

Fourth Session - Thirty-Eighth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 10, 2006

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

PETITIONS

Removal of Agriculture Positions from Minnedosa

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

Nine positions with the Manitoba Agriculture, Food and Rural Initiatives Crown Lands Branch are being moved out of Minnedosa.

Removal of these positions will severely impact the local economy.

Removal of these positions will be detrimental to revitalizing this rural agriculture community.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider stopping the removal of these positions from our community, and to consider utilizing current technology in order to maintain these positions in their existing location.

This petition signed by Jena Ménard, Jodene Betteridge, F. Scott and many, many others.

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

Child Welfare Services

Mrs. Mavis Taillieu (Morris): I wish to present the following petition to the Legislative Assembly of Manitoba, and these are the reasons for this petition:

The Premier (Mr. Doer) and the Minister of Family Services (Ms. Melnick) have the responsibility to provide safety, care and protection to children in care in Manitoba.

Thirty-one children have died since 2001 while in care of the Province or shortly after being released

from care. Last year nine children died, the highest number recorded.

Little Phoenix Sinclair died in June of 2005, but her death went unnoticed for nine months even though she had extensive involvement with Child and Family Services beginning at birth.

Manitobans want to know how the system could fail little Phoenix Sinclair and the other 31 children.

Manitobans want assurances that no other children will fall through the cracks of the child welfare system.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider calling a public inquiry into all aspects of the delivery of child welfare services throughout Manitoba.

This is signed by Michael Costantini, Grant Nordman, Shae Greenfield and many others.

Funding for New Cancer Drugs

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I wish to present the following petition.

These are the reasons for this petition:

Cancer is one of the leading causes of death of Manitobans.

Families are often forced to watch their loved ones suffer the devastating consequences of this disease for long periods of time.

New drugs such as Erbitux, Avastin, Zevalin, Rituxan, Herceptin and Eloxatin have been found to work well and offer new hope to those suffering from various forms of cancer.

Unfortunately, these innovative new treatments are often costly and remain unfunded under Manitoba's provincial health care system.

Consequently, patients and their families are often forced to make the difficult choice between paying for the treatment themselves or going without.

CancerCare Manitoba has asked for an additional \$12 million for its budget to help provide

these leading-edge treatments and drugs for Manitobans.

Several other provinces have already approved these drugs and are providing them to their residents at present time.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier (Mr. Doer) of Manitoba and the Minister of Health (Mr. Sale) to consider providing CancerCare Manitoba with the appropriate funding necessary so they may provide leading-edge care for patients in the same manner as other provinces.

To request the Premier of Manitoba and the Minister of Health to consider accelerating the process by which new cancer treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible.

This petition is signed by Laura Missalino, Wayne Watt, Brent Burling and many, many others.

* (13:35)

Mr. Peter Dyck (Pembina): Mr. Speaker, I wish to present the following petition.

These are the reasons for this petition:

Cancer is one of the leading causes of death of Manitobans.

Families are often forced to watch their loved ones suffer the devastating consequences of this disease for long periods of time.

New drugs such as Erbitux, Avastin, Zevalin, Rituxan, Herceptin and Eloxatin have been found to work well and offer new hope to those suffering from various forms of cancer.

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Several other provinces have already approved these drugs and are providing them to their residents at present time.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier (Mr. Doer) of Manitoba and the Minister of Health (Mr. Sale) to consider providing CancerCare Manitoba with the appropriate funding necessary so they may provide leading-edge care for patients in the same manner as other provinces.

To request the Premier of Manitoba and the Minister of Health to consider accelerating the process by which new cancer care treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible.

These are submitted by Mary Dudar, Miron Dudar, Mary Pitura, and many, many others.

OlyWest Hog Processing Plant

Hon. Jon Gerrard (River Heights): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background for this petition is as follows:

The Manitoba government, along with the OlyWest consortium, promoted the development of a mega hog factory within the city of Winnipeg without proper consideration of rural alternatives for the site.

Concerns arising from the hog factory include noxious odours, traffic and road impact, water supply, waste water treatment, decline in property values, cost to taxpayers and proximity to the city's clean drinking water aqueduct.

Many Manitobans believe this decision represents poor judgment on behalf of the provincial government.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to immediately cancel its plans to support the construction of the OlyWest hog plant and rendering factory near any urban residential area.

Signed by Scott Cedergren, Hanna Cedergren, Sharon Lanuza and many, many others.

Manitoba's Electoral System Reform

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

The background to this petition is as follows:

Whereas the provinces of British Columbia, Ontario, Québec, Newfoundland, New Brunswick and P.E.I. recognize the need for reforming the electoral system.

Whereas the federal NDP Leader, Jack Layton, is demanding federal electoral reform and former NDP Leader, Ed Broadbent, has stated "Canadians want change. They want more, not less democracy. It is imperative to reform our electoral system."

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier (Mr. Doer) and the Manitoba NDP to consider following the initiatives of other provinces and the federal NDP by advocating change to the way MLAs are being elected in Manitoba.

To urge the Manitoba Legislative Assembly to request that Elections Manitoba's Election Advisory Committee consider establishing a majority supported reform proposal that would change Manitoba's electoral system so that it would better reflect how Manitobans voted.

Signed by R. Bernarte, L. Shiels, D. Sison and many, many others.

TABLING OF REPORTS

Hon. Oscar Lathlin (Minister of Aboriginal and Northern Affairs): Mr. Speaker, I would like to table the Manitoba Aboriginal and Northern Affairs 2006-07 Departmental Expenditure Estimates.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today Aleaha More of Virden, Manitoba, who is Miss Rodeo Canada, and her mother Mrs. Gwen More. These visitors are the guests of the honourable Member for Arthur-Virden (Mr. Maguire).

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

* (13:40)

ORAL QUESTIONS

Crocus Investment Fund Class-Action Lawsuit

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, as the Premier knows, to date the Crocus scandal has cost 33,000 Manitobans their savings to the tune of \$60 million. It is also estimated that Manitoba taxpayers have lost a further \$72 million in this scandal, and now taxpayers are faced with a \$200-million lawsuit against the Crown. That lawsuit alleges that the Premier's closest adviser, Mr. Kostyra, abused his public office to prevent, block and otherwise shield the Crocus Fund from adequate investigation by the Crown.

My question to the Premier: Is it his position that these very serious allegations contained in the lawsuit are false?

Hon. Gary Doer (Premier): Mr. Speaker, basically there are a number of issues in the statement of claim. We believe the government is not liable.

Mr. McFadyen: Mr. Speaker, to be clear, does the Premier believe that the very serious allegations against Mr. Kostyra contained in the statement of claim are false?

Mr. Doer: Well, Mr. Speaker, I believe the statement made by the member opposite in the hallway yesterday was false. I believe his statement that there were no material statements of claim before 1999 was false. I would point out that on the first number of pages, the lawsuit includes from 1992 on, it further goes on to say that the original legislation was prepared by the former government, Mr. Stefanson, and his new expert, Mr. Orchard. Is that not rather ironic, on Nursing Week in Manitoba, this member appoints a guy who fired a thousand nurses? Congratulations.

So it says that a government created legislation from its inception that had a considerable amount of conflicts between the role of the government and the role of Crocus. He also said there were no material statements of claim before 1999. That is also false, dealing with the Science Fund, Mr. Speaker. It is false in terms of the board appointees; Mr. Curtis, Mr. Swain and Mr. Meldrum. It is false in terms of the adviser established by another one of his advisers, Mr. Downey, in 1997.

So, Mr. Speaker, we will have the responsibility of defending government action for eight years

almost, from '92 to '99, and for the close to four years under our watch, and that is what we will do.

Mr. McFadyen: Mr. Speaker, I would just note that I have now put 23 questions to the Premier on this topic this week. He has given five direct answers and 18 evasions, including the last one.

So just let me ask again: Does the Premier think that the allegations contained in the statement of claim regarding Mr. Kostyra are false?

Mr. Doer: Mr. Speaker, I will add up all the false statements of the member opposite because there are quite a few, starting with his statement in the hallway yesterday about this suit that has no material allegations prior to 1999. What kind of a bubble is he living in, if he has read that lawsuit?

I would also point out, today in his press conference, Mr. Speaker, he makes a comment about my statements about Mr. Clarkson. Here we have a member of this Legislature saying that the only person who reported to me was one individual. When I corrected his falsehood and pointed out Mr. Clarkson and Mr. Eliasson also reported to us and also pointed out Mr. Clarkson, a person who I promoted, was doing an excellent job. He then goes in his press conference and says that we are casting aspersions at officials. We are not. We have to defend eight years of the Tory record and four years of ours. We will do that and that is the truth. The statement he made about Mr. Clarkson was wrong in the House.

Mr. Speaker: The honourable Leader of the Official Opposition, with a new question.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Leader of the Official Opposition, with a new question.

*(13:45)

Mr. McFadyen: A new question, Mr. Speaker. Given that the Premier is not prepared to say that he thinks the allegations made with respect to Mr. Kostyra are false, will the Premier indicate what steps he has taken, what questions he has put to Mr. Kostyra to demand answers and a response to these very serious allegations about this very senior member of the Premier's government?

Mr. Doer: Mr. Speaker, there are, by definition, statements in the statement of claim, for example, the legislation that was established in 1992 from its inception and the conflicting roles, some of those

matters are the same findings of the Auditor General. You are asking me for an absolute statement about a statement of claim that contains many statements.

I would point out, Mr. Speaker, in carrying on the falsehood from the member opposite, and I guess he is going to be a little loose with the truth. He also says—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Before we continue, I would just like to remind all honourable members that every member in the House is an honourable member and should be treated as such. The "loose with the truth," I think you were coming very, very close to unparliamentary language. I would like to caution the honourable member.

Mr. Doer: Thank you, Mr. Speaker. The Member for Fort Whyte said there were no material issues in the statement of claim before with the Filmon government. I would point out another matter where he is contradicted by the statement of claim. The statement of claim cites that the government investment in the Science and Technology Fund was one of the reasons for the statement of claim dealing with the Province of Manitoba. I would point out that his good friend, Mr. Tweed, on June 29, 1999, along with Mr. Umlah, a person appointed by the former government in 1992 and 1993, were both the principals of that announcement and of that release.

Mr. Speaker, I would point out—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable First Minister has the floor.

Mr. Doer: Thank you, Mr. Speaker. Again, inconsistent with the member's statement in the hallway, the issue of waivers, which is also in the statement of claim, the member opposite would know that the two largest waivers were granted to their good friends at Wellington West, again a decision that was made prior to 1999. People who were involved in that were good friends of the member opposite.

Mr. McFadyen: Mr. Speaker, I would just refer the Premier to Mr. Bellan's comments on CJOB radio the other day. Through the process of discovery, we are going to be able to get at what actually went on during the crucial months, especially in the period around 2001 and 2002. That is the crucial time

period, and those are the events and the negligence that occurred under this Premier's watch.

But, not to get distracted by the Premier's red herrings, I just want to come back, and in light of the Premier's confidence that the government is going to be successful in this lawsuit, will he commit to the House today that he will instruct the government's lawyers to bring a motion for summary judgment dismissing this lawsuit so that Manitoba taxpayers will not be on the hook for any further defence of what the Premier says is a frivolous lawsuit?

Mr. Doer: Well, Mr. Speaker, the term "frivolous" is a term used by the member opposite yesterday and used again today.

The lawsuit includes a number of defendants, one of which is the friend of the members opposite at Wellington West. The other is Coopers & Lybrand, Nesbitt Burns. By the way, the member opposite has not asked to terminate all the contracts with these companies. One of them, by the way, Wellington West, was convicted under The Securities Act of Manitoba of breaching their requirements for the sale of shares in MTS. So the member opposite has a double standard with his friends versus other people, Mr. Speaker.

I also would point out that Mr. Bellan said last July that the Province was not liable. The statement of claim on page 5, and the member opposite has had a chance to read it and so have I. On page 5, it states, from the inception of the fund in 1992, that is the statement of claim and that is the statement that will be reviewed in the court. Eight years of Conservative government, four years of the NDP, and we will obviously defend both the Conservatives and ourselves.

* (13:50)

Mr. McFadyen: Mr. Speaker, let me just say again for the record, we are not the least bit concerned on this side of the House about having a full, open, independent public inquiry.

Let me just say, it is 26 questions to the Premier now over the last three days, 21 evasions. So let us see if he can improve his record in his response to this question, Mr. Speaker. I will ask the question again: Will the Premier, in light of his confidence in the strength of the government's position, in light of his view that this is just another one of those lawsuits that does not have any merit to it and that the government gets thrown at it all the time, in light of this extreme level of confidence that the Premier has

in the government's chances of success, will he do the right thing for the taxpayers of Manitoba? Will he instruct his lawyers to file a motion for summary judgment, dismissing the lawsuit, so that Manitoba taxpayers are not on the hook for any unnecessary expenditures in the defence of this lawsuit?

Mr. Doer: Mr. Speaker, again the member opposite would know that some of the statements in the statement of claim are consistent with the findings of the Auditor General. Dealing with the legislation that was first brought in by the former government that created conflicts of roles, legislation, by the way, we changed with Bill 51 that we passed in this House last year.

So the member opposite knows to say, is there anything in the statement of claim that is not true. Well, there are some things in the statement of claim that are true, so to talk about this in absolute terms is completely disingenuous to the public of Manitoba.

Mr. Speaker, I am shocked the member opposite would choose Don Orchard. When we had Don Orchard in this House, when he was dealing with issues of accountability with the public and with the media, he said to the media: It is none of your bleeping business, it is none of your bleeping, bleeping business. This is a person who is not a shining example of accountability for members on this side.

Mr. Speaker: The honourable Leader of the Official Opposition, on a new question.

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

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I need to be able to hear the questions and the answers.

Mr. McFadyen: I think what I hear the Premier saying is that there may be elements contained with the statement of claim that contain merit, and he is not sufficiently confident in the government's case that they are going to bring such a motion.

So let me ask the Premier this. To the Premier: Will he be instructing the government lawyers to bring a motion to strike those paragraphs from the statement of claim that make serious allegations against his top adviser, Mr. Kostyra?

Mr. Doer: The member opposite puts words in my mouth, Mr. Speaker. On dealing—*[interjection]*—you know, which is the oldest trick in the book. The issue of "frivolous" is a word that he has used throughout his discussion—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, yesterday the question was raised about settling out of court. We are not going to do that. Secondly, the member opposite today accused me of blaming officials such as Mr. Clarkson. I demand an apology, because when the member opposite made a mistake, he made a mistake in this House. He said that only one person reported to me. When I pointed out that Mr. Clarkson also reported to the Premier, I further pointed out that he does an exemplary job. Then the member opposite today in his press conference says we are taking negative comments about Mr. Clarkson. I demand an apology.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I would like to remind members that we have guests in the gallery. We have the viewing public that have come all the way down here to hear the questions and the answers, and I think we should give them that courtesy.

* (13:55)

Mr. McFadyen: Mr. Speaker, my comments were in relation to the fact that the Premier singled out Mr. Clarkson as having been part of the Tory transition team, I think, in an attempt to say that all parties had some role in this scandal that has occurred under his watch.

So my question then to the Premier, in light of the fact that he has raised Mr. Clarkson's name: Why is he protecting the three current employees of his government who have been named in the current lawsuit?

Mr. Doer: Well, Mr. Speaker, the findings of the Auditor General dealing with all the time frame that we were in office, not, by the way, before many of those years which are now contained with this statement of claim, speak for themselves.

Mr. Speaker, I still believe the member opposite accused me of blaming Mr. Clarkson today when I

clearly stated that I corrected a mistake he made by stating that only one person reported to me. So he makes a mistake in the House, but he compounds it with a person whom I have promoted from assistant deputy minister to deputy minister. I have never been negative about Mr. Clarkson and I have the greatest of respect for him. I promoted him, and when Mrs. Carstairs slandered Mr. Curtis, she had the courage to stand up in this House and apologize. I demand you apologize to my statements.

