

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

**Official Report**  
**(Hansard)**

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

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
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BLADY, Sharon	Kirkfield Park	N.D.P.
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GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
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**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, May 22, 2008**

**The House met at 1:30 p.m.**

*PRAYER*

**ROUTINE PROCEEDINGS**

**House Business**

**Mr. Speaker:** The honourable Government House Leader, on a point of order?

**Hon. Dave Chomiak (Government House Leader):** On House business, Mr. Speaker.

**Mr. Speaker:** On House business?

**Mr. Chomiak:** Correct.

Mr. Speaker, I wonder if you would canvass the House to see if there's agreement that the House should sit next week, Monday to Thursday, as opposed to adjourning, and seek leave of the House to sit Monday, Tuesday, Wednesday and Thursday, following the normal hours.

**An Honourable Member:** Point of order, Mr. Speaker.

**Mr. Speaker:** I can only deal with one thing at a time. Just give me a second here. I got to get this—

**Point of Order**

**Mr. Speaker:** The honourable Member for Lac du Bonnet, on a point of order?

**Mr. Gerald Hawranik (Official Opposition House Leader):** Yes, Mr. Speaker, on a point of order. While we've had some discussions between myself and the Government House Leader (Mr. Chomiak) with respect to calling the House into session next week, I can tell you that we have suggested that we meet next week in session.

We're prepared to agree, but the Government House Leader knows full well that there were conditions attached to agreeing to call the House back—

**Mr. Speaker:** Order. When a member asks for leave for a request, that request is not debatable. All the Speaker can do is put—the only thing a Speaker can do is to put the question, because it's a request for leave of the House. So that's all I can do is put the question. *[interjection]* I have to put the question, okay?

Is there leave of the House to sit Monday to Thursday next week on regular hours? Is there leave?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

**Mr. Speaker:** No? Okay, that's been denied. *[interjection]* Okay, just wait. I have to do this in order here. I have three—*[interjection]* I know but I also have—

Continuation of House business?

**Mr. Chomiak:** Yes, thank you, Mr. Speaker.

**Mr. Speaker:** Okay, just wait. On the point of order? *[interjection]* The honourable Member for Inkster, on a point of order. *[interjection]* I can't.

**Point of Order**

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, on a point of order.

**Mr. Speaker:** Order. I'll remind the House that points of order are to point out to the Speaker a breach of a rule in the House or a departure from our practices. Points of order are not to be used for debate. I had put the question. I heard a no, so the honourable Member for Inkster has the floor on a point of order.

**Mr. Lamoureux:** That's right. Thank you, Mr. Speaker. As you point out, the point of order is on the tradition of what's taken place, what happens typically—

**Mr. Speaker:** No. No, no. Order. For clarification for the House, points of order are not to be used for debate. It doesn't matter what happened in the House. Points of order are to point out to the Speaker a breach of a rule or a departure from our practices. That's what points of order are for, not for means of debating.

The honourable Member for Inkster, are you up on a point of order?

**Mr. Lamoureux:** Yes, Mr. Speaker. It's a departure from practice is what I'm referring to.

In the past, Mr. Speaker, when the government is looking at asking for leave to be able to accommodate the changing of a sessional order, usually there is some dialogue that takes place

between representatives of the Liberal Party and the governing party. I would not want to see us break that tradition that has been taking place for the last six years.

**Mr. Speaker:** Order. The honourable Member for Inkster does not have a point of order.

#### House Business

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

**Mr. Chomiak:** Yes, on House business, Mr. Speaker, then insofar as there has been a refusal to have unanimous consent of the House to sit next week, I can advise the House that the Premier (Mr. Doer) will be providing you with a letter this afternoon pursuant to section 2(2) of our rules asking that the House sit next week, Monday to Thursday, following normal House business.

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

**Mr. Speaker:** Order. When or if I receive the letter then I will instruct the House. Until I receive the letter about when I—whatever letter I receive. But I would advise House leaders that [*interjection*] Order. I would advise House leaders that negotiations shouldn't really be taking place on the floor. They should be taking place amongst the House leaders.

The honourable Official Opposition House Leader, on a point of order?

