspended drivers driving this kind of equipment on our highways either. He should talk to them about it because, Mr. Speaker, this is in response to a need that has been expressed by Manitobans.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 23, The Highway Traffic Amendment Act.

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

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

House Business

Hon. Steve Ashton (Deputy Government House Leader): In my role now as Deputy House Leader, Mr. Speaker, I would like to announce that the Standing Committee on Law Amendments will meet on Tuesday, July 3, 2001, at 6:30 p.m., to resume consideration of the following bills: Bill 33, The Highway Traffic Amendment and Consequential Amendments Act (2); Bill 35, The Improved Enforcement of Support Payments (Various Acts Amended) Act; Bill 36, The Enhanced Debt Collection (Various Acts Amended) Act; Bill 37, The Inter-jurisdictional Support Orders Act; Bill 46, The Provincial Court Amendment and Court of Queen's Bench Amendment Act; Bill 49, The Statutes Correction and Minor Amendments Act, 2001.

In addition, the following bills will also be referred to the Law Amendments Committee for the same meeting: Bill 11, The Highway Traffic Amendment and Consequential Amendments Act; and Bill 23, The Highway Traffic Amendment Act.

Mr. Speaker: It has been announced that the Standing Committee on Law Amendments will meet on Tuesday, July 3, 2001, at 6:30 p.m. to resume consideration of the following bills: Bill 33, The Highway Traffic Amendment and Consequential Amendments Act (2); Bill 35, The Improved Enforcement of Support Payments (Various Acts Amended) Act; Bill 36, The Enhanced Debt Collection (Various Acts Amended) Act; Bill 37, The Inter-jurisdictional Support Orders Act; Bill 46, The Provincial Court Amendment and Court of Queen's Bench Amendment Act; Bill 49, The Statutes Correction and Minor Amendments Act, 2001.

In addition, the following bills will also be referred to the Law Amendments Committee for the same meeting: Bill 11, The Highway Traffic Amendment and Consequential Amendments Act; Bill 23, The Highway Traffic Amendment Act.

Mr. Ashton: Mr. Speaker, I would also like to announce that the Standing Committee on Municipal Affairs will meet on Tuesday, July 3, 2001, at 6:30 p.m. to consider the following bills: Bill 25, The Health Services Insurance Amendment and Consequential Amendments Act; Bill 50, The Regional Health Authorities Amendment (Accountability) Act.

Mr. Speaker: It has been announced that the Standing Committee on Municipal Affairs will meet on Tuesday, July 3, 2001, at 6:30 p.m. to consider the following bills: Bill 25, The Health Services Insurance Amendment and Consequential Amendments Act; Bill 50, The Regional Health Authorities Amendment (Accountability) Act.

Mr. Ashton: Mr. Speaker, I believe there might be a will to call it six o'clock.

Mr. Speaker: Is it the will of the House to call it six o'clock? *[Agreed]*

The hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. Tuesday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 28, 2001

CONTENTS

ROUTINE PROCEEDINGS			
Presenting Petitions		School Divisions J. Smith; Caldwell	3339
Kenaston Underpass Driedger	3335	Eaton's Building Gilleshammer; Lemieux Tweed; Doer	3340, 3345 3342
Reading and Receiving Petitions		Sustainable Development Gerrard; Lathlin	3342
Kenaston Underpass Driedger	3335	Members' Statements	
Tabling of Reports		Panda Bear Daycare Co-op Cerilli	3347
2000-2001 Annual Report, Manitoba Development Corporation Mihychuk	3335	Canada Day Jim Penner	3348
2000-2001 Annual Report, Manitoba Trade and Investment Corporation Mihychuk	3335	Family Fun Day Nevakshonoff	3348
2000-2001 Annual Report, Manitoba Horse Racing Commission Mihychuk	3335	Mr. Marty Murray Maguire	3349
Annual Report of the Manitoba Association for Resource Recovery Corporation for the year 2000 Lathlin	3335	Stevenson-Britannia Adult Literacy Program Korzeniowski	3349
Report of the Amounts Paid to Members of the Legislative Assembly for the year ended March 31, 2001 Selinger	3335		
Oral Questions			
Antigang Strategy Murray; Doer	3335		
Maples Surgical Centre Cummings; Chomiak	3337		
Private Hospital Driedger; Chomiak	3338		
		ORDERS OF THE DAY	
		Concurrence and Third Readings	
		Bill 20—The Farm Products Marketing and Consequential Amendments Act	3350
		Debate on Second Readings	
		Bill 25—The Health Services Insurance Amendment and Consequential Amendments Act	
		Murray	3350
		Derkach	3354
		Bill 23—The Highway Traffic Amendment Act	
		Gilleshammer	3362
		Derkach	3367
		Ashton	3371