Eugene Kostyra

Communications with Premier

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, it was the Premier who first raised Mr. Clarkson's name in connection with this matter after the lawsuit was filed, in the hallway, not having the courage to do it in this Chamber so that we could confront him on it.

Mr. Speaker, given that the Premier is not prepared to say today that he wants to have the paragraphs from the statement of claim regarding Mr. Kostyra struck, given that he is not prepared today to say that he would like those paragraphs struck, I wonder if he could advise the House as to what steps he has taken since the lawsuit was filed to ascertain whether the allegations contained in those paragraphs relating to Mr. Kostyra have any merit to them whatsoever.

Hon. Gary Doer (Premier): Again, I would refer the member to the Auditor General's report. The area that the Auditor General did not cover is mostly prior to 1999. The Auditor General had the same findings on legislation being established from its inception to be conflicting.

Mr. Speaker, I find it again passing strange that the member opposite wants to have one set of standards for accountability and now he is mentioning all three civil servants. He wants one set of accountability for the civil servants he has mentioned, but when it comes to Wellington West, that is the lead broker for the Manitoba Builder Bonds, when it comes to accounting firms that they have contracts with the government, when it comes to his friends in Wellington West, he wants no accountability whatsoever. What hypocrisy.

Crocus Investment Fund Government Advisers

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, David Woodbury was a close political adviser to the Premier. Now he is a close political

adviser to the Minister of Finance as Associate Secretary of the Treasury Board.

So I ask the Minister of Finance: It was David Woodbury's job to give political advice to the Premier. Can the Minister of Finance tell me what political advice did David Woodbury give to the Minister of Finance regarding Crocus?

* (14:00)

Hon. Greg Selinger (Minister of Finance): Well, Mr. Speaker, I think what we are seeing here is a pattern of picking on civil servants by the members opposite. The Official Leader of the Opposition just stood up and said, why would you protect any of the three senior civil servants, the Deputy Minister of EST, the Deputy Minister of Industry and the secretary to the CDC. We do not throw our civil servants to the wolves when a little political pressure comes on. That is what you would like us to do. We do not throw people to the wolves. We protect a professional civil service.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Kelvin Goertzen (Official Opposition House Leader): Yes, on a point of order, Mr. Speaker. *Beauchesne* is very clear about putting factual information on the record. The Minister of Finance says that they do not throw civil servants to the wolves. Well, I can give him a number of somebody in British Columbia named Pat Jacobsen who they threw to the wolves.

Mr. Speaker: Order. Points of orders are to be used to point out to the Speaker a breach of a rule or a departure from our practice. Points of order should not be used for means of debate.

The honourable member does not have a point of order.

* * *

Mr. Hawranik: Mr. Speaker, let me remind the minister about how political David Woodbury is, and I file today, or I would like to table Today's NDP. It is called Today's NDP and, in fact, it is five promises in the '99 election. It says at the bottom contact David Woodbury. That is what it says.

Obviously Mr. David Woodbury had a role to play as the go-between in the Crocus scandal. He started as a political adviser to the Premier and he ended up as a political adviser to the Minister of Finance and the Crocus file.

I ask the Minister of Finance: Why did he not act on the advice from his political adviser? Why did he not intervene on behalf of 33,000 Crocus unitholders?

Mr. Selinger: . . . according to *The Winnipeg Sun*, it says here, while McFadyen was a practising lawyer at Aikins, the firm did work indirectly for Crocus via its underwriter Wellington West Capital. McFadyen set the record straight saying his probe is exclusive to the NDP—

Mr. Speaker: Order. In this Chamber, when responding or mentioning members' names, it is by their constituencies and ministers by their titles. That has always been the rule of the House so I would remind the honourable Minister of Finance.

Mr. Selinger: Thank you, Mr. Speaker. I will change the quote to reference the Member for Fort Whyte.

The Member for Fort Whyte set the record straight saying his probe is exclusive to the NDP government's involvement and would exclude all cronies from his law or business circles. So we already know that the inquiry the members opposite would mount would have very narrow terms of reference. It would only look at everybody who was not their friend. Is that progress, Mr. Speaker? I think not.

Mr. Hawranik: Mr. Speaker, the Minister of Finance is wound up very tight in this Crocus scandal. The red flags were there and you were warned by your political adviser. It was David Woodbury's job to advise the minister about Crocus. He did his job. The fact remains the minister did not do his.

So I ask the Minister of Finance: Why did you not follow the advice of your own political adviser? Why do you turn a blind eye to 33,000 Crocus shareholders?

Mr. Selinger: Mr. Speaker, the member is very creative in the way he tries to construct reality. He has no evidence or facts for any of the allegations he has made, and that is exactly the same situation with the statement of claim. The members opposite do not

have any basis upon which they would like to proceed to make this witch hunt go any further.

I can tell you this without fear or favour. All public servants will get equal protection. They will get the equal protection of the law. A full statement of defence will be filed in due course, and we will let the legal process work its way through the system.

I remind members opposite that this lawsuit is only possible because we brought in the best class-action legislation in this country. Without that legislation, this statement of claim would not have been possible under that.

Crocus Investment Fund Government Advisers

Mr. Glen Cummings (Ste. Rose): We are seeing a government in desperate throes of denial.

My question is for the Minister of Industry. When—*[interjection]*

Well, you know, the Premier (Mr. Doer) wants to talk about whether or not we respect the service and the hard work of the civil servants. We do. The question is whether or not we have responsibility and strong action by his ministers.

My question is to the Minister of Industry: Did he ever discuss the Crocus file and whether or not Mr. Clarkson could shed some light on this issue?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I think we have made it very, very clear that what we have done is we have talked to different groups about venture capital. We talked about what has happened, but the important part was we knew our role. Our role was to establish the law. Our role was to make sure that the monitoring for the public policy objectives was followed, and that is what we did.

I reiterate, most of the people, the government insiders, that you say, six of whom worked under the Filmon government, we have continued the long service of civil servants, the impartiality of civil servants. We are pleased that these civil servants have done a good job under the Filmon government and under our government.

Mr. Cummings: Well, Mr. Speaker, that adds to the list of non-answers that we are getting from this government. Given the quality of civil servant that Mr. Clarkson is, given the position that he fulfilled within both governments acting in the civil service on behalf of both parties that have been in

government, you would think that this minister in exercising his responsibility might have asked him a question or two. Did he?

Mr. Rondeau: Mr. Speaker, I know that I attended some Public Accounts Committees. I know that some of the members attended the first one. They walked out of the second one, but it was clarified there by the Auditor General. When there were warnings from an e-mail from one official in Finance to one official in Industry, the question was whether it ever went to the minister. The warning did not go to the minister. That was clarified by the Auditor General. That is the answer.

Mr. Cummings: Mr. Speaker, just so the members of the public know and to remind the members of government, in that Public Accounts Committee we had the spectacle of this minister coaching the deputy minister who was brought to the Public Accounts to answer questions that we thought were pertinent. We saw him coaching the answers. We saw that committee as being ineffective that night. It was not allowing free flow of information.

Again, Mr. Speaker, I ask this minister: Given the seriousness of the allegations that are currently in the most recent lawsuit, has he had any advice from Mr. Clarkson?

Mr. Rondeau: This is interesting. The first time ever that a minister and a deputy minister responded to questions in Public Accounts, the first time ever was dealing with the Crocus matter. If you recall, Mr. Speaker, the members opposite walked out of the Public Accounts without asking me or my deputy one question. They walked out without even asking one question. They have no credibility on this.

* (14:10)

Crocus Investment Fund Class-Action Lawsuit

Mr. Ron Schuler (Springfield): Mr. Speaker, another day and another call for justice in the Crocus scandal. Once again, ordinary Manitobans must go to court to fight this NDP government for what is right; for the truth.

To the Minister of Industry, Economic Development and Mines: These same Manitobans claim, and I quote, from page 11 of the lawsuit: The Crown sought to encourage Manitobans to invest in the Crocus Fund. In light of this, will he commit to

covering the legal fees of ordinary Manitobans as they seek justice in the Crocus scandal?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I am very pleased to set the record correct. Under the former government, actual stuffings into pay packages occurred. That was found to be inappropriate by our government and that practice ended in 2001. We also ended the long-term practice of the former government where people would go on leave while they were paid by government to promote Crocus. That practice was ended by our government. Sir, a lot of the questionable practices that were begun and were standard practices under the Conservative government were ended under this government.

Mr. Schuler: Mr. Speaker, 33,000 Manitobans want justice in the Crocus scandal. Ordinary Manitobans feel, and I quote from page 10: Government insiders, Kilgour and Kostyra, abused their public office with the Crown to prevent, block and otherwise shield the Crocus Fund from adequate investigation by the Crown.

To the Minister of Industry, Economic Development and Mines: Will he be covering the legal fees of Eugene Kostyra and James Kilgour for their role in the Crocus scandal?

Mr. Rondeau: Mr. Speaker, the interesting part is that Mr. Kilgour was appointed his position as an investment adviser in 1997 by the previous government, but we do not hold him up and say that he is liable. We are not going to leave him out on a limb. What we are going to do is know that he did a professional job; know that he did a good job not only for the former government but for our government. What we want to do is make sure they have proper support of our government because we believe that the civil service works professionally on behalf of all Manitobans for every government.

Mr. Schuler: So let us get this straight. The legal fees for Eugene Kostyra and James Kilgour are covered by Manitoba taxpayers for their role in the Crocus scandal. Yet, 33,000 hardworking Manitobans are now forced to take the NDP government to court as they seek justice in the Crocus scandal, and they must pay their own way.

Can the Minister of Industry please explain to this House and to the taxpayers of Manitoba how that can be the case?

Mr. Rondeau: Mr. Speaker, I urge the member to read the entire document. The entire document, if you start reading on page 1 and go to page 3, you will notice that it is not just under this government. In fact, the statement of claim covers seven and a half years under the former Tory government for a lot of the issues that were discussed. If you read this whole statement of claim, piece by piece, a lot of the issues that were raised were created under the former government.

We will also be identifying and representing the government for four years under ours. But, please make no mistakes, seven and a half years, Conservative government; four years, NDP government. If you read the statement of claim, you will notice many, many of the fundamental issues were created upon the start of the fund.

Crocus Investment Fund Class-Action Lawsuit

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, when the Premier was the minister of urban affairs, he was a fairly smooth individual. There was this political manipulation that occurred regarding land, and it involved personalities. In fact, there was a lawsuit that was launched against the government and this minister back then. Just days before a court action or the trial, when the public would have found out what was happening behind those closed doors, a settlement was reached. One hundred thousand taxpayers' dollars came to the rescue to protect the integrity of the minister of urban affairs, today's Premier.

Why should Manitobans believe that this Premier would not try to come in with an out-of-court settlement? Because when the time comes he will not even be the Premier.

Hon. Gary Doer (Premier): The member opposite may probably not know this, but a claim dealt with the right of the Province of Manitoba to control urban sprawl outside of the city of Winnipeg. The decisions that were made by the Province of Manitoba with their planning branch, the urban affairs department and the then-municipal affairs

department, that right to determine land use and planning, was maintained not only by our government but, as I recall, by 11 years of Conservative government. I have already stated yesterday that we will not settle.

Crocus Investment Fund Public Inquiry

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, you listen to the Premier and you would think that he was innocent back then, but yet he cost the taxpayers \$100,000 back then, and that was on a million dollars. This time we are talking about \$200 million. The Premier knows full well he is stonewalling on this issue because he wants to get it behind or be after the next provincial election. That is his real objective here. We are calling for the Premier to stop stonewalling, respect Manitobans as being astute Manitobans and recognize the need for a public inquiry.

I am challenging the Premier to do the right thing here and to call for a public inquiry today because that is what is in the public's best interest, maybe not in his best political interest, but the public's best interest.

Hon. Gary Doer (Premier): Mr. Speaker, the member opposite would know that there are huge issues of land planning that were at stake in the court case, and the recommendation from the Deputy Minister of Intergovernmental Affairs, both in the previous government and in our government when we first got elected, was very clearly to maintain the right of the Province to do all the land use planning. That was the position held for 13 years, 2 years by us and 11 years by the Conservatives.

Mr. Speaker, the member opposite deals with the issue of timing. I guess he knows more than we do about the election timing, and he obviously knows more than the public because he has already determined who is going to win the next election.

As a member that served with the former member from St. James, Mr. Edwards, he will know what premature arrogance does to you, and it is not exactly a good thing.

Mr. Speaker, I would point out that the shareholders last June or July decided that we were not liable with their lawyers. That was a decision that was made on the recommendation of Mr. Walsh, a person the member opposite knows. That is not our issue of timing. The lawsuit could have proceeded a

year ago if the shareholders felt. They changed their mind a year later. The timing is not our issue.

Mr. Lamoureux: Mr. Speaker, what I do know is that the provincial Auditor's Report, the RCMP investigation, the Manitoba Securities Commission investigation and now the courts, all of those combined are not going to give the answers that Manitobans deserve and want.

Manitobans want to know how this Premier and this government were influenced by individuals like Eugene Kostyra and the many other individuals that the Premier is aware of, those individuals that donate to his political party, the individuals that he has provided jobs to. We need to get down to the bottom of this and the Premier knows full well the only way that is going to happen is through a public inquiry. Anything less is nothing but a stonewall from this Premier. We are calling this Premier to do the right thing, to do what is in Manitoba's best interest and call the public inquiry.

Mr. Doer: Well, you know, Mr. Speaker, the other day the member opposite tabled an affidavit saying, were you aware of financial difficulties before December 2004? Of course, anybody that was following anything would have known that Crocus had devalued their shares in September of 2004. He demanded in great, great theatre that I sign something that obviously he was not even paying attention to.

Mr. Speaker, the issue of donations to political parties, I believe the Crocus Fund donated \$15,000 to the Liberal Party.

Mr. Speaker: The honourable Member for Ste. Rose. Oh, I am sorry.

Order. We have a written agreement that was signed by all House leaders. I did not see the honourable Member for Fort Garry. I will recognize the honourable Member for Fort Garry on question No. 8.

Pharmacare Deductible Affordability

Ms. Kerri Irvin-Ross (Fort Garry): The Canadian Institute for Health Information tells us that Manitoba has the best Pharmacare program in the entire country.

Can the Minister of Health inform the House of steps recently taken to further improve affordability

for Manitobans when looking at their Pharmacare deductibles?

* (14:20)

Hon. Tim Sale (Minister of Health): Mr. Speaker, Manitobans who have very high drug costs in the past have been faced with having to pay a deductible right at the beginning of each year. That is sometimes a burden for seniors, for those suffering from multiple sclerosis or AIDS, or any of the very high-cost medications.

So we were delighted today to be able to announce a tremendous partnership between the association of pharmacists, Manitoba Hydro and our government to make it possible for people with high drug costs and high deductibles, if it exceeds 25 percent of their monthly income, to have a monthly deductible that is one-twelfth of that front end so that people will no longer have to worry about coming up with very large amounts of money in April and May. They would be able to meet their drug bills and live within a budget made feasible because we have a great partner in the Crown corporation, Hydro, and a great partner in the professional association, the Manitoba association of pharmacists. I want to thank them both on all Manitobans' behalf.

Crocus Investment Fund Fonds de Solidarité Loan

Mr. Glen Cummings (Ste. Rose): In the fall of October '02, the Crocus Fund apparently was in danger of falling below its required reserves. That is when the Minister of Industry, responsible for the Crocus Fund, would have to make a decision as to whether or not to declare the common shares of the Crocus Fund ineligible for tax.

Now, Mr. Speaker, I would assume that someone in this government would have been made aware of that situation. In fact, what we got was a loan from the Fonds in Québec that was really not a loan because it had a penalty, it was guaranteed 10 percent and a lot of other very onerous conditions.