**Mr. Hawranik:** On House business, Mr. Speaker.

**Mr. Speaker:** On House business. Okay.

**Mr. Hawranik:** I table for the House a letter dated today written to the Minister of Justice and the Attorney General, the Government House Leader, wherein we asked, in fact, Mr. Speaker, for the House to sit next week, Monday to Thursday, on certain conditions. The Government House Leader knows and I table the letter for the benefit of the House. The Government House Leader knows that we, in fact, do want session to occur next week, but we only want it to occur in the event so that people can present properly the bills. That's the concern we have. There are a number of bills before the House that in fact—

**Mr. Speaker:** Order. I had recognized the honourable member to deal with House business. What I'm hearing is negotiations that are going on on the floor. The reason I recognized House business, House business is to advise the House of a bill coming up or whatever the business is going to be,

but negotiations should be taking place between the House leaders off the floor. Okay?

**Mr. Chomiak:** Mr. Speaker, I wonder if you might canvass the House to see if there's unanimous consent of the House to sit during next week and that we will agree as House leaders upon a committee meeting structure. That's fair.

**Mr. Speaker:** I would—

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

**Mr. Speaker:** Order. I have to put the question. There has been a request. I have to put the question to the House. Okay, is there leave for the House to sit next week and also that the House leaders would work to strike a committee?

**An Honourable Member:** No.

**Mr. Speaker:** Okay, for a committee meeting schedule. Is there leave?

**An Honourable Member:** No.

**Mr. Speaker:** No, that has been denied. Okay.

Okay, the honourable Official Opposition—

**Mr. Hawranik:** House Leader.

**Mr. Speaker:** On a point of order?

**Mr. Hawranik:** No, Mr. Speaker. I wonder if there's leave if you can canvass the House as to whether or not we can recess for five minutes in order to discuss the issue.

**Mr. Speaker:** Is there—

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

**Mr. Speaker:** Order. There has been a request to ask the House for leave if the House could recess for five minutes for the House leaders to have a meeting. Is there agreement?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Speaker:** No, there is no agreement.

**Mr. Chomiak:** Yes, Mr. Speaker, I wonder if we might have leave for the House leaders to meet for several minutes while the House proceeds.

**An Honourable Member:** Agreed.

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

**Mr. Speaker:** Order. There is no leave required for members to meet among members if they wish.

There is no leave required. Whatever the House leaders wish to do that is their business, but I feel we should get on with House business.

\* (13:40)

## ROUTINE PROCEEDINGS

### INTRODUCTION OF BILLS

#### Bill 231—The Municipal Amendment Act

**Mr. Blaine Pedersen (Carman):** Mr. Speaker, I move, seconded by the Member for Pembina (Mr. Dyck), that Bill 231, The Municipal Amendment Act; Loi modifiant la Loi sur les municipalités, now be read a first time.

#### *Motion presented.*

**Mr. Pedersen:** Mr. Speaker, this bill amends The Municipal Act to prevent municipalities from expropriating land for economic development purposes only.

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

## PETITIONS

### Lake Dauphin Fishery

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

These are the reasons for this petition:

Fishing is an important industry on Lake Dauphin.

To help ensure the sustainability of the Lake Dauphin fishery, it is essential that spawning fish in the lake and its tributaries are not disturbed during the critical reproductive cycle.

A seasonal moratorium on the harvesting of fish in Lake Dauphin and its tributaries may help create an environment that will produce a natural cycle of fish for Lake Dauphin, therefore ensuring a balanced stock of fish for all groups who harvest fish on the lake.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Water Stewardship (Ms. Melnick) to consider placing a moratorium on harvesting of any species of fish on Lake Dauphin and its tributaries for the period April 1 to May 15 annually.

To request the Minister of Water Stewardship to consider doing regular studies of fish stocks on Lake Dauphin to help gauge the health of the fishery and to consider determining any steps needed to protect or to enhance those stocks.

This petition is signed by Steven Gouldsbrough, Michelle Gouldsbrough, Lloyd Hudson and many others.

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

### Long-Term Care Facility—Morden

**Mr. Peter Dyck (Pembina):** Mr. Speaker, I wish to present a petition to the Legislative Assembly.

The background for this petition is as follows:

Tabor Home Incorporated is a time-expired personal care home in Morden with safety, environmental and space deficiencies.

The seniors of Manitoba are valuable members of the community with increasing health-care needs requiring long-term care.

The community of Morden and the surrounding area are experiencing substantial population growth.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to strongly consider giving priority for funding to develop and staff a new 100-bed long-term care facility so that clients are not exposed to unsafe conditions and so that Boundary Trails Health Centre beds remain available for acute-care patients instead of waiting placement clients.

This is signed by Harvey Thiessen, John Friesen, Dorothy Rempel and many, many others.

### Introduction of Guests

**Mr. Speaker:** Prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us from O'Kelly School 19 grades 4 and 5 students under the direction of Mrs. Cathy Green. This school is located in the constituency of the honourable Member for Minnedosa (Mrs. Rowat).

Also in the public gallery we have from Grandview School 18 grade 8 students under the direction of Mrs. Barbara Grexton. This school is

located in the constituency of the honourable Minister of Conservation (Mr. Struthers).

Also in the public gallery we have with us from Balmoral Hall School 46 grade 9 students under the direction of Ms. Lois McGill-Horn. This school is located in the constituency of the honourable Member for Wolseley (Mr. Altemeyer).

Also in the public gallery we have with us from Faraday School 46 grade 6 students under the direction of Ms. Claretta Shefrin. This school is located in the constituency of the honourable Member for Burrows (Mr. Martindale).

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

\* \* \*

**Mr. Speaker:** The honourable Minister of Finance, on a point of order?

**Hon. Greg Selinger (Minister of Finance):** No, Mr. Speaker. I'm asking for leave of the House to introduce The Budget Implementation and Tax Statutes Amendment Act. It's not clear entirely—

**Mr. Speaker:** Order.

**Mr. Selinger:** I'm asking for leave of the House because it's not clear entirely whether we'll be here or not next week, and I'd like to get it in front of the House as soon as possible.

**Mr. Speaker:** Does the honourable member have leave to introduce that?

**Some Honourable Members:** No.

**Mr. Speaker:** No. It's been denied.

### ORAL QUESTIONS

#### Cree Nation Child and Family Caring Agency Medical Examiner Report

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Gerald Hart was a young man who committed suicide. He was under the care of the Cree Nation authority. In the investigation that followed by the Chief Medical Examiner, Mr. Speaker, the Chief Medical Examiner commented on the excessive role played by the agency's lawyer in the course of that investigation.

Mr. Speaker, the Chief Medical Examiner made a recommendation on January 6, 2004, some four years and four months ago, to the predecessor, to the current Minister of Family Services, saying that in the Chief Medical Examiner's opinion this is a waste

of public funds that could have been well spent on needy children. Section 10 reviews are for the improvement of services and not for punitive action.

This is four years and four months ago that the red flag was raised by the Chief Medical Examiner with respect to this agency, Mr. Speaker. I want to ask the minister why it is that he pretended to be shocked and outraged last week, acting as though that was the first time he had heard concerns about the agency, when, in fact, the first red flag that we are aware of was raised some four years and four months ago.

I'll table the document, Mr. Speaker.

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Mr. Speaker, I think it's well known in this province now and, indeed, unfortunately, in too many jurisdictions that child welfare systems are in dire need of strengthening, and in this province an overhaul is under way. We've had external reviews that have alerted all Manitobans to the challenges that have to be addressed, and we're bound and determined to address them to make sure that this overhaul moves ahead.

In terms of any legal expenses back in 2004, we know that in the review of Cree Nation that the federal government is taking the lead on the financial review, and I am of the understanding that one of the areas of consideration will be legal expenses.

**Mr. McFadyen:** But this is four years and four months ago that this red flag was raised by the Chief Medical Examiner.

I want to ask the minister what he and his predecessors have been doing for the last four years and four months.

**Mr. Mackintosh:** Mr. Speaker, the report of the Chief Medical Examiner talks about the role of the lawyer in one particular case. Having seen that, the broader question about the role of legal fees in the operations of the agency I understand are the subject of the ongoing review by the authority and specifically by the federal government.

Mr. Speaker, what's been going on in the last four years? I can tell you, for the first time in recent Manitoba history, there is an overhaul happening of the child welfare system, first by way of devolution agreed to by this Legislature, second of all, the Changes for Children initiative which is well under way and, finally, now, a new era of accountability through reviews.