Mr. Speaker, I want to know if this Minister of Industry, if his department was informed of those events?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I think that it was very well covered in the Public Accounts. What happened was that the Solidarité loan was provided and there was inappropriate

information. It was not portrayed accurately as a loan. It was portrayed as an investment.

Mr. Speaker, might I add, that was properly sent to the Manitoba Securities Commission for investigation and proper action. So this has come up. It has been discussed in Public Accounts and it was sent to the Manitoba Securities Commission, the regulator for prompt response.

Mr. Speaker: Time for Oral Questions has expired.

Speaker's Ruling

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

During Oral Questions on April 27, 2006, the honourable Minister of Water Stewardship (Mr. Ashton) raised a point of order regarding comments he asserted were being said by the honourable Member for Russell (Mr. Derkach) from his seat, comments such as, "You are a fool" and "you are an idiot."

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I took the matter under advisement in order to peruse Hansard. I have had the opportunity to review Hansard for April 27, 2006; however, there is no record of such comments appearing in Hansard prior to the point of order being raised.

I would therefore rule that there is no point of order.

MEMBERS' STATEMENTS

Swan Lake First Nation Casino

Mrs. Mavis Taillieu (Morris): Mr. Speaker, it was announced today that Swan Lake First Nation achieved their long sought-after reserve status designating 25 acres of land in Headingley as a reserve.

They plan to build a casino, a restaurant and a gas bar, which is great, but unfortunately they are going to allow smoking in their facilities.

I do not know how the Minister of Healthy Living (Ms. Oswald) can get on the radio this morning and talk about reducing addictions and yet she condones this health risk to workers and patrons by allowing them to be subjected to cigarette smoke in the workplace. Why is this government willing to pass legislation to protect some people but not others?

Mr. Speaker, in Headingley, the people have voted, and they did not vote in favour of a casino, and now we hear that Swan Lake can purchase any number of VLTs they want from Manitoba Lotteries. The Minister responsible for Lotteries said he would not allow any more VLTs at the horse park in Brandon, nor would he transfer them from anywhere else, but he cannot have it both ways. Is there a moratorium on VLTs or is there not?

I would like to think that the Minister of Healthy Living would call on her colleague the Minister responsible for Lotteries (Mr. Smith) and not allow VLTs into any premises unless they comply with the provincial smoking ban, Mr. Speaker.

Also, there is a major tourist attraction, the Assiniboia Downs, which will be compromised by this inequity of allowing smoking in one place of gambling and not in another. This is an inequity that has negative health consequences and negative impact on tourism, and perhaps the Minister responsible for Tourism (Mr. Robinson) would stand up and have a conversation with the Minister of Healthy Living and the Minister responsible for Lotteries about this.

The Minister of Healthy Living, the Minister responsible for Lotteries, the Minister responsible for Tourism should press this government to not allow VLTs into any premises that allow smoking, and smoking should be banned province-wide, Mr. Speaker.

Manitoba Robot Games

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, it gives me great pleasure to inform this House about an exciting educational event that I attended on March 19 at Tech-Vocational High School.

The 11th annual Manitoba Robot Games took place amidst a flurry of mechanical wizardry and technical prowess where students from all over Winnipeg displayed their interests and abilities in the budding field of robotics.

Robotics is new in the field of science and engineering, requiring students to unite different facets of their science education, be it through mechanical and physical concepts, such as force and velocity. With the practical difficulty of constructing the robots, robotics poses a multitude of challenges to the interested students. Students are interested, Mr. Speaker. With 28 schools attending the games

and over 100 students participating, the games were shown to be a great success.

Categories are very diverse, including atomic hockey and sumo, which is Japanese style and Western style. The mini tractor pull and robot critters tested the students skills and made for a fun and entertaining competition.

I would like to take this opportunity to thank Science Council Manitoba for their commitment to scientific culture and education in our province. It is a testament to the hard work of these volunteers that the Robot Games is now in its eleventh year.

I would also like to thank and congratulate all the students who participated in the games and all the students who also built robots but did not participate. Students such as the ones from St. Avila school, who rushed to go and sign up for the workshops.

The benefits of science are many and students here get to discover them and pass them on to future generations. Thank you, very much, Mr. Speaker.

Marion Hodgson

Mr. Denis Rocan (Carman): Today, I rise to recognize Marion Hodgson, who was recently acknowledged for her outstanding volunteer efforts in the community of Roland located in the great constituency of Carman.

* (14:30)

Marion Hodgson was selected as a central region's recipient of the Lieutenant-Governor's Make A Difference Community Award. This award is given to those individuals who represent the spirit of volunteerism and make a lasting contribution to their communities. Truer words cannot be spoken about Marion Hodgson.

Around the community of Roland, Marion is known for her kind spirit, selfless action and jars of her homemade jam. Marion never fails to welcome new members of the community with a welcome-to-the-community visit. Among her many contributions to the community of Roland included being an integral part of the organizing committee for the Roland Centennial in 1990. Upon receiving this award, Marion Hodgson noted: "Volunteers are very important people. They make a community."

Mr. Speaker, I can assure the House that Marion Hodgson is one of the many tireless volunteers that make the Carman constituency a wonderful place to call home and I am pleased to call her my friend.

Congratulations, Marion, you are the best. Thank you very much, Mr. Speaker.

East Selkirk Middle School

Mr. Gregory Dewar (Selkirk): Mr. Speaker, this week, I was pleased to have joined the Premier (Mr. Doer) and the Minister of Education (Mr. Bjornson) at the sod-turning ceremonies for the new East Selkirk Middle School. Construction of the school is well underway as pilings are already in the ground. The new school will provide students of the current Happy Thought School from grades 5 to 9 with a new state-of-the-art building. The remaining grades, kindergarten to 4, will remain at the original building. Officials are hopeful that the new school will open in September 2007.

Mr. Speaker, I am proud to be part of a government that is investing over \$9.5 million in East Selkirk students. Residents of East Selkirk have not forgotten that the previous government ignored the needs of this community for over 11 years and allowed 700 students to crowd into a school that was built for 400. I am proud that our government is fulfilling its commitment to the students, the parents and teachers of East Selkirk community. This is one of two recent projects, the other being the new Selkirk Mental Health Centre, that are major investments in the Selkirk area and will provide future benefits to our community.

Mr. Speaker, I would like to congratulate and thank all the parents and teachers of Happy Thought School for the hard work and input into this new school. I would like to recognize the Lord Selkirk School Division, the school board, the building committee, the architects for their hard work. As well, I want to thank both the Minister of Education and the current minister of highways for both of their commitment to this school. Thank you.

Manitoba Day

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to talk about Manitoba Day, which is Friday, May 12. May 12, 1870, was when the Manitoba Act was passed through the Parliament of Canada and it is the birthday of our province of Manitoba.

It is interesting to note that George Etienne Cartier, the Deputy Prime Minister, spoke to convey his belief—this was in his comments in the House of Commons—that the province of Manitoba was the key to the future of the whole of western Canada. He said, "May the inhabitants of the new province

always speak to the inhabitants of the northwest the language of reason, truth and justice."

Alexander Mackenzie, the Leader of the Liberal Opposition, rose to ask why the important community of Portage la Prairie had been excluded from the new province. In response, and fortunately, an amendment was brought in and so Portage la Prairie became part of the new province of Manitoba in 1870.

This morning, I was at St. Ignatius School, and at St. Ignatius School they are spending this week in recognition of Manitoba Day and the birthday of our province. I was happy to join them in their celebrations and in their recognition of the importance of the birthday of our province.

I think all of us should think deeply about the future of our province which is built on diversity, which is a wonderful, diverse province with a tremendous future potential. So I speak today to salute Manitoba and to say happy birthday to our province, and, as Liberals, we will keep on battling for a better future for our province.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Steve Ashton (Deputy Government House Leader): The intention is to call the bills for second reading in the following order: Bill 22, Bill 36, Bill 23 and Bill 21, then the bills in order.

Mr. Speaker, I look to the Opposition House Leader (Mr. Goertzen). Bill 22, I believe, the Premier (Mr. Doer) will be in the position of being able to introduce that very shortly. We can either pause for a moment or we can move up in the items on the agenda. We are certainly open on this side. I know there are a number of other bills that we can consider, so that would be our intent. I look to the Opposition House Leader in terms of how they would like to deal with Bill 22.

Mr. Kelvin Goertzen (Official Opposition House Leader): I would suggest, Mr. Speaker, that we move to Bill 36, and then proceed in the order that was brought forward after that.

Mr. Speaker: Is there agreement? [*Agreed*]

Mr. Ashton: Yes, based on that, Mr. Speaker, perhaps if we could proceed at 36 and call them in the order of 36, 22, 23, 21, and then in order. If there is some adjustment later on, we may ask leave to

have Bill 22 considered over another bill, but if we could start with 36.

Mr. Speaker: Okay, government House business, we will start off with Bill 36, then 22, 23, 21, and then the rest of the bills in that order.

SECOND READINGS

Bill 36—The Youth Drug Stabilization (Support for Parents) Act

Hon. Theresa Oswald (Minister of Healthy Living): I move, seconded by the honourable Minister of Energy, Science and Technology (Mr. Chomiak), that Bill 36, The Youth Drug Stabilization (Support for Parents) Act; Loi sur la stabilisation des mineurs toxicomanes (aide aux parents), be now read a second time and be referred to a committee of this House.

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

Motion presented.

Ms. Oswald: I am pleased to stand today to introduce Bill 36 for second reading and to state, of course, that this bill is but one part of our broad provincial strategy to combat crystal meth. It is, in particular, a bill that will help families deal with a child who has a severe and persistent drug problem.

This bill is intended to assist parents and guardians and families who have exhausted all other options, Mr. Speaker, all other options available to them, and that they will be able to apply to have a young person in their care taken to a safe and secure facility for up to seven days where his or her condition will be assessed, and they will have an opportunity to be stabilized. This is going to provide parents and young people and service providers an opportunity to engage with one another, and to enable that young person to participate in the creation of their treatment plan.

We have to remember, of course, that the legislation is a piece, as I said, of a larger strategy, just one component to address substance abuse in our communities. In addition, Manitoba Health and Healthy Living continue to enhance our mental health and addiction system by expanding program capacity, ensuring services are in place across the continuum of care including, very importantly, prevention, early intervention and treatment.

As part of this enhancement, our ability to assertively reach out to youth who may not,

unfortunately, voluntarily seek out treatment or for those who are difficult to reach, was increased very recently. We saw, though, in making those steps that we needed to do more in order to help parents of young people who are caught in a severe and persistent cycle of addiction, and we needed to have an opportunity to provide them with a tool of last resort for them to use in the most extreme circumstances.

* (14:40)

Our neighbours to the west, the provinces of Saskatchewan and Alberta, have introduced similar legislation. We have studied their models with interest, but we also knew we had to make our own made-in-Manitoba solution to fit the needs of our own parents and our young people in our home province. We have consulted with many people in the construction of this highly complex bill, Mr. Speaker. We have consulted with parents, parents who have shared with us tenderly some of the most heart-wrenching stories of dire circumstances that they have faced with their young people. We have consulted with representatives in the field, from the Addictions Foundation of Manitoba, the Behavioural Health Foundation, Tamarack Inc., the Salvation Army, the WRHA Child and Adolescent Mental Health unit, the Addictions Unit at HSC, the Main Street Project and others.

Consultation has also occurred, very importantly, Mr. Speaker, with the Constitutional Law Branch. Careful consideration has been given to the rights of children to self-determination and, of course, to the responsibility of parents to act proactively and protectively. As a result of these discussions, you will see in this bill that there is a very high threshold that substance-abusing youths are required to meet in order to be detained resulting in a legislation being used in only the most severe cases. The vast majority of youths suffering with addiction problems will be served through prevention, awareness, early intervention and assertive outreach, which is, of course, the primary focus of Healthy Living in dealing with the problems of crystal meth and other drug use.

If these provisions in this legislation are needed and, Mr. Speaker, I sincerely hope they never are for any family in Manitoba, it will be available to families and to parents across Manitoba. The process under the proposed legislation is as follows:

A parent or guardian can apply to the court for an order to have their child apprehended on the

specific grounds that the youth is severely and persistently abusing drugs, and that he or she has consistently refused voluntary assessment or that previous attempts to deal with the problem have, unfortunately, not been successful.

Upon reviewing evidence from the parent, the court may grant an apprehension order, provided it is satisfied that there are reasonable grounds to believe the youth's circumstances meet the prescribed criteria. The apprehension order allows a peace officer to detain a child and take him or her to a stabilization facility. When the youth are apprehended under the order, they are informed of the reasons for the apprehension and that, of course, they have a right to contact a lawyer.

Once the youth arrives at the stabilization facility, he or she must be assessed within 24 hours by a designated addictions specialist. Once the assessment is complete, the addictions specialist may issue a stabilization order provided that the prescribed criteria are met. If the stabilization order is issued, the youth must be assessed by a second addictions specialist. This assessment must be completed within 48 hours of the youth's arrival at the stabilization facility. If the second addictions specialist does not confirm the stabilization order, the youth must be safely released to the custody of his or her parents.

When the second addictions specialist confirms the order, the youth is required to remain in the stabilization facility for up to seven days—an opportunity, Mr. Speaker, for that young person to become stabilized, off the acute influences of the drug, and offering them an opportunity to participate in that treatment plan, a component of treatment that we know to be so critical.

Youths, of course, are made aware of their right to have the order reviewed by an independent panel. The review panel is required to hold a hearing at the youth's request, and the panel can make a decision to either terminate or continue the order. While at the stabilization facility, Mr. Speaker, the youth will be provided with ongoing care and continuous assessment. A treatment plan will be developed in collaboration with the youth within the seven-day period of stabilization.

Youths are returned to the care of their parents or guardians upon discharge, and the treatment plan that has been built in consultation with all of the caring people in this dire and unfortunate situation

will work together towards health and towards happiness of that young person, Mr. Speaker.

To facilitate the anticipated implementation of this legislation, we are going to continue to enhance our programs, increase our investments in service capacity over the coming weeks and months. In addition, we are going to continue to take good advice from parents, Mr. Speaker, from the addictions experts, from law enforcement agencies to ensure a smooth process that works for all involved.

You can see then, Mr. Speaker, that this legislation is about so much more than beds and facilities. It is about a caring environment being provided for a family that is clearly in crisis. It is about ensuring that people are treating families in crisis with dignity and respect and with confidence. It is about educating people who are already experts in addictions in a new kind of legislation and in a new kind of program here in Manitoba and ensuring that families are sensitively cared for and that service providers are safe and equipped to deal with the matter at hand.

Mr. Speaker, I recommend this bill for the approval of the Assembly. I trust that all members will support its passage in the interests of young people and of families in Manitoba, and I am pleased to put this bill forward once again today. Thank you.

House Business

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

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, I wonder if there might be leave to have this bill remain open to return to this bill, and in the interim to call Bill 22 for second reading.

Mr. Speaker: Is there willingness from the House for the bill to remain open and then to return to it after dealing with Bill 22? Is there agreement?
[Agreed]

Bill 22—The Elections Reform Act

Hon. Gary Doer (Premier): I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk), that Bill 22, The Elections Reform Act; Loi sur la réforme électorale, be now read a second time and be referred to a committee of this House.

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

Motion presented.

Mr. Doer: Thank you, Mr. Speaker, and thank you to members of the Legislature for allowing me to proceed with this bill at this point.

Mr. Speaker, I am pleased to have the opportunity to speak to Bill 22, The Elections Reform Act. All of us, of course, believe in a strong electoral and democratic process and all of us who have been elected to this Legislature know the great honour and tremendous responsibility we have to the people of Manitoba who have elected us. Recognizing that, our government is taking steps to ensure that our democratic institutions are enhanced and will continue in a proper way into the future.