**Mr. McFadyen:** I want to thank the minister for his fourth annual announcement of a new era of accountability in Child and Family Services, but, Mr. Speaker, it is not acceptable. When, as a result of the actions of his government that created in a rushed way a process of devolution which has led to some of the issues, how is it that he can today claim credibility, when he is the author of this mess, to be the person who's going to clean it up?

\* (13:50)

**Mr. Mackintosh:** Well, Mr. Speaker, the shortcomings in the child welfare system are long-standing according to the external reviews. In fact, I think this is gratuitous advice. When the member opposite gets up and asks questions on the child welfare system, I think it might be advisable that you actually have some reputation or credibility on child welfare.

We know, Mr. Speaker, that, indeed, the '90s were very, very bad days for the child welfare system, and it's going to be taken into consideration obviously as we move ahead, when we see caseloads of 45 to 80 under the former government, when we see cuts after cuts after cuts for allowances for children in foster care. They did a review of the child welfare system the next year less than inflation—

#### **Cree Nation Child and Family Caring Agency Staff Travel**

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

**Mr. Hugh McFadyen (Leader of the Official Opposition):** The minister can attempt to try to go back to the 1990s, and I understand that's a favourite political tactic of the Premier (Mr. Doer) and this government. But, obviously, we're dealing with very significant and serious issues here which have been on the radar of the government for at least four years and four months, we now know as a result of this Chief Medical Examiner's report.

I want to ask the minister and table a document, just coming forward now to a period now three years after this Chief Medical Examiner's report, dated January 30, 2007, a memo that was issued by the director of the agency in question. Some two weeks after that same director called on staff to curtail travel and visits to children because they were running out of money, some two weeks later that same director issued a memo scheduling a staff working weekend in Winnipeg.

I wonder if the minister can indicate whether he was aware that two weeks after they had run out of money for travel to visit children that same director was issuing a memo setting up a working weekend in Winnipeg to be paid for with agency funds.

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Well, Mr. Speaker, as I said—was it yesterday, if not the day before—that if the intention of the honourable member is child protection and the well-being and the strengthening of the child welfare system, it would be again advisable that he provide the documents because the review of the finances by INAC is concluding. I understand that that final draft is being concluded.

If he has other documentation, it's important to get that to the review team to ensure that they have had that documentation, that that has already been part of the review or not. He would actually do a service to strengthen the child welfare system, rather than the gotcha game.

**Mr. McFadyen:** Well, Mr. Speaker, the minister has completely missed the point. He has the documents that are being tabled in the House. He's had them for almost a year.

Secondly, the minister knows, given his government's track record of seeking out and punishing whistle-blowers, how careful we have to be in opposition about releasing documents that may allow him and his henchmen to identify the source of these documents and go after them. So that is why we will take care to protect those in the system who want information to come to light, and we will ask this minister, if he's concerned about child welfare, to take accountability for the department that he's responsible for.

I want to ask him again the question: Why is it that the director who called off travel in mid-January 2007 was calling for a working weekend some two weeks later using agency funds, having claimed only two weeks earlier they're out of money to go and visit children? How can that happen under his watch and, instead of blaming the opposition, will he for a change take personal responsibility for what's going on under his watch?

**Mr. Mackintosh:** I think the member missed the information that is before Manitobans, and that is a review was called into this matter after receiving a complaint from three former workers, into the agency. That review is nearing completion now. It is in the area of financial matters being led by INAC,

the federal government, and we look forward to that review concluding. That, Mr. Speaker, is taking the responsible action in a timely way.

I also remind the member opposite that this government was the first in Manitoba history to introduce whistle-blower legislation.

**Mr. McFadyen:** We recall the drive to implement whistle-blower legislation after they fired Pat Jacobsen for blowing the whistle on this government with respect to their mismanagement in that department, Mr. Speaker, so the need for whistle-blower legislation was created by their own wrongdoing. It's an amazing thing, day in, day out, new eras of accountability; we're going to clean up this mess. And he forgets the first part of the story: We're the ones who created the mess, and now we're out here trying to take credit for cleaning up problems that they've created.

I want to ask the minister: Why is it that memos can be issued in January of 2007 curtailing visits to children at risk; two weeks later memos issued for working weekends in Winnipeg? How can it happen under his watch, and will he for a change take some degree of responsibility for what's happening under his nose, Mr. Speaker?

**Mr. Mackintosh:** Mr. Speaker, taking responsibility means a review which is ongoing. It means dealing with the issue of non-educational travel outside of the province. A directive has been issued to the authorities and agencies, unprecedented.

As well, Mr. Speaker, the member opposite wants to talk about the information that is coming to light. That is exactly why there is a review. There are very questionable practices, unacceptable, very questionable issues that are before this review.

That is why the review was started and that's why it has to conclude. We look forward now to the recommendations and actions because, Mr. Speaker, there has to be action in the interests of child protection, not the interests of adults who might take advantage of federal or provincial funds.

#### **Cree Nation Child and Family Caring Agency Directive to Staff**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** He acts as though he just stumbled upon these things, this phony outrage, Mr. Speaker, when he's known about it. His predecessor knew about it as early as January of 2004. He's now known

about all of the details coming to light today in question period for almost a year.

I want to just ask the minister if he's aware of the memo that was issued by the chair of the board of directors of the agency in question dated April 2, 2007, the gag order memo that was issued two weeks before the election was called last year, saying that any employees who had concerns about what was happening in the agency were allowed to speak only to the executive director, failing which they would receive an automatic three-day suspension without pay, Mr. Speaker.

Can the minister indicate whether it was his directive to put in the pre-election gag order or whether that was something that the agency, itself, independently, came to the conclusion that they should do on their own?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Mr. Speaker, I know that cleaning up is messy business but making these crazy accusations is a bit much. I was imploring my leader to please tell me, confide in me, when the election was. I find it—well, I don't even have to go there in terms of the ridiculous question.

Mr. Speaker, it is exactly these questionable practices, it is exactly evidence of unacceptable practices, that has led to a review, an outside, independent review that is being participated in by both the federal and provincial governments. I look forward to that review. It is very important. It is only one of many reviews.

This is going to become the run-of-the-mill business in this province; that is, routing out shortcomings, Mr. Speaker. We are compelled to do no less.

**Mr. McFadyen:** Mr. Speaker, on April 2 of last year, everybody in Manitoba knew that an election was around the corner. The Nurses' Union ads that they directed them to run and likely had input into were already on the air. The pre-election NDP attack ads were airing that month.

Everybody knew an election was around the corner, and on April 2 the executive director, or the chair of the board, issues a memo to staff threatening them with three days of suspension without pay if they dare speak to anybody other than the executive director about their concerns in the agency.

I wonder if the minister wants to try to maintain the position that the timing of this pre-election gag



order was a coincidence. I'll table the memo, Mr. Speaker.

**Mr. Mackintosh:** Well, what the member just described as a memo, Mr. Speaker, would indeed be unfortunate, because strengthening the system in many instances is dependent on people coming forward and making complaints.

That is why, Mr. Speaker, there are reviews ongoing now, because of complaints that can lead to a stronger system. That is why this government brought in whistle-blower legislation, to protect people from any such ramifications.

Indeed, Mr. Speaker, as the legislation proceeds, we'll be watching carefully to make sure that it does work for people who want to stand up for the protection of children first.

\* (14:00)

**Mr. McFadyen:** Mr. Speaker, I want to just ask the minister, whether when his department made recommendations for a mandate review of the agency in question almost a year ago, why it is that instead of proceeding with the review at that time, instead of going ahead at that moment, he instead issued a directive to keep a lid on what was going on and only got into the federal review after more information came to light that put him in a corner of knowing that he was going to have to have a review because of the information that came to his attention in July.

Why, in June, 11 months ago, did he order a cover-up when he should have ordered a review?

**Mr. Mackintosh:** This isn't just a conspiracy theory, Mr. Speaker, this is just beyond the bounds of comprehension.

I remember seeing a note that a question was asked about Winnipeg Child and Family Services in the House when the former government was in office. I wonder if it was the member asking the questions that wrote the answer which said, oh, no, that's an externally mandated and funded agency. In other words, the former government took absolutely no responsibility or accountability for child welfare agencies.

Mr. Speaker, this side of the House does. The Province is ultimately accountable for services to children. It shares accountability financially, of course, but even federal dollars flowing impact on the ability of the Province to fulfil its accountability role.

Mr. Speaker, we take these matters very seriously. That's why there's a review.