This proposed legislation will make voting more accessible so that a greater number of Manitobans are able to exercise their rights. It is also intended to enhance the confidence that Manitobans have in the democratic process, by enhancing the transparency of the electoral process ensuring the accountability of those who are elected by the voters of this province.

The Chief Electoral Officer plays a very important role in promoting democratic participation. With enhancement of this bill, we hope that this will enhance his ability to do so. By increasing voter participation and turnout at elections by using the time between elections to promote the importance of participating in the electoral process, the CEO serves one of the most important roles in a democratic society. It is my hope that the Chief Electoral Officer will be able to serve all Manitobans through this legislation.

Mr. Speaker, this bill contains 74 recommendations that have been made by the Chief Electoral Officer, and I would thank members on all sides of the House who have contributed to specific areas of recommendations. The Member for Carman (Mr. Rocan) has made excellent recommendations on the issue of electors in a polling station. The Member for Inkster (Mr. Lamoureux) is worried about coercion, so we have added that to the bill to deal with his concerns. There are many other recommendations that have been implemented in this legislation or are proposed in this legislation for the purposes of the Chief Electoral Officer dealing with the 2003 election.

*(14:50)

Mr. Speaker, the bill reorganizes The Elections Act. It will promote citizen participation in the democratic process by offering more voting opportunities and making voting more convenient.

The bill makes significant changes to advance voting, such as the increase in the numbers of days when advance voting takes place and where a person can now vote in advance for any reason, making it easier for people to exercise their right to vote. Voter convenience is further increased by allowing a person to vote in an advance voting station in the province regardless of where they may live.

The bill recognizes that Manitobans who live outside of cities and towns are sometimes required to travel significant distances in order to vote. It makes it easier for rural and northern Manitobans to vote by reducing the travel distances for polls by allowing for electors in areas outside of urban centres.

Accessibility will be further enhanced by providing for voting stations to be located in large apartment blocks, making voting easier for residents to vote in those apartments. In addition, students, government employees, members of recognized international organizations who are away from Manitoba for extended periods will be allowed to vote. The bill will require municipal officials to resign their positions before seeking an election to the Legislature.

Mr. Speaker, we are proposing amendments to The Electoral Divisions Act to ensure that the Electoral Boundaries Commission, which is an independent non-partisan body, has the ultimate decision-making power over the designation of electoral boundaries. When the Electoral Boundaries Commission makes its report on new electoral boundaries for Manitoba, those new boundaries will automatically become law at the final first dissolution of the Legislature after the year of the report was made. An act of the Legislature will no longer be required to implement those changes.

We are also seeking to ensure better representation for rural and northern Manitoba on the Electoral Boundaries Commission by adding the heads of Brandon University and the University College of the North to the commission. Further, this bill empowers the Electoral Boundaries Commission to take into consideration information beyond that contained in the census information if the census did not provide a whole picture of the population of an area. We always welcome advice from the Electoral Boundaries Commission on any reforms that would improve the system.

This legislation is designed to be transparent and improve transparency in the democratic process. To this end, a number of amendments consistent with

recommendations made by the Chief Electoral Officer have been changed in this legislation. This will deal with the issue of loans and deal with the issue of bundling.

Mr. Speaker, the rules respecting government advertising during an election are tightened up. Also, rules dealing with child care costs are fully eligible for reimbursement without coming against an individual's claim or limit so that people who have the added challenge of child care will not have that as a financial impediment to running. Rather, this will be an incentive for having, dare I say, more parents running, including, I guess, for this Legislature, an attempt to have more women run.

An independent commissioner will investigate complaints about possible contraventions in The Elections Act and The Elections Finances Act. Parties will be able to get an opinion from the Chief Electoral Officer about whether activities comply with the act prior to proceeding with an action. That is similar, of course, to the Conflict of Interest Commissioner with the Province of Manitoba.

In addition, amendments to The Legislative Assembly and Executive Council Conflict of Interest Act will require members of the Legislature to disclose additional salaries that they may receive from a political party. Mr. Speaker, the ballot is a sacred trust between voters, the candidate and the party which receives their support. This is obviously very, very important for us in this legislation.

We also have proposed legislation to deal with a member of a political party crossing the floor. I believe the last incident of that was the former representative from Springfield—

An Honourable Member: I am coming, Gary; I am coming.

Mr. Doer: No, we do not want you. No disrespect, but you would not fit in.

—crosses the floor and sits at a caucus of another party. We believe the voters trust, if you run as a Tory, even if you do not agree with their policies, you have to stay with the Tories or be an independent. You cannot cross the floor to another political party. *[interjection]* Well, Mr. Speaker, we will see. The bill will require an MLA who wants to cross the floor to sit as an independent, to not be allowed to join a caucus, or you could have a by-election to get public support.

Another major element of this bill deals with Canada's Senate. We obviously believe in reaffirming the 1876 act to abolish the Senate. We believe that the decision to save taxpayers' money was good then and it is good now. Members opposite will know, though, that the federal government is not necessarily in favour of abolishing the Senate. Members of the Liberal Party are obviously in favour of patronage Senate appointments, but we actually believe that, if there are going to be Senate elections, an all-party committee should debate the manner in which those are established.

Mr. Speaker, we want an all-party committee to look at the issue of Senate elections here in Manitoba, and we want to ensure that issues of representation and proportional representation for voting are considered by the all-party committee. If the Government of Canada decides to move in the direction of democratically elected members of the Senate, Manitobans must be involved in how that is going to happen.

I would suggest this bill, when it is passed, will be timely in ensuring that we have a proper framework within Manitoba, within the Constitution of Canada, for the six senators that are in Manitoba. I would point out, Mr. Speaker, that of the six senators in this province, I believe five are located very close to Wellington Crescent in Winnipeg, and there might be some issues of regional representation. No disrespect to the Member for River Heights (Mr. Gerrard), but he has more senators than MLAs in his neighbourhood, but they are all good people, I know that.

Mr. Speaker, we also would want to see Senate elections follow the ban on union and corporate donations.

Mr. Speaker, we believe we have brought in support for these amendments for the members of the public. I want to thank all members for their ideas that are incorporated within this legislation. I also want to thank the Chief Electoral Officer for writing this legislation in a way that is more, how should I say, plain language-ish and is more easily understood.

I want to thank my members, especially in northern and rural Manitoba, who have fought for decades to have greater representation outside of the city of Winnipeg on the Electoral Boundaries Commission. Rural and northern Manitoba want in and they are in with this new Bill 22.

I commend it to everyone. Thank you, very much.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I guess I would kind of start off when the Premier said that all of us believe in a fair and democratic institution, and I like to believe that all of us do have a sincere way of wanting to see the right thing being done to enhance our democratic system, but I could not in good conscience say that that is the case amongst all members inside this Chamber.

When I am talking on this bill, I want to talk about three things: the things that could have been in this legislation, the things that are in this legislation that should not be in the legislation and the good things.

I am going to start off by commenting on some of the good things and, first, by acknowledging that we do have a wonderful institution in Elections Manitoba who have just done an amazing job for our province in ensuring that there is a strong democracy in our province, Mr. Speaker.

I had the privilege of working directly with some of the individuals, the staff over at Elections Manitoba, because my leader actually had appointed me, a number of years ago, to an advisory committee, and I had the opportunity to discuss some of the things that this legislation, in fact, is actually talking about, Mr. Speaker. In addition to that, you know, I was requested by my leader and I was actually very happy to spend last summer trying to get a better understanding of what Manitobans have to say about democracy and electoral reform.

* (15:00)

I can say I have had presentation from individuals that came from all political parties, Mr. Speaker. I know the Member for Steinbach (Mr. Goertzen) even participated in one of those meetings, and I welcomed that participation. I can tell you that whether it was the Green Party, the New Democratic Party, independents, I had the opportunity because of the trust and faith that my leader had in me in going out and getting what I believe and putting together some thoughts and ideas in the form of a series of recommendations, Mr. Speaker. But I want to be able to, first, as I say, talk about some of the positive things, some of the things that came through the advisory committee that ultimately are inside this legislation.

One of those things is voter accessibility. I think that the more that we can allow for people to vote

conveniently, the better it is. I can tell you, I have very strong reservations for voting over the Internet. I do not think that that is something which we should be moving towards. The reason for that, Mr. Speaker, and I have shared this opinion with many people, is that the moment that you allow and you assign out passwords or anything of that nature you are going to disenfranchise individuals that could, in fact, be intimidated to surrender for a wide variety of reasons their password, which would enable some to have more than one vote and some voters to be disenfranchised. So that is something that I know a lot of people like to talk about as a thing of the future. I just do not think that that is a thing of the future. I am open to be convinced of it, but it has to be some fairly strong arguments.

But there are other things that we can do in this legislation. For example, allowing individuals to vote at advance that are not in their constituencies is a very strong positive. The reason why that is a positive, Mr. Speaker, is that now, in theory, in reality you can have Elections Manitoba establish an advance poll or a voting station in a mall. If you were to go into, let us say, the community of Brandon and look at a shopping centre there and say on this such and such a Saturday you can go and vote. This is where people are going. It is convenient. There is a real opportunity there. You can expand that to include other possibilities. My suggestion to Elections Manitoba is that this is an issue that should have some sort of a discussion with the advisory committee because some places might not necessarily be appropriate, while other places would be appropriate. Shopping malls, I would argue, are indeed an appropriate place.

Increasing the number of advance days, again, is great. I would hope, one of the other nice things about the legislation is it talks about allowing for our Elections Manitoba people to go out between elections and promote elections and for people to get more involved and so forth. I think that that is a very strong positive and would encourage that to take place.

There are other areas that are, in fact, good. But because of time constraints, Mr. Speaker, I want to go on to a couple of others. Well, before I do that, I should comment about the Electoral Boundaries Commission. I do think that that is, again, a very positive step. By increasing, and then after increasing it, allowing for whatever the commission brings forward, to enact it for the next provincial election. So the moment that the writ is dropped, those

boundaries then would take effect. I see that as a positive thing. We should not have required that commission to bring forward the boundaries to the Legislature in which we would have to pass another act in order to enact the new boundaries. So that is another positive.

Having said that, I did, before I go on to the other issues, commend those individuals that participated in bringing forward what I think are fairly positive changes, and there are a number of those some of which I have made reference to, and their efforts at making our elections a little bit better.

Mr. Speaker, I want to talk about a couple of the things that are in the legislation that surprised us. Of course, none of this came from the Election Advisory Committee, and one has to ask the question, why not? If The Elections Act and The Elections Finances Act are supposed to be apolitical types of pieces of law, one would think that the government of the day should not have the mandate to arbitrarily make decisions that will have a significant impact. There a couple of things here that do have significant impacts.

The Premier (Mr. Doer) talks about crossing the floor, and he is now, through the passing of this legislation, going to make it illegal to cross the floor in a traditional fashion. Well, I believe the Premier has done that because he sees a lot of public support for a statement of that nature, but I think at the end of the day it is actually a disservice to this Chamber.

You know, I myself am not a big fan of individuals who would cross the floor, but, having said that, people do it. They do it for reasons, and it is not for me to pass judgment on those reasons. I would just as soon empower the constituents of those individuals to pass that judgment. The way that you do that is forget about making it illegal to cross the floor. Rather, bring in recall legislation. If you had recall legislation, Mr. Speaker, crossing the floor would not be a problem, and it has a proven track record.

Allowing for recall legislation in B.C. has worked exceptionally well, and the one case where it was pursued—*[interjection]* The Deputy Premier (Ms. Wowchuk) says she does not know about that. She should check the facts. What the Premier and this government have done is they put their finger in the air and said, well, because of what is happening in Ottawa, we can make a very strong political statement by saying we will make it illegal to cross the floor. Mr. Speaker, the only reason the Premier is

doing that is because of what he has seen in Ottawa. It has nothing to do with the Province of Manitoba.

He makes citation of 1988 when Gilles Roch crossed the floor. Well, individuals cross the floor for whatever reasons. I suspect on occasion some of those reasons might have been justified, whether it was Liberals that crossed the floor to this government in the past or Liberals that crossed the floor to New Democrats in Saskatchewan or others that have crossed the floor to the NDP for the province of Québec, I believe it was, at the national level.

Mr. Speaker, if the government was serious and really wanted to address that issue, all they have to do is allow for recall. Then, if an individual chooses to walk the floor, their constituents would have the opportunity to recall that MLA. But the problem with this government is they realize that by bringing in recall legislation, it deals with more than just crossing the floor. It deals with true accountability and that is what this government is afraid of. They see the political opportunity to try to gain votes in a cheap way by bringing in this particular amendment, but when it comes to real accountability, when they have the opportunity to bring in recall, they back off. I say shame on that because that is the way that you are going to ensure real accountability whether you are an incompetent minister or you are a floor walker. That is the way you do it. You do not make it illegal to cross the floor. If an MLA has the opportunity in the sense of a rationale, that he or she believes he or she has to do it, they should not be denied that opportunity. I truly believe that. Winston Churchill, from England, crossed the floor twice, I am told. So the legislation that the Premier (Mr. Doer) is bringing in one has to question.

Mr. Speaker, then he brings in Senate reform. Why does he bring in Senate reform? Again, because he realizes that he can get some votes by making that suggestion. It is interesting. It is very interesting. You know, my leader is on the record talking about an elected Senate, I think a substantial piece of change to the legislation. Why was there no discussion about it? Why sit in the back and say, well, we are going to—the element of surprise and just kind of throw this out on the floor. Why did the government do that? Why would they not either go to the election advisory committee or consult with the other political parties? *[interjection]*

Mr. Conrad Santos, Deputy Speaker, in the Chair

* (15:10)

Well, the Member for Elmwood (Mr. Maloway) is right. They wanted to surprise us. Well, Mr. Deputy Speaker, there is really no surprise. All political parties in the province of Manitoba at the provincial level support some form of elected Senate. The only surprise is that the provincial NDP seem to have changed their attitudes towards it. That is the only real surprise.

So this is something in which the Premier (Mr. Doer) should have been in consultation with the Opposition Leader and the Leader of the Liberal Party, I would ultimately argue, Mr. Deputy Speaker, with representatives from all political parties. He should have had it go back to the elections advisory committee or something of that nature. But, if the time did not fit his agenda, then bring it up with the leaders of the respective parties and see if, in fact, you can get that support and get whether it is a release or that consensus, as opposed to trying to say, oh, here is my idea, and I want to take the credit for it, and so forth.

So why did the government bring it in in that way, Mr. Deputy Speaker? Well, as I indicated, there were some nice things in the legislation. There are some things that we question in the legislation, and then there is that huge gap of what the Premier is missing. This is really where I go back to his opening comments when he said, well, you know it is all about fair democracy. I truly believe it is a privilege for me to be inside this Chamber. I appreciate it. When people ask me what it is like to be an MLA, I often say that I am truly blessed in the sense that this is something that I enjoy doing. I thrive on it. It is a wonderful opportunity just to be able to go out and talk to people and be able to express opinions inside this beautiful Chamber, and so forth. It is, indeed, a privilege. It is a privilege that is worth fighting for, and what allows me to be here is democracy.

When I see where the democracy has taken a backwards step, I believe it is important for me to bring it to the attention of this Chamber and, in fact, to my constituents, Mr. Deputy Speaker. The Premier consistently—and before I get into the big one, I am going to talk very quickly—an opportunity in which he could have made a bit of difference is he could have done what other provinces are doing, and that is go towards a fixed date. You have both opposition parties inside this Chamber saying that we need fixed dates for elections. There are a multitude of reasons why there should be fixed dates, a multitude of them. The bottom line is it puts all

political parties on a more level playing field when it comes time for elections.

But there are a multitude of them, and I say there are a multitude because you have other provinces that are moving ahead on us, Mr. Deputy Speaker, on this particular issue. They have determined, yes, that it is a good thing and they have set dates. Manitoba is way behind on the issue of fixed election dates. Why is that not brought into the legislation? You have two other opposition parties that support it. It is just this government, it is just this Premier, that does not support fixed election dates. If the Premier wanted to do something positive, he could have done that. Even Jack Layton, his federal leader, supports that. There are opportunities, and this Premier (Mr. Doer) has had opportunities to do some good things on his own. If he is going to take some stuff on his own, why did he not make that commitment? It is disappointing.