#### **Cree Nation Child and Family Caring Agency Government Review**

**Mrs. Bonnie Mitchelson (River East):** Will the Minister of Family Services now stand up in the House, today, and table the completed section 4 review of the Cree Nation Child and Family services Agency? We understand the review has been completed.

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Actually, it was this member that stood in the House and said, oh, don't ask questions about child welfare agencies. Those are all external, arm's-length. You know, that's not our business kind of an approach.

But it's the business of all us, Mr. Speaker, and that's why we have to rout out these shortcomings, whether it be by complaints which has led to five reviews or whether on a go-forward basis there's a proactive operational review or a quality assurance review. There will be multiple such reviews in the coming years because it's so important that we strengthen the operations of our child-serving organizations in the area of child welfare.

Mr. Speaker, it's my understanding that the section 4 review is in final draft now, and it is going, I understand, within days to the agency.

**Mrs. Mitchelson:** We know that under this government's watch there's been review after review after review of the Child and Family Services system.

Mr. Speaker, while the minister continues to review the reviews of the reviews, who's taking charge of ensuring the safety of children in care?

**Mr. Mackintosh:** Well, the member opposite said in 1998, that's an external body; that's arm's-length.

This side is taking its accountability role very seriously, Mr. Speaker, and, indeed, we've launched discussions with the federal government so that the federal funds can flow to the authority under the new structure along with the provincial funds so there can be better comptrollership and oversight. I hope those discussions bear fruit.

But, Mr. Speaker, it was that side of the House that did nothing on Aboriginal child welfare for all those years that they were in office when they were told to immediately get down to business.

Changes for Children is making a difference in terms of foster beds, front-line relief, training, standards. There's a lot more to do, Mr. Speaker, but the change is happening.

**Mrs. Mitchelson:** But we agree that change is happening and the devolution process was rushed through so quickly that kids got lost in the system, like Phoenix Sinclair, Mr. Speaker. It's shameful to think that files were closed and children were left unprotected as a result of the process that this government put into place.

Mr. Speaker, the review has been completed. Will the minister, today, table that review, come clean, quit covering up information that should be made public so we can assure ourselves that children at risk are being protected.

**Mr. Mackintosh:** You see, Mr. Speaker, covering up means not doing anything, as they did. Covering up also means making increases below the rate of inflation. It means cutting rates for foster children.

You know what? Reviews mean uncovering. There are five reviews happening, and, in fact, in the department between Housing and child welfare, there are some 37 reviews.

Yes, it's dirty, Mr. Speaker. Yes, all kinds of stuff comes out, but that's how you move ahead. You have to uncover those shortcomings. We're bound and determined to do that. We're going to keep our focus on strengthening the child welfare system, now turning our eye to the need for greater accountability and a strengthening of operations. That is what we're committed to.

I'll just remind the member, she knows full well that the draft review has gone to the agency.

#### **Workers Compensation Board Expansion of Coverage**

**Mrs. Mavis Taillieu (Morris):** May 1 was the deadline for employers to make submissions to the Workers Compensation Board regarding the expansion of coverage. Our members heard from many low-risk employers who were concerned about this forced expansion by this heavy-handed NDP government.

Mr. Speaker, will the minister agree to follow recommendation No. 8 from the 2005 report and encourage low-risk workplaces to opt into Workers Compensation coverage rather than forcing them, or is she just going to continue to cherry-pick on those recommendations?

**Hon. Nancy Allan (Minister of Labour and Immigration):** I have not received any report from the WCB in regard to any expansion of coverage. I do expect that report probably in June.

I understand that there is a board meeting on the 29th of May, and the WCB has a tripartite board with employers and special interests and labour on the board. I would think that they would want to have an opportunity to determine exactly what advice they are going to provide to the minister, Mr. Speaker.

I look forward to that advice. We've got an excellent working relationship with the WCB. That is one way that we have reduced injuries in our province, and I look forward to their sage advice, Mr. Speaker.

**Mrs. Taillieu:** Bill 38 is a licence for this Province to overspend while still balancing their budget, but they will need to come up with some cash to cover their overspending habits. The NDP have a long history of looking to the Crowns when they're short of cash, looking to the Crowns to balance their budget, Mr. Speaker.