But, really, Mr. Deputy Speaker, the thing that I really want to talk about is when I believe this province took a huge step backwards on democracy. I believe that all MLAs in this Chamber really need to get out of their political parties and start thinking in terms of what is healthy for democracy in our province. I am telling you that there was legislation that ultimately led to an unlevel playing field for political parties inside this Chamber, and the Premier is very, very much aware of that. It is one thing to say we are going to ban union donations, we are going to ban corporate donations. It is another thing when your intent is to cripple every political party in the province of Manitoba with the exception of your own. That is, in fact, what the New Democratic Party has done.

Mr. Deputy Speaker, proof is in the pudding. If MLAs and the NDP caucus had an ounce of integrity and respect for democracy, they would pay very close attention to what is important to democracy, and that is that there has to be a level financial playing field.

If you truly believe that that is the case today, Mr. Deputy Speaker, I would challenge any member of that caucus to attend any sort of a forum which is open to the public and to make that statement with me there and provide the opportunity to have a good thorough debate. *[interjection]* Oh, the Minister of Health (Mr. Sale) gives an "aw." You know, the Minister of Health we know does not care about democracy. He really does not care about democracy.

Maybe we should talk about floor walking. You know, there is floor walking while you are an MLA, and maybe there is the changing or shifting of political parties before you become an MLA.

Mr. Speaker in the Chair

Mr. Speaker, I do not think the member from Crescentwood really understands—[*interjection*] Or Fort Rouge, my apologies. The Member for Fort Rouge (Mr. Sale), I do not think he really understands or supports the need for equality when it comes to democracy in the province of Manitoba, because if he did, he would not have made that disrespectful remark.

Let me make a suggestion to all members, Mr. Speaker. If you change the legislation to enable one political party to have a huge advantage over every other political party, is that healthy for democracy? That is, in fact, what happened. I want to go to the last provincial election and all of us know the outcome of it. Well, let us talk about advertising dollars. The NDP spent \$558,337 on advertising. The Conservatives spent \$139,842. The Liberals spent \$97,750.

Mr. Speaker, if you add up the two opposition parties' expenditures on advertising and you times it by two, the NDP still spent twice as much. They see that maybe as a positive thing. I see that as a shameful, shameful way to run a democracy, and if you believe it is just as simple as just spend more money on advertising, my response is, shame on you, because then you do not understand the principles of democracy. You really and truly do not. [*interjection*] Yes, it has an impact on the number of seats, and that is what this legislation is missing. Someone said, well, what about the federal Liberals? I will tell you something. The federal Liberals had the courage to at least bring in annual operating grants for political parties. Where was the NDP government on that? [*interjection*] Well, we are talking about a financial level playing field.

You know, in the province of Québec, Mr. Speaker, they did the same thing. They banned corporate and union donations. They did the same thing, but, again, they brought in annual operating grants. Not this government. Why? Because they knew it was going to have that type of impact. The desired impact that they wanted they got, and as a result they were able to do so much more.

I will tell you, if something of this nature occurred in some of those Third World countries,

Mr. Speaker, there would be international media attention about dictatorship and so forth.

Point of Order

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

Mr. Jim Maloway (Elmwood): On a point of order, I would like to ask the member whether he would enlighten the House as to how much per voter he would recommend as a subsidy for operating a party.

Mr. Speaker: Order. Points of order are not to be used for debate. Points of order are to point out to the Speaker a breach of a rule or a departure from practice. The honourable member does not have a point of order.

* * *

Mr. Speaker: The honourable Member for Inkster, to continue.

* (15:20)

Mr. Lamoureux: Yes, Mr. Speaker, that is a very good question and I appreciate it. Let me make the suggestion to the member and I will give you a specific answer. You have a choice. You either allow all political parties to be able to get the money from wherever they can which I do not support—I support banning union donations and corporate donations—or you ensure that there is adequate public financing so that all political parties are on a level playing field.

An Honourable Member: That is a huge cost.

Mr. Lamoureux: Sure, but democracy costs money. We need to acknowledge that, right? It costs us, what, about \$150,000 to have one MLA. Is one MLA salary too much for an annual operating grant when you have 57 MLAs? Your democracy would be healthier if you reduced the number of MLAs inside the Chamber, and you can re-allocate some of that money you are paying MLAs to operational annual grants, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Lamoureux: So the Member for Elmwood (Mr. Maloway) poses a question in how much. I believe you have to establish, first and foremost, a base based on the percentage of a vote that a political party gets.

An Honourable Member: How many dollars is that?

Mr. Lamoureux: Well, federally, I am not 100 percent sure of the actual amount. But I think, first and foremost, you have to establish a base. Once you have established that base then you attach a dollar value to it. So it depends in terms of how much you give in that base. If you give a base value of, let us say, \$50,000 based on 8 percent of the vote or 5 percent of the vote or whatever that is, then you might assign a value of anywhere from 50 cents to a vote to \$1.25 a vote, whatever it takes in order to ensure that there is a sense of equity amongst all political parties.

I am suggesting to you that there is not equity today. So, if you truly believe that democracy is important to this Legislature, Mr. Speaker, I would suggest to you—*[interjection]* Well, the Member for Elmwood suggests an amendment. I approached the government about making amendments, not only to this, but some other simple amendments. I will tell you, here, let me give you an example of one of the amendments. I was approached by the government, well, if you want to make some amendments we are open to amendments. Well, there is one clause that we have that says as a candidate you need to get 100 signatures in order to register to be nominated. Everyone is familiar with that one, right? You have to get 100 signatures. Well, you go out and you get 140, 150 signatures, just in case some of them do not happen to be in your constituency.

Well, the advisory committee in which members opposite, the NDP, have representatives on, right, and even if you look at other provinces where it is a much lower number, 25, I said would we look at that. Of course, the instant response was no. The Conservatives supported it. Your party, the NDP, supported it on the advisory committee. Elections Manitoba, from what I understood, supported it, but not this government. Why? Because anything it takes to make it more difficult for political parties, they are game for because they are the party in power. If it is to their advantage because they are in power and they want to stay in power, they are going to exploit that opportunity. *[interjection]*

The Member for Kildonan (Mr. Chomiak) speaks very passionately about many different issues. I will suggest to you that democracy is the most important issue inside this Chamber. It might not necessarily be, if you knock on 100 doors, you might not get anyone saying yes to democracy as being the No. 1 issue. But I can tell you they are going to talk about the importance of health care. They are going to talk about the importance of crime. They are going

to talk about the importance of the Crocus fiasco. Well, Mr. Speaker, the way in which you assure accountability is you ensure that there is a healthy democracy. The healthier the democracy, the better the accountability inside this Legislative Chamber.

I have seen the type of democracy that this Premier (Mr. Doer), since becoming Premier, has subjected Manitobans to. It was only a few years ago that we only sat 35 days inside this Chamber. Between elections, when it comes to face-to-face accountability inside this Chamber, between elections is where it is best had, when we can ask and question the government face to face. *[interjection]*

Now they complain, Mr. Speaker, about the bell ringing. Well, let me tell you something. I remember the MTS. I was here during the MTS, and I remember some of the games that were being played by the then-opposition. I remember the Government House Leader (Mr. Mackintosh) virtually hopping over and shaking his fist, going to the Premier. You know, been around long enough, seen your behaviour. I can tell you, you have had some highlights and you have had some low times too, I must say. But you know what, I supported many of your initiatives even when you were in opposition. Believe it or not, at times, I would even see good things that you are doing now. But my job as a member of an opposition is to point out where the government is really falling short. *[interjection]* They are falling short in a lot of areas, to the degree where we need more money to the provincial Auditor's office so that he is going to be able to catch up on the backlog of problems that this province is facing.

But, anyway, I get a little bit off, Mr. Speaker. I am going to suggest to the Premier (Mr. Doer) that the Premier really does need to look at what he is doing in the province of Manitoba on the issue of democracy. I truly believe that he needs to sit down with some—

Only two minutes left. Maybe I could have leave to—*[interjection]* No. Well, I truly believe that the Premier needs to sit down with some individuals that have a heart for democracy in the province of Manitoba and start reflecting on some of the policies that he has implemented that have really been to the detriment of democracy in the province of Manitoba. I do not say that lightly, because I truly do believe at my core that there are some things that could be done that would make things a little bit healthier for

democracy and for those members, Mr. Speaker, that are in the position of power, to reflect maybe on what is happening in Ottawa, and to see what people like Ed Broadbent and others have to go through to try to get some issues dealt with.

The NDP has an opportunity here. You have the word "democratic" in your party name. I think that you need to start living up to some of the things that you talk about, because in many areas they have not done that. I can honestly say that I have had a number of New Democrats, strong New Democrats, express disappointment in this government's dealing with democratic reform in the province of Manitoba. I say that because I believe that they need to be listened to, that there are things that this government could be doing that would make democracy healthier in this province.

Some of the actions that the government has taken over the last few years have been to the detriment. I can tell that if some of these actions were to take place in a Third World country, international media would be talking more about a dictatorship. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to comment briefly on this bill, which deals with the issue of electoral reform. What I want to start with is the question of Senate reform and elections for the Senate.

The Premier (Mr. Doer), in his discourse, as he seems to try to do very often with trying to suggest things which are not accurate, first of all, I am on record publicly as supporting an elected Senate. The Premier tried to provide the opinion that I was supporting something else. So, first of all, let it be very clear that I am a proponent of an elected Senate, and that is where my views are.

The second piece of incorrect information that was put on the table that I thought I had better correct, there are six senators the Premier alluded to. Three of those were Liberal appointees. One of those Liberal appointees' residences is in Fort Rouge, an NDP constituency. The second Liberal senator, for most of her time in the Chamber, has had a residence on the shores of Lake Winnipeg, and I believe it is the Lac du Bonnet constituency outside of Winnipeg. The third has a residence near St. Malo, speaks French and represents a Francophone community around Manitoba.

* (15:30)

I am not sure where the Premier got his information that five out of the six senators live in River Heights, but the ones that were appointed by the Liberal federal government, clearly not one of the three is residing in River Heights. So, at least, let us correct the record. Maybe when the Conservative MLAs get up to speak on this bill, they will talk about the residences location of the Conservative senators, because I am sure that they are familiar with those residences.

The second piece that I would like to comment on is our view within the Liberal Party that there should be four-year timing for elections and that the dates should normally be set ahead of time, as is now done in British Columbia. We see this as a serious omission from this legislation.

We hope that the NDP government would look kindly on an amendment that would bring in this sort of change in order to provide for a time each four years, and, of course, as in British Columbia there would be adjustments if there was a minority government and the government was defeated. But, certainly, from our perspective that would allow candidates to plan better in terms of when the election is going to be. It would take away the power which the Premier himself has used in a rather arbitrary fashion. The last election in 2003, was called after three and a half years. It was not even four years. It was not five years. So the Premier used his arbitrary decision making to call the election at three and a half years.

There are rumours that the Premier might want to call the election this June which would only be three years. So what we are saying here is it makes sense, in order to have better democracy, to have elections on a set four-year interval so that all parties can plan on a fair basis and we end up with a system of democracy which is an improved system of democracy.

The third piece of this legislation which I would like to comment on is the provisions which provide for a ban on floor crossing. We see this as a move by the Premier to put a fence around his MLAs because he is scared that some of them may leave. We think this is curious. We do not have to worry on this side. Kevin and I are determined to continue to represent the Liberal interests in this province. We are going to build this party and, in time, we will be the government of this province. We believe that there is an alternate approach.

But, before I talk about the alternate approach, let me talk a little bit of history. The interesting thing is that there was a time in this Legislature, Mr. Speaker, when an MLA for St. Boniface, Larry Desjardins, who was elected as a Liberal MLA, crossed the floor and served in the Cabinet of Ed Schreyer. Clearly, it would be an advantage to us, as Liberals, under such a circumstance to have prevented Larry Desjardins from crossing the floor and becoming a New Democrat, but in spite of the potential advantage to us as the Liberal Party, we believe that there is an alternate approach which is fundamentally more democratic. That alternate approach has now been tested and found to work in British Columbia.

That approach is using recall measures, and those recall measures can be applied not only under circumstances where somebody moves from one side to the other, but they can be applied where an MLA is delinquent in their duties or does something which is totally unacceptable to their constituents. This is a process which has now been in place for a number of years in British Columbia and it has been effective.

There was an MLA who tried to write in letters under not his own signature but under some signatures that he got from—[interjection] I do not know which party he was from, but the fact is that when there were sufficient signatures to recall this MLA, he quit, and, effectively, it was a means of providing democracy for whatever party. It is something that I believe we should look at more seriously here. [interjection]

The MLA for Selkirk calls recall legislation a joke. Is he concerned about being recalled if we brought it in? Is he concerned about not having done his job adequately? Well, I am not going to speak to that. That is the responsibility of his constituents to judge. There is a fundamental responsibility, we would suggest on this side of the House, of MLAs to their constituency and that an appropriately designed, as has happened in British Columbia, mechanism for recall would be a reasonable addition to this bill.

I could mention on the floor-crossing issue that Winston Churchill crossed the floor twice. Are we going to ban the Winston Churchills of the future? He ended up providing rather inspired leadership as a Prime Minister in England. We would benefit from looking carefully at what happened with Winston Churchill and why there may be circumstances where Winston Churchill might have argued that his party deserted him on certain critical issues to which

the party had responded. I recall a former federal Conservative Party brought in the GST, and one of the members of Parliament in that Conservative caucus decided and made the case that his party had deserted him, because he had a very firm stand against the GST. [interjection] Well, we may as well look at the facts as they have occurred in the history of Canada, in the history of our province.

So I think that this is an aspect which needs to be looked at carefully, and we are already aware that there have been writers in the *Free Press* who have come out arguing against putting MLAs in straitjackets. We know that the government is a government which wants to control their caucus, which wants to control all their MLAs and needs to have all the control tactics and techniques that they possibly can. We would suggest, Mr. Speaker, that this needs to be looked at more carefully and that recall would be a superior option because it is based on good, democratic principles.

* (15:40)

Let me move on to comment, for a moment, on the issue of voting in advance polls and having advance polls that can be—people can go anywhere around the province. I think that this is a sensible provision which should be supported, but there is a caution here. Sometimes New Democrats are known for bringing in provisions which are good provisions but they have not carefully thought about certain aspects of the applicability and how these would work. Clearly, it is going to be very important that there are measures which would be in place, so that you restrict the ability of people to vote twice or the likelihood that people would try and vote twice. Although there are laws, clearly, against voting twice, and people need to be aware of that, the care needs to be taken to make sure that appropriate identification is clearly provided, that there are no mistakes made, that there are no problems which arise from trying to implement such a measure, which is basically a good measure, but if not done carefully may have some problems.

I now want to move on and discuss for a moment one of the, what I would say is, significant issues. This is an issue that we raised in the last election. I believe that the bill does not adequately satisfy the concerns which we had in the last election. This is the issue of the advertising by government during an election period. Last election, the election was called, and then, lo and behold, right

after the election was called, this was in 2003, there were government ads, and they were pretty darn close to election ads. They were promoting the government. We were, and are, of the view that those ads should count as election ads and that such ads and the expenses and costs of such ads should be included as election expenses by the party; in the case of 2003, the party which was putting those ads on, of course, being in government.

Now, the opposition does not know precisely when the election is going to be called. We may be able to make some intelligent guesses, but we are not in a position to abuse this privilege of government advertising in any event, right? So the only party in the 2003 election which was in the position to abuse this privilege of the use of government advertising during an election was the NDP party. In our view, they sure abused it.

Well, clearly, let us give them this much, that the NDP recognized that they abused it because they brought legislation which talks about it. This is a recognition that there was a problem last time around because they now have, let me just read this briefly, Section 56(1) which deals with government advertising and publications in a general election, says: "During the election period for a general election no government, department or Crown agency shall publish or advertise any information about its programs or activities unless the publication or advertisement (a) is required by law; (b) is required at that time (i) to solicit proposals or tenders for contracts or applications for employment with the department or agency, or (ii) because it relates to important matters of public health or safety; or (c) was contracted for by a Crown agency before the writ of the election was used and is related to the agency's business plan."

Now, the (c), which deals with contracts for or by a Crown agency, "before the writ of the election was issued and is related to the agency's business plan." Now, here is the loophole which we are concerned about, that they have opened things up so that Manitoba Hydro can talk about all the good things the government has done, that the Manitoba Public Insurance corporation can talk about all the good things the government has done, that Manitoba Lotteries Corporation can talk about all the gambling that, well, I guess government or others have done, and, clearly, there is a problem here. There is a problem in that the government had appointed many of the members and virtually all of the members of some of these Crown corporations, and in some cases

there are even MLAs who are on the board of directors of a Crown corporation. So there is a direct link between the government and the activities of a Crown corporation. So here we have the government who have given themselves a loophole.

Now, Mr. Speaker, this is one of the reasons why our suggestion that there be set times for elections would make some sense. Then the Crown corporations would know exactly when the election is going to be. There would be no excuse for having Crown corporations doing advertising during an election. So here is a responsible way to approach this. I mean, there may be other ways that the government could handle this, but I think that here we need to recognize that there is an area here which is still open for potential abuse by the governing party and by the NDP. Clearly, with the NDP having appointed the board of directors, even having MLAs on the board, I mean, it would be quite easy for them to plan a strategy where there is a lot of Crown corporation advertising coming along right at the time of an election.

They would plead totally innocent, but we would know. We would know that they have appointees. We would know that in some cases they have MLAs on these boards. We know that the NDP are sneaky, and we need to make sure that the abuse of power which we have seen in the past—we are talking here about the provincial NDP government and the problems that we have seen during the last mandate of this NDP government.

Certainly, in terms of our concerns, there are some real concerns about this legislation which we would suggest needs to be addressed and considered, and we will certainly welcome the discussion that will happen at committee. We will hope that there will be some good, strong political scientist who will come forward with an interest as well as many members of the public because this is all about the rights of citizens.

But do you know that we have a problem in the way that this government is running? One of the problems is that the poor support of the University of Manitoba is resulting in a situation where we do not have the academic staff, professors, associate professors and assistant professors who actually specialize in Manitoba politics. We do not have sufficient numbers and this is clearly important for good democracy and good politicians in this province. *[interjection]* Well, there are two who left to go to Calgary not very long ago.

* (15:50)

You will be interested to know that a student, a Manitoba student, who finished his master's degree in political science, wanted to go on and do his Ph.D. here at the University of Manitoba in political science, and he could not do it because they did not have a Ph.D. program in political science dealing with Manitoba politics. They did not have the staff who could supervise him because that was his interest. It was in Manitoba politics. So he has had to go with his supervisor, interestingly enough, to Calgary. He has had to go to Calgary in order to do his Ph.D. on Manitoba politics, all because of the ineptitude of this government. I mean, it is sort of strange that a student who wants to do his Ph.D. in Manitoba politics now has to go to Calgary in order to do his Ph.D. in Manitoba politics.

This is a strange view of the world from this government, and clearly when we are talking about social sciences, we should have sophisticated academics in social science doing research on what goes on here. Clearly, they do not want to have research to follow things here. That might reveal something that was a problem. That might uncover things which they do not want people to know.

So there are some real problems with the way that the NDP are running this province, and this bill is an opportunity to highlight of some of those problems that have arisen here because of the ineptness of this government.

Let me talk briefly about one of the other provisions here. This deals with the revision period. This is Section 77(1). It says six days are provided for the revision of the voters list. The present act only allows for four days for revision. Now, Mr. Speaker, while we appreciate the difficulties of doing the revision in four days, we have a concern because what this will do is delay the availability to candidates of the voters lists by an extra two days. This, clearly, will give an advantage to the governing party as opposed to opposition parties. *[interjection]*

No, but there is no doubt that the governing party with more members, MLAs—and it may be that it is to the incumbent to some extent—but with more MLAs, they will have better data bases, by and large, for constituencies in which the opposition would like to unseat them. Delaying the availability of voters lists makes it more difficult to run today's campaign where we are working with electronic voters lists, and all of a sudden, you have got to switch from one voters list to another at the very last minute in the

way you work. I think that the fact of the matter is that this clause needs to be looked at in terms of how we can get voters lists to candidates as fast as possible and—

An Honourable Member: That is just federal, right?

Mr. Gerrard: No, this is this. There are electronic voters lists provided by the Chief Electoral Officer here, but they will not be provided now for two days later than they would have been in the last campaign, and the campaign is very short as it is. So, I mean, this is an issue in a 33-day campaign.

Okay. I need one more particular point that I want to comment on, and that is Section 96. It says the Chief Electoral Officer may add false information to the voters lists in order to trace unauthorized use of the list. Now, this is a sneaky way for the Chief Electoral Officer to check unauthorized use of the list, but what I would suggest is that this clause needs to be looked at and considered because it is a privilege which is given to the Chief Electoral Officer which there needs to be safeguards against the use—I think that we on this side do not object if what it is going to do is to prevent the NDP from using a false name and pulling somebody out to vote. That is a good way of checking that the NDP is not doing something which they should not be doing.

But we have some concerns when we see these sorts of measures that there are some restrictions on this being used, the extent to which it is used, how it is being used. I think that it is fair and it is important that MLAs and others are fully aware of this use, that people understand that there are very clear restrictions on the use of this list and that those restrictions have to be followed.

But we also want to make sure that things are done in a fair way, not only in terms of political parties but in a fair way by the Chief Electoral Officer, so that the powers, whether it is of government or of the Chief Electoral Officer, are not in any fashion abused.

That really is the fundamental reason why I think that it is important when we are looking at this bill that we look at these clauses quite carefully and that we ensure that the proper safeguards are in place to protect the interests and the rights of candidates, of MLAs, as well as to provide revisions to the electoral act which are going to move it forward in terms of the democratic process.

So, in summary, Mr. Speaker, then, I have talked about a number of the clauses. I would say that in general there is much in this bill that we are certainly prepared to support. We are for better democracy in this province. We think that the governing party could even have looked at what other provinces are looking at, and that is revisions to the electoral system that were looked at in British Columbia and is being looked at in other provinces.

But, clearly, let us move forward. We are here to put our comments on the record and we hope that the Conservatives will be ready to speak on this bill shortly to put their comments on the record, too. Thank you, Mr. Speaker.

Mr. Peter Dyck (Pembina): I move, seconded by the honourable Member for Turtle Mountain (Mr. Cullen), that we adjourn debate.

Motion agreed to.

Bill 36—The Youth Drug Stabilization (Support for Parents) Act

Mr. Speaker: As previously agreed, we will now revert to Bill 36 that we had been continuing, so I will call Bill 36, The Youth Drug Stabilization (Support for Parents) Act.

Mr. Kelvin Goertzen (Steinbach): It is indeed a pleasure to rise this afternoon to put a few comments on the record regarding Bill 36. I have listened with some interest as members opposite, through the last number of days in talking about the budget, have tried hard to rewrite history, as it were, have tried to now pretend that they are somehow in the forefront and leaders in trying to develop initiatives on the drug known as crystal meth. It truly is a revisionist history, Mr. Speaker, when you look at the facts about how this strategy developed.

I remember clearly, about a year ago, maybe a little more than a year ago, going down to the United States to Minneapolis and hearing about the difficulties they were dealing with crystal meth. I met with one of the law enforcement officers there and I asked him the question. I said, in terms of drugs in the city of Minneapolis, what is it that you are particularly dealing with? What is the kind of problem you have with cocaine? I was surprised when he responded by saying, well, we do not have a significant, relatively significant problem with that particular drug.

* (16:00)

I asked him about heroin. Again, the answer came back, and he said, well, I mean, sure, there are some heroin issues within this city, but it is not as significant as other issues. So I finally said, what is it that you are dealing with in the city of Minneapolis? He said meth. Everybody is doing meth who is doing drugs in the city. He said we could go to the hospitals and we could see the addicts who are waiting there to get that sort of treatment. He said you have to be careful and get prepared now, if you have not already done things, in terms of getting education out about the drug in Manitoba.

So I returned home thinking, perhaps, that I had missed something, and that somehow the government was already on top of this issue and that they were getting information out. When I raised the issue here with the government, it was sort of a stunned response. They had heard of the drug crystal meth, but there was no strategy in place.

So I took it upon myself as one individual legislator to start setting up meetings, first in my own area, my own constituency of Steinbach, and started having these meetings. It was funny, because I went to the government officials to try to get some information, some brochures to hand out at this meeting to educate parents and young people about the drug crystal meth.

An Honourable Member: What did you get?

Mr. Goertzen: What I got? The Member for Carman (Mr. Rocan) asks, what was the response? The response was nothing. There was nothing. There was no information here in Manitoba regarding crystal meth.

So what I had to do is, and this will be abhorrent to the members opposite, I had to use information from that horrible jurisdiction that they speak about so often, the United States. I had to photocopy information that was given to me by law enforcement in the United States and bring that to meetings to educate Manitobans. I know members opposite do not always like to speak favourably about our neighbours to the south. They like to talk about some of the difficulties in the United States. But I had to go to that democracy, go to that country to get information.

For months, Mr. Speaker, I handed out information, not from Manitoba, but from the United States. I give credit to the Americans who provided that information. It is sad, I think, that I had to go to another jurisdiction to get that information. You

know, I came begging and pleading hat in hand to this government, this NDP government, who sometimes like to pretend that they are the challengers of all that is evil in the world, and I could not get anything. I could not squeeze resources out of the NDP government to get some brochures made about crystal meth.

So it was only after a few months of handing out this American information that we were finally able to shame the government into getting crystal meth brochures done up. It is an interesting parallel actually, and I talk to some of my friends in Saskatchewan with the Saskatchewan party. They say they too had to put out brochures that were not done by the NDP government, and only after months of handing out brochures in Saskatchewan did that NDP government decide, oh, we should get some brochures made up of our own in Saskatchewan and hand out these meth brochures.

So now we see the revisionist history of the members opposite who decide that they want to rewrite their bad record and pretend that they were early on in the game in getting on this issue regarding crystal meth when in fact they came in in the fourth quarter. When the score was already being racked up against us, they decided to enter the game. So I think members opposite should not be too smug.

I look at other issues, Mr. Speaker, like meetings. You would think that the government, who loves to have meetings and loves to have these advertisements promoting this, that and the other thing would have been on top of this and trying to get meetings around the province to educate people about the dangers of crystal meth. When I decided to find out who was doing these meetings, I found out that nothing was happening in government. So we started to organize our own meetings. You know, a group of volunteers in the constituency of Steinbach said, well, we will help you out if the government is not doing anything. So we had a meeting in Steinbach.

When I had this first meeting in the constituency of Steinbach, I talked to one of the individuals in our local media. They said, well, if past history is any indication, you might get 20 or 30 people to come out to this meeting. Well, 350 people came out to a meeting in Steinbach to hear about crystal meth. They were starving for information. Parents and grandparents, I was very surprised to see the grandparents there, were starving for information

that they could not get from this government. So I dutifully handed out the American information that I had because I could not get anything in Manitoba.

You know, the Member for River Heights (Mr. Gerrard) talks about professors who have to go to Calgary to get trained, and we as opposition have to go to the United States to get information on drugs that our kids are facing here in Manitoba. It is like there is a void of government in Manitoba. That great big sucking sound is that vacuum because the NDP are just doing nothing on these specific issues, Mr. Speaker. That is okay. We will take the lead. We are willing to be innovators. They want to mothball these issues. We will certainly take the lead.

So we held meetings and started off in the constituency of Steinbach holding these meetings. Then, you know, we were invited to Winnipeg to hold a meeting because they could not find a New Democrat MLA who was able to do this sort of thing. So we did one in Winnipeg. We went to La Verendrye and we held meetings in La Verendrye. We went across Manitoba. We went to Brandon to talk about these issues related to meth and crystal meth, and we could not find a New Democrat MLA to stand up.

I wonder, Mr. Speaker, what the discussion was within their own caucus. Maybe they thought, well, we should not raise the issue because it looks negative to Manitoba. If we talk about drugs, people might think there is a drug problem in Manitoba. So they put their head in the sand and decided not to talk about it, to do nothing about it and to say nothing about it. But members of the Progressive Conservatives were undaunted as we went forward and said we are going to raise this issue because we knew the facts were on our side. We knew from talking to experts that you can reduce a young person's chance of getting addicted to drugs by 53 percent just by talking to them about the drug; that is it. By simply talking to a young person about a drug, you can get it reduced.

You would think the Minister of Education (Mr. Bjornson), who likes to stand up sometimes in this House and pretend that he cares about young people, you would think that he would have been the voice in his caucus to go forward and say, we need to get on the bandwagon. We should not be scared to talk about addictions. We should not be scared to talk about these particular things that might be inflicting our young people. He is loud here today in the House, the Minister of Education, but he is quiet

when he gets into Cabinet. He says nothing. He sits at the table and he just looks blankly. When others are doing the work for him, he refuses to speak up for young people. But that is okay because we will be replacing him with a government soon that will stand up for young people and that will be proactive on these issues.

So we went around the province and we raised this issue and we learned, we learned from Manitobans. This is a unique concept for members opposite. I was glad to hear we had a new road map introduced yesterday in the Legislature. We have got to get some to some of those members. We do. The importance of that road map—I hope that Brandon is on the map so that we can get one for the Member for Brandon West (Mr. Smith) and he can go home and talk to some of his residents. So we can get some of those maps, maybe for the Member for Gimli (Mr. Bjornson) so he can go home. The Minister of Education, he can talk to some of his constituents. They need a map to listen to Manitobans, to get out there, to get beyond the offices of this Legislature and say, what are the issues that really matter to you.

So I am not surprised that members of this government have a vested interest in getting these road maps so they can find their way back home. Well, we know at election time they will flood home and say, well, this is what we have done for you over the last four years, but their constituents will not be fooled. Their constituents will know, well, that looks familiar. Did I get a brochure from him? Oh, that is right, he is my MLA. I have not seen him since the last election. I have not seen him since 2003, Mr. Speaker. That is what their constituents are going to say. But we are going to say, we have Conservatives who will be there for you, for your concerns, who will not be muzzled by a premier like they have here in Manitoba, who will stand up for these issues.

As we had these meetings, Mr. Speaker, we heard ideas. It is funny, you know? It is amazing that when you talk to Manitobans you get ideas. It is a stunning concept for members opposite. You can actually get real ideas from Manitobans about how to deal with real problems. They do not all just come to the Legislature. You know, the Minister of Energy (Mr. Chomiak), maybe he says, well, if they have a problem they will come to the Legislature. You can actually go out and talk to Manitobans and they will give you ideas. They will really talk to you.

* (16:10)

So one of the ideas that came forward is they said, we heard that in other jurisdictions, whether it is in the United States or other areas, that they restrict the sale of single-source products of ephedrine or pseudoephedrine. I said, well, this is a key issue because, crystal meth or meth, the precursor ingredient is ephedrine or pseudoephedrine. So we listened to it. Here we are as Conservatives, and we are the great party of free enterprise. We are the great party of free enterprise. But it was balance because people were saying, well, you should restrict the sale of single-source products of ephedrine or pseudoephedrine. So we say, how do we do this? Is this important enough that we would call for that restriction? We had a good, lively discussion in our caucus, a free discussion, as we always do about issues, unlike the caucus opposite where members are muzzled and they are not free to speak their mind, Mr. Speaker.

Mr. Speaker, the result of that, after that fulsome discussion, was a decision to come out and call for the restriction of single-source products that have ephedrine and pseudoephedrine, because we believe that it would make a difference in terms of having less meth labs, the labs here in the province of Manitoba, and we could get ahead of the problem.

What was the response from the government, those great fighters for young people. What did they say? Well, you know, we are not really prepared to do that. No, we do not want to go there. That is what the members opposite said. The initial response, and I have come to accept this, the initial response of this government is always: No, it cannot be done; no, it cannot be done. So I just ignore that. I know that that is kind of the default position of the government. I tell the media already: Do not worry, they are going to say no, but we are going to push it on them because it is a common sense idea.

So that is what the government said. The Minister of Justice (Mr. Mackintosh), I believe, was carrying the water on this particular issue. We could say carrying the ball, but he dropped the ball again. He says: No, we do not want to go there. We do not want to be doing these restrictions. We do not think the problem is bad enough, and we have super labs that are really bringing in the issues; so we are not going to be going for it.

But we were undaunted. We, as Progressive Conservatives, know that when you have a good idea, you latch onto it and you go with it, and driven by Manitobans. Manitobans were saying, do not let

this government discourage you. Manitobans were the wind in our sails, Mr. Speaker, on this issue. We sailed around the province, and we have said we are going to push this issue. Lo and behold, all of a sudden one day, I am sitting there at the computer and what comes across, but a news release from the government saying, we are going to have restrictions on the sale of ephedrine and pseudoephedrine.

They saw the light, Mr. Speaker. They finally saw the light. They decided and they realized this was a good idea. *[interjection]* In fact, I have been to Flin Flon actually, and I will tell the member about that story another time. But I can tell you, whether you are in Flin Flon or whether you are in Winkler or whether you are in Steinbach or whether you are in West Hawk or whether you are in Virden, people are concerned. They are concerned about young people. They are concerned about these issues about how to help young people. *[interjection]* The Member for Rossmere (Mr. Schellenberg) says, how come now they are concerned about young people?

I have heard a lot of things from the Member for Rossmere in this House that I did not understand. I will just add this to the list, Mr. Speaker. Another thing I do not understand is when he says, how come now Manitobans are concerned about young people? I would say to the member opposite that Manitobans have been concerned about young people for more years than he has been in the Legislature, probably for more years than I have been on this earth and more years than any member here would care to remember.

I would encourage the Member for Rossmere, I know it is getting close to an election, so, soon he is going to try to get around in his community, I would encourage him to go and talk to parents and grandparents. You know, we sometimes think this is an issue that is isolated to parents. It was interesting, I was in Calgary at a Safe Streets conference, and I think the Minister of Justice (Mr. Mackintosh) was there as well. In fact, I know he was there. I am glad he was there. It was an interesting discussion. One of the drug seizers from I think it was the state of Iowa said that they had tried virtually everything, virtually everything that they could to try to reduce the use of crystal meth in their particular state.

They thought they had achieved all they could with parents and education, and then somebody came up with the idea in their particular department, well, we should talk to grandparents. There was sort of the discussion of, well, do you think that is really going

to help, and as they did their research, they found that there are a good number of young people who are uncomfortable talking to their parents about the issue of drugs, but who are very comfortable in talking to their grandparents about the issue of drugs.

So they started an entire new—*[interjection]* The Member for Selkirk (Mr. Dewar) laughs. Perhaps he does not think that grandparents are part of the solution, and I would say that he is incorrect. They went and they targeted grandparents, and they had information that went out to grandparents to try to help them to get educated.

Now, we are not quite there yet. I see the Minister of Healthy Living (Ms. Oswald) is nodding her head, so maybe that is in the works. I have also heard that there is information specifically for young people in the works eventually, and I hope that is coming. I appreciate the brochures that we shamed the government into producing, the ones talking to your kids about meth. We have not seen the ones specifically for kids, and we are hoping to see the ones for grandparents soon. That is okay. We will continue to shame the government because we do not mind taking the lead on this issue.

Specifically to this legislation then, Mr. Speaker, it is important to see the evolution because while the government wants to pretend that they were ahead of the parade, we really had to drag them to this position. We had to pull them every step of the way. They were kicking and screaming and they were not sure what they were going to do. But we finally brought them here, and we are glad to welcome them to the position that is right and the position that is just.

An Honourable Member: Do not let reality get in your way.

Mr. Goertzen: I appreciate the comments from the Minister of Family Services (Ms. Melnick). But she has far more problems to deal with than what is going on here, particularly this afternoon. I would encourage her to deal with the problems and the chaos that is happening within her own department because we can get to that at another time.

When we talk about Bill 36 and the issue of drug detox—*[interjection]* Mr. Speaker, I remember the day well when the issue was raised about this particular legislation—

An Honourable Member: By whom, Kelvin, come on tell us more?

Mr. Goertzen: Well, I can tell you who it was not raised by. The Minister of Energy (Mr. Chomiak) is wondering who brought up the issue. I look around the House. It was not the Minister of Finance (Mr. Selinger). It was not the Member for Burrows (Mr. Martindale). It was not the member for Broadway. It was not the Minister of Energy. It was not the Minister of Education (Mr. Bjornson). It was not the Minister of Industry (Mr. Rondeau). It was not the Minister of Healthy Living (Ms. Oswald). It was not the Member for Rossmere (Mr. Schellenberg). It was not the Minister of Family Services or the Member for Minto (Mr. Swan). It was the Progressive Conservatives who brought forward the issue. Finally, common sense is the Manitoba Progressive Conservatives—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Goertzen: Thank you very much, Mr. Speaker. The Manitoba Progressive Conservatives brought forward the issue, saying we should have this legislation here in Manitoba. Do you want to guess what the response was? It is silent now. It is silent in the House now. I will tell you what the response was. It was in the paper: Well, we do not think it can be done; we want to see what happens in Alberta; oh, we had better see what happens in Saskatchewan. The do-nothing party, the deny, deny party once again said it cannot be done, the default position. They pulled out their briefing paper. I do not know, it is not Riva anymore who does the briefing papers over in the minister's office, but it would not be that hard to do. *[interjection]* Is it Jonathan who does it? It would not be that hard to do because all it has to say on the top is deny, say no. That is it. But the opposition brings forward an idea, just say no. It is like the old Nancy Reagan: Just say no. That has become the position of the New Democrats, Mr. Speaker. Just say no.

I listened yesterday to the Premier (Mr. Doer) talk here in the House, and very sanctimoniously he says: When we see a good idea, we go with it. You know, when there were good budgets under the Conservatives in the nineties we voted for it.

Every step of the way, when we asked for brochures, no. When we asked for meetings, no. When we asked for restrictions on the ephedrine and pseudoephedrine, no. When we asked for this bill, no. It took months and then suddenly there appeared a light, I guess, to the Minister of Healthy Living.

The light came to the minister out of the darkness, like a shining city on a hill, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (16:20)

Mr. Goertzen: She saw the light and she realized that this would be good legislation, and that we should bring it forward, Mr. Speaker. You know, we have more good ideas for the members opposite. I know they are going to say no right away, but we have a lot of good ideas. One of the problems that is not being addressed by this government regarding crystal meth—and the Department of Justice will tell you that approximately 20 percent of the crystal meth that is in the province of Manitoba is from meth labs, but the other 80 percent is coming from organized crime, whether from super labs on the west coast or from labs in Mexico, and that issue is not being addressed.

As long as this government refuses to deal with the issue of gangs, we are going to continue to have these sorts of problems here in the province of Manitoba. But they do not. They do not want deal with it in a serious way, Mr. Speaker. We look at, well, Operation Clean Sweep. This is a great example of how this government stumbles along from issue to issue. You know, there was the tragic shooting last summer of an innocent bystander who was shot in a gang-related incident, and, suddenly, you know, this Minister of Justice (Mr. Mackintosh), after doing nothing for a year, said, we better do something, whether it is symbolic or not, to pretend we are getting tough on gangs.

So we were fortunate that there was a collaborative effort to come forward with Operation Clean Sweep, something we have been saying for years about having more police on the streets and targeted efforts.

An Honourable Member: That is why you voted against our budget.

Mr. Goertzen: One of the reasons we voted against the budget was because of—you know, this is good. This fall I would encourage all Manitobans to take the opportunity, we are going to be able to see *The Phantom of the Opera* coming back to Manitoba, but we already have the phantom of the officers here in Manitoba. The phantom of the officers is on display and is playing every day here in the province of Manitoba because this government knows they do

not have enough officers to put forward their promises. They do not want to address that issue.

So we talk about Operation Clean Sweep. Today, May 10, is the day that the officers in Operation Clean Sweep are supposed to be going back to the units that they were assigned to. You remember a couple of weeks ago when the Minister of Justice was standing there and he said, we are going to increase fines on speeding so that we can pay for this unit. Maybe the Member for Minto (Mr. Swan), his protégé there, was also at the meeting, kind of scurrying along behind saying, yes, sir, yes, sir, three bags full.

But I talked this morning with some individuals and found out that, in fact, those officers, as of this morning, unless there has been a scrambling to fix the problem, were reassigned back to their original units, and there were only four who were going to be left in Operation Clean Sweep. Only four, Mr. Speaker, and yet the fines are still being collected. The fines are still being collected. The Minister of Justice stands in the House and says, we are collecting the fines for Operation Clean Sweep, and as of this morning those officers, 41 of them, were going back to their original units. Only four were staying in Operation Clean Sweep, and the rationale that was told to me this morning is because they want to review the program over the summer.

They want to review the program. This is a program that the minister said should stay in place because it was working well, and it was going to increase fines for it, and they were going to review the program.

An Honourable Member: What is your position?

Mr. Goertzen: Well, my position has always been clear. You not only fund the officers, but you put in place a program to have real officers, not the phantom of the officers play that we see day after day. You can put a trillion dollars in a budget, but if you do not have a plan to get those officers it means nothing. The Minister for Energy, he knows it, but he stands here and he spins his yarn because he does not care truly about the safety of Manitobans, and he does not really care about putting real officers on the street. He is a key member of the cast of the phantom of the officers that plays on that side every day, Mr. Speaker. *[interjection]*

Well, the Minister of Healthy Living (Ms. Oswald) wants me to wrap it up, so I will give her the wrap-up, Mr. Speaker. I have more to say, and

the member can rest assured I will probably be vocal on this issue again sometime soon. I will probably bring it up again. I know they might not want to hear it, but I will bring it up. I have lots of ideas to share with them, no problem. The Conservative Party is ready to lead the province right now as a surrogate for this government, and after the next election we will truly lead it as the government after the election.

But we have seen the debate, Mr. Speaker, in the House on this bill, and the different positions that have come forward. You know, when we asked this government to move this legislation quickly, and to move it into law so that those who are dealing with drug addiction could actually have help, what did we hear? Well, the Minister of Healthy Living (Ms. Oswald) went into the hallway and she said: Oh, no problem. We can move the bill. We have all sorts of facilities. There will be no issue. We have the facilities; beds are not the problem. We can move the legislation and there will be beds in place.

That is what the Minister of Healthy Living said today. In fact, she has confirmed it since then.

But it is interesting, because then I asked the question of the Premier—*[interjection]* Yes, I did. This is stunning to the Minister of Energy (Mr. Chomiak). Apparently, he was not here in Question Period that day. The question came: Will this legislation go forward? The Premier (Mr. Doer) said: Oh, it cannot because we do not have the facilities. We need to build the facilities and we need the money in the budget.

The minister says we have the facilities. The Premier says we do not have the facilities. Minister says, we have the facilities; Premier says, we do not have the facilities. What a contradiction between them.

I feel sorry for the Minister of Healthy Living because she is probably not allowed to speak at Cabinet, like a lot of these ministers, not allowed to speak their minds because the Premier comes in with his edict on high and places down the hammer and says this is how we are going to do it. So I am sure that she would have stood up in Cabinet, had she had the chance, and told the Premier what she thought; either there were the facilities or there were not the facilities.

So now we are stuck wondering, are there the facilities in place? We are left to believe anecdotal evidence, or the media's evidence, like CBC. Now CBC, that great institution of public discourse, the

CBC phones 10 government-funded institutions here in Manitoba; eight say they have a waiting list, and two do not answer the phone. So we can assume that the two that do not answer the phone must have a waiting list or they would have picked it up because they would have had time.

Now we are going to find out the truth. We are going to find out, when this bill moves to committee, whether or not this bill can be done now to help parents, and whether the Premier was telling the truth, or whether it cannot be done, or that the minister was telling the truth. But we are going to find out, and the truth is going to come forward within committee. The government cannot hide from that because they are going to have to make a position. Either they stand by the word of the Premier, or they stand by the word of the minister.

We know one of them is going to be wrong. We are just going to find out which one of them is going to be wrong. We are going to find out in committee, and I hope, I hope, for the sake of young people that the Premier is actually right this time and this bill can move, it can move quickly, and young people can get the help they need today. I stand proudly as a Progressive Conservative who said we have fought for young people. We have fought to help them with this addiction, and that is the record that we will run on and we will stand on, Mr. Speaker.

Mr. Andrew Swan (Minto): Well, Mr. Speaker, seven long weeks we waited for a Conservative member to get up and speak to a bill. I like the Member for Steinbach (Mr. Goertzen). I have gotten to know him fairly well; we deal on the radio, but I am frankly disappointed that someone who has waited seven weeks to get up and speak on a bill would spend his time on the official record of this province talking about nonsensical self-congratulatory messages, rather than talking about support for children and support for families that is contained in this bill.

Now oftentimes, when a member gets up to speak in front of you, when you do your rebuttal, you are left a snack, you are left a meal. Well, the Member for Steinbach has left an all-you-can-eat buffet, but I am not going to descend to the same level that we have heard from the Member for Steinbach. I am going to talk a little bit about the true history of meth. I am going to talk a little bit about the experiences that other states, that other provinces have had, and I am going to talk about the things that our Justice Department, working with our other

government departments, have done to get ahead of this issue to protect our children.

* (16:30)

Now, briefly, for the Member for Steinbach, he tells us he is concerned. He tells us he has been out in the province educating people. It is a shame he has not been able to educate his own caucus, because, even as he stands here in the House and tells us about how wonderful his caucus is, he has members of his own caucus undermining his position by trying to oppose efforts to put ephedrine and pseudoephedrine products behind pharmacy counters. So I would suggest to the Member for Steinbach that he speak to his members, such as the Member for Turtle Mountain (Mr. Cullen) and the Member for Minnedosa (Mrs. Rowat), and explain the issues to them, because, clearly, his teaching techniques are not working too well in his own caucus room.

An Honourable Member: Point of order.

Mr. Swan: Now—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Kelvin Goertzen (Official Opposition House Leader): On a point of order, for clarification, Mr. Speaker, the issue is regarding multi-source uses of ephedrine, which, if he talks to experts, he will find that that, in fact, is not the concern.

Mr. Speaker: Order.

Points of order are to be raised for a breach of a rule or a departure from our practice, not to be used for means of debate.

Mr. Swan: Yes, I will speak more about the history and about the Member for Steinbach's supposed expertise on this issue later on.

It is shameful, of course, that now the Conservative Party stands up in the war against drugs. It would have been very useful if somebody on that side of the House would have stood up in the nineties when crack cocaine was sweeping through the inner city, was affecting individuals, leading them into the sex trade industry and, indeed, with the advent of crack cocaine in the city of Winnipeg, gave

a foothold for gangs to come into this province under the watch of the former Conservative government.

The scary part, of course, is that all of those folks who do not sit in this Legislature any more seem to have returned, as we see Don Orchard, then the Minister of Health, who did nothing about that issue, and Jim Downey, Eric Stefanson—all those individuals. They did nothing, and why did they do nothing, Mr. Speaker? They could care less about crack cocaine, because in their view it only affected inner city people, whom they forgot about for their entire 11 years in government. But, again, let us rise above the level of the opposition and let us talk about methamphetamine and what has happened in some other provinces and states.

Indeed, I can acknowledge that two years ago, before my election to this Legislature, I had very little knowledge of methamphetamine. Upon being appointed legislative assistant to the Minister of Justice (Mr. Mackintosh), I had the opportunity then to attend a conference in Vancouver in November of 2004, for which, I should mention, I used my own personal MLA travel allowance. It was an amazing conference. In addition to the Minister of Justice and Justice officials, John Borody from the Addictions Foundation of Manitoba, there were some tremendous panellists, legislators, doctors, social workers, counsellors, world-class presenters, who came together to talk about the problems of methamphetamine.

I can tell you it was a heavy couple of days. It was very serious. That, combined with a walking tour of the lower east side of Vancouver, was, frankly, rather troubling, and I can tell you I could not sleep very well after learning about all the difficulties in Vancouver.

We know that methamphetamine is a drug which is spread north from Mexico into California, across the midwestern United States, up into British Columbia and eastward through Canada. It is a drug which does not respect political boundaries. It is a drug which does not respect demographics; certain at-risk groups are street youth, gay men, but also high school students, labourers, soccer moms, really anybody in our society.

The reason, of course, why the United States has much more literature on crystal meth is because the problem in the United States has been there for many years and has been, frankly, out of control in many states. We are ahead of that wave, and here in Manitoba we are able, with our comprehensive

strategy, to prevent meth from being the disaster it has been elsewhere in North America. There has been a tremendous impact on American states, their child welfare, their health system, their corrections, and, indeed, I learned much from the Attorney General of North Dakota, Wayne Stenehjem, who actually came up to Winnipeg to support our Minister of Justice and to support our province's comprehensive approach to methamphetamine.

Now, Attorney General Stenehjem is no New Democrat. In fact, he is no new Democrat—he is a Republican, but he has a great deal of respect for our Minister of Justice, and a great deal of respect for the efforts that our province is making to get a foothold to prevent meth from being a serious issue in this province.

Certainly, we know there are many pillars to dealing with addictions issues. We know, certainly, that prevention is a big part of it; we know enforcement is a big part of it; we know that treatment is a big part of it; and harm reduction is a big piece as well. I am very pleased that the overall strategy in Manitoba takes all of these pillars into account. It is not weighted all on law and order. It is not weighted all on one particular issue. It is comprehensive and it is working here in Manitoba.

Now my friend from Steinbach decided to talk a little bit about other provinces. It is interesting of course that, despite the fact that the problem has been, probably, two or three years ahead in Manitoba and Alberta because the drug has come out of British Columbia, and despite the fact that all we hear about from the Conservative members is the amount of money the Alberta government has because of their oil boom, Alberta has not been any further ahead than Manitoba in dealing with this. When you look at Alberta, which has endless resources from their oil, what did Premier Klein do when he decided to find an expert? He could have had his choice of any expert in the world to deal with the meth task force. Who did he find? His wife. That was Premier Klein's view on the seriousness of this issue.

Saskatchewan, as well, their problem has been worse than ours. I had some great conversations with an MLA from Saskatoon named Graham Addley, who was appointed by Premier Calvert to tour the province and find out more details. Of course, Saskatchewan is quite a bit behind Manitoba in terms of their ability to recognize difficulties and deal with those difficulties. You may ask why that is. Well, the equivalent to the Addictions Foundation of Manitoba

was cancelled by the Grant Devine government when they were in power in Saskatchewan, just part of their overall package which guaranteed the Devine government would be the last Progressive Conservative government ever elected in the province of Saskatchewan. Indeed, their Manitoba cousins apparently have learned very well from Grant Devine's crew.

Now, when I look at what else is going on in Manitoba, I am very proud of the efforts that Manitoba Justice has made, as part of our overall strategy. Of course, the Manitoba government has formalized and has enhanced a take-down protocol for meth labs in the city of Winnipeg. Thankfully, there have been very few. We hope that will continue. If all members of the Member for Steinbach's (Mr. Goertzen) caucus would get on board, hopefully, there will be fewer and fewer as we go.

The government of Manitoba has also taken steps to record theft of anhydrous ammonia, which is one ingredient in the making of crystal meth, to be reported. For the first time ever in Manitoba history the three different Crime Stoppers organizations got together in February and offered a double-the-reward month for reporting information on making and selling crystal methamphetamine in Manitoba. Of course, it was through the leadership of the Manitoba government and the Minister of Justice (Mr. Mackintosh) that Manitoba was able to successfully lobby the federal government—it should be noted, not the Conservative government but the old Liberal government—to actually increase the penalties for trafficking and producing crystal meth from a maximum sentence of 10 years to life, bringing it in line with other serious drugs such as heroin and cocaine, which, as I have mentioned, the Conservative Party in Manitoba did not find a priority in the nineties.

As well, Manitoba has also continued its leadership by making meth the priority at the most recent meeting with federal and provincial Justice ministers. Manitoba has regularly called upon Ottawa to tighten licensing, to control the bulk importation and distribution of ephedrine and pseudoephedrine, to increase resources for enforcement by the federal government, to create new offences for the possession of the ingredients, and to provide mandatory minimum penalties for gang members or others involved in large-scale meth production. Indeed, we will give credit where credit is due. The new federal government has indicated

they are interested in some of these initiatives. Frankly, I look forward to being part of Manitoba's lead to get the federal government to take these issues seriously and deal with them.

* (16:40)

In terms of the act itself, certainly, it is one more piece in our fight against meth. It gives parents the opportunity to apply, to have a child detained in an appropriate facility for up to seven days. Now some people have said, well, why do you not force treatment? From everything that I have researched on meth, from everything I have heard from experts at conferences in Vancouver, in Winnipeg, and elsewhere, we have been told that forcing treatment is unlikely to be effective and, indeed, is probably not a good use of our resources.

We believe that parents who have made every other effort to get assistance for their children, whether the child's addiction is with meth, with cocaine, with alcohol, when they have exhausted the other sources of help and they have reached their last resort, this bill will allow them to go and have the child detained and held for up to seven days in an appropriate facility.

The idea is to stabilize the child, to let that child clear their head, so to speak, be presented with the opportunities for treatment. We believe that it will be successful in encouraging children to then step forward and get the treatment they need to defeat their addiction, whatever it may be. Again, all I heard my friend from Steinbach talking about was meth. There are other addictive substances out there which we, as the government, are also interested in dealing with, and I am very pleased that this government has brought in a piece of legislation which is going to provide one more tool and more thing to assist the families in Manitoba.

So, indeed, I am pleased with the legislation. We know we still have more work to do. Even today, there were more beds being announced at the Addictions Foundation of Manitoba as part of the allocation of the additional monies for mental health and addiction. Certainly, Mr. Speaker, I have been pleased to get to know more about this issue. I have been interested to learn what other jurisdictions have been doing. I have been proud to see that Manitoba is actually ahead of most other jurisdictions in terms of dealing with this difficult issue.

I certainly would hope if there are going to be other members from the Conservative caucus getting

up and speaking to this bill that they talk about Manitoba children, they talk about Manitoba families, and they do not go back and try and recreate history because, frankly, history is not something members on that side of the House want to be raised in this Legislature.

So those conclude my comments. I would certainly urge all members of this House to move this bill quickly on to committee. Let us get out there, and let us help Manitoba families and our children, our most precious resource. Thank you, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Hon. Jon Gerrard (River Heights): Mr. Speaker, we are certainly in general support of this bill. I am going to provide a list of some specific concerns and revisions to suggest to the minister. But, clearly, what we recognize in the Liberal Party is the significant damage that has been caused by drugs in our province. Every single Manitoban has a stake in the fight against drug use. The spread of drug use in Manitoba and across Canada has, as we have seen, almost become an epidemic plaguing our province and our society. Some drugs like crystal meth are relatively easy to produce, using substances that can be found in any small town in this province, and therein lies part of the problem. Meth is a drug that is highly addictive. It is potentially lethal, and can be bought and produced for a pretty cheap price—it is a bad combination.

Now, this drug causes insomnia, heart palpitations, high blood pressure, irritability, paranoia, strokes, rotten teeth, damages the nervous system—just to name a few ways that crystal meth will act on the bodies of individual citizens, and one of the reasons why we need to be concerned about it.

Many neighbourhoods in our province are battling the effects of drugs in the schools and in the streets. Drug use has been associated with increased violence, increased crime, increased incidence of HIV-AIDS, hepatitis, and other communicable diseases. We need to be doing something about it.

I have heard from many about the need to take action, and, certainly, providing parents with some of the tools to deal with a child who has a serious drug problem is important and, indeed, is vital.

Now, Bill 36 is very important for Manitoba children. It gives our children a chance to overcome

their dangerous drug addictions with the help of their parents, the support of legislation like this, and government and public facilities. It gives our children a chance to enter adulthood without having criminal records and with renewed opportunities for success. It is important to Manitoba's parents and to families because it gives a tool for helping children fight the disease of addictions that has become far too common.

Bill 36 will give parents and provincial authorities the power to place children under the age of 18 into mandatory drug assessment and treatment programs. Instead of considering children who use drugs as a menace, Bill 36 recognizes that children who abuse drugs are victims and they are in need of help and protection.

An important aspect of this bill is that it allows parents to become actively involved in their children's recovery by allowing them to initiate the process of addictions treatment. I think this is a significant contribution, and it is important because sometimes parents feel separate from and unable to connect with their children under these circumstances.

Parents with drug-addicted children can feel helpless while they watch their children spiral down and destroy their lives. It has major adverse effects, not only on their own lives, but on their friends and their family and relations. In some cases, a child can be so sick that he is unable to help himself or herself, denies having a problem, refuses to seek treatment, and so this legislation is important and good news for parents who want to hear that their son is being helped rather than their son has been arrested or got into big problems in a youth detention centre.

Under normal circumstances, finding out that your child has been arrested is really bad news, but this is a way, hopefully, that this can be better news and provides intervention and a setting which, under the right conditions, can provide treatment and an opportunity for a renewed approach to having a productive life.

Now, I have a number of comments, specifically with some areas of the bill that I think need to be looked at in terms of how this bill will work. Let me talk about, first of all, the ability of a justice to receive testimony over the phone. I have a concern with this because it may be all too easy for somebody to call up about somebody else and pretend they are a parent. There need to be appropriate safeguards in this so that people are not

falsely labelled, that you do not have people pretending to be parents and getting people into significant difficulties as a result.

So, while this is useful, and I understand that the reason is to protect the child in the quickest possible way, I think that the application of this has to be given some thought because, unless it is done well, you have the potential for somebody to call up and say, well, I am the parent, and, you know, make a case to the judge. Then the child all of a sudden ends up in a cycle, which can be very problematic.

The second part of this bill where I think there could be some improvements, we have a section which deals with the ability of police officers to go in and to apprehend children who have been labelled as being appropriate to receiving treatment and care and be apprehended under this legislation because of parents having indicated that they have a son or a daughter who is in trouble and they should be apprehended.

* (16:50)

Now, I respect the fact that it may not always be possible for the police officer in all circumstances—he may come across a child and need to take action immediately, and that ability has to be there—but I think that the minister herself has indicated that you want to respect the rights and sensibilities of the child, and do this in the best possible way, and, certainly, where it is possible, that it makes sense for there to be somebody who is an addiction specialist along with the police officer, when the child is apprehended. I think that this can be very important in taking some of the fear, the apprehension of the initial encounter away. I think that this can be very important in improving the initial approach to treatment.

So I would suggest that the minister look at this section with regard to the possibility, whether it is in the regulations or elsewhere, of recommending that there be an addiction specialist accompanying the police officer whenever possible, so that you create an environment which is most conducive to success and most conducive to successful intervention and help of the child.

There is a section in this act which requires that there be an evaluation by a second addiction specialist. This, I think, is important. It provides important protection for the child, but I think that there is a proviso that is needed here. We have enough resources in Manitoba that we can make

provisions here which will provide some additional protection.

I have seen circumstances where people with the best interests in heart, you may have two addition specialists who are working very close together as a team and, therefore, with the second addiction specialist, you are not really getting an independent point of view. The people are working so closely together that the viewpoint of the second addiction specialist will be coloured by his or her association with the first addiction specialist who has made the initial decision about the situation.

So I think it is important that there be provision here to ensure that the second addiction specialist has some separation, some independence from the first addiction specialist. Right? With all the good intentions in the world, unless you make sure that the second addiction specialist is really independent and providing independent assessment of the first addiction specialist, then you may have situations where you have problems.

Let me give you an example, where you might have a physician and a nurse working together, both classified as addiction specialists. The position of the nurse as part of the team may be dependent on the physician as leader, or it could be whatever it is. So you do not want to have a potential conflicting interaction. It is important that the second addiction specialist be truly independent, that his or her position is not dependent in any way—or future career—on the first addiction specialist, and that the assessments really are thoroughly independent.

The next part of the legislation that I want to comment on is the need for a transition plan, because, clearly, this is vital. The success of this really depends at least as much on the nature of that transition plan as on the initial intervention. It is never going to be possible to guarantee success, but, certainly, one should build into here some elements which would provide the best possible chance of success and the best possible elements for a transition plan. I do not think I need to speak necessarily about what they are, but I do think that is very important. The goal here is reasonable, that is, to give the child back to the parent or responsible adult, but there are elements where a child has come into major conflict with a parent, and I think that this is something which, in terms of the transition plan, can be better thought out.

In that context, there is a section of this bill which deals with a youth advocate. The bill looks at

the role of a youth advocate who could be present with the youth who, when the youth communicates with the co-ordinator or the review panel, may communicate with the co-ordinator and the review panel on the youth's behalf. My suspicion, or my guess, is that there is a potential larger role for a youth advocate, that there is the possibility, particularly when there has been conflict between the child and the parents, that there is a potential role. One would say this, that the child, perhaps, should have the ability to get in touch with, to have, involve a youth advocate for him or her through much of this process, even including potentially into the transition, and that that has the potential benefit that the child has somebody who is an advocate for the child, completely independent of anybody else in the system.

So I think that the inclusion of a youth advocate is good, but there, indeed, could potentially be a larger role for a youth advocate than is presently considered in this bill.

Let me move to the evaluation of mental health that is looked at in this bill. I think that one has to have some care in the assessment of the mental health of a child who is addicted, a drug addiction. In the immediate time when a child has a drug addiction, you know, you are dealing with a drug addiction, and assessment of mental health may not be always as easy. Is there an underlying problem like fetal alcohol spectrum disorder? Nevertheless, the assessment of mental health is actually quite important. I think it is so important that somehow, somewhere, anybody who comes in to this program should have some level of mental health assessment done.

In other provinces there are advocates who suggest that children who come into contact with the

criminal justice system should have assessment for fetal alcohol spectrum disorders, as the example. We know that a child with fetal alcohol spectrum disorders, the brain is functioning in a way that they are much more likely to be addicted. I suspect that should be a mandatory part, that there should be a mental health assessment that would include an assessment of fetal alcohol spectrum disorders, that there has to be some care, of course, in labelling, but the reality is that one can only help a child if you know what the underlying mental health condition is. It makes a tremendous difference, as has been found repeatedly, if you actually have a clear diagnosis of a mental health problem like a fetal alcohol spectrum disorder. Then you can build a better understanding of what the potential is, how a child learns, and you can help a child much better.

So I think that this is an area of the bill that could be looked at, looking at the possibility of making, at some point, a mandatory assessment of mental health. I think that it would be smart to consult people who have experience in dealing with children with drug addictions, and to suggest the best way that would be done. But I think that this is actually a pretty important area that needs to be looked at.

I want to now move on to a section of the bill which deals with the limitation or the protection of the minister from liability.

Mr. Speaker: Order. When this matter is again before the House, the honourable member will have 12 minutes remaining.

The time being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday)

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 10, 2006

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