Can the minister tell me: Enforcing the expansion of coverage so that the NDP—are they doing this so they can get their hands on the additional WCB premiums so they can finance their overzealous spending habits?

**Ms. Allan:** I want to remind the member opposite the WCB has the second-lowest assessment rate of any jurisdiction.

I also want to remind the member opposite that the WCB is in excellent financial shape, and if we compare the average assessment rate over our term against the average assessment rate when they were in government, I would put our record up against their record anytime, any day.

We look forward to creating a workplace safety and health culture in this province so that when people leave the house every morning, they know that they are going to return home at the end of the day safe from injury. And you know what? I just want to remind members opposite that they voted against that legislation.

**Mrs. Taillieu:** Mr. Speaker, the Workers Compensation Board board meeting minutes from March 14 show that there's excess reserves of \$3.9 million.

Is this minister trying to get her hands on that money?

**Ms. Allan:** In January, there was an announcement that the WCB average assessment rate in this province went down, Mr. Speaker. It went down.

So you know what? I don't know who's writing the MLA's questions for Morris today, but it's just starting to get silly.

\*(14:10)

### **Manitoba Tourism Promotion**

**Mrs. Leanne Rowat (Minnedosa):** Mr. Speaker, this past week I was flipping through the latest edition of a major Winnipeg daily and came across a very interesting insert. This insert was paid for by Travel Alberta and touted real adventure and highlighted 24 hot holidays in Alberta.

Mr. Speaker, I would like to ask the Minister of Competitiveness (Mr. Swan): Is his government putting inserts in the *Calgary Herald* or the *Edmonton Journal* promoting Manitoba's tourist attractions, or is his government's tourism plan all hot air instead of hot holidays?

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** Mr. Speaker, I'm surprised at the minister asking this question. This is a member who criticized the Business Council, the Premier's Economic Advisory Council, promoting the advantages of Manitoba.

All we heard were negative comments about the province, negative comments about our advantage, negative comments about the province, and then the member opposite questions why we're not doing something.

Mr. Speaker, we had followed the Premier's Economic Advisory Council and business leaders' drive to promote the province, to promote economic opportunity, to promote investment, and I think that Manitoba has a lot of good advantages. I'm proud of Manitoba. I'm proud that we're growing. I know under the Conservatives it was a retraction of the economy. I'm glad that we're first or second in the country.

**Mrs. Rowat:** Mr. Speaker, well, several weeks ago there was an insert in a local paper that did feature Manitoba, the VIA Rail destinations guide. Now, despite the fact that the government-sponsored information is in this document, the failed Spirited Energy campaign or slogan is nowhere to be seen. Instead the tag line is: undiscovered, unforgettable. New minister's slogan, I presume.

Mr. Speaker, I ask the Minister of Competitiveness: Are we now to assume that the government has put the Spirited Energy campaign out of its misery, replacing it with, undiscovered, unforgettable, and, if so, how many millions will this campaign be getting at the discretion of this minister?

**Mr. Rondeau:** Mr. Speaker, I suppose the member opposite does not understand that VIA can promote Manitoba. Other organizations can and do promote Manitoba.

CanWest Global had a great insert that went across the *National Post* that promoted our province. Other jurisdictions, Destination Winnipeg, the Chamber of Commerce, all promote Manitoba. They all believe we have some natural advantages, some things to promote, some wonderful travel destinations, wonderful economic opportunities, Mr. Speaker.

We are the optimists. Mr. Speaker, I believe they're the pessimists and they don't believe in the province. We believe we have a bright future. They are the naysayers.

### **Highway 44 Repairs Needed**

**Mrs. Leanne Rowat (Minnedosa):** But, obviously, the Spirited Energy campaign and \$3 million wasted by this government wasn't part of VIA Rail's agenda item. They knew better.

Mr. Speaker, while one major daily was touting the real adventure and hot holidays in Alberta this summer, the other was reporting on the disgrace of this province's cottage country highways. Highway 44 is just holes and lumps, said local residents. One quote in the story was even saying that even Tourism should be pushing the government to fix this.

Well, Mr. Speaker, I ask the Minister of Tourism (Mr. Robinson): Will he ask the Minister of Transportation (Mr. Lemieux) to get out of his lawn chair so that repairs can be made on Highway 44?

**An Honourable Member:** Thank you, Mr. Speaker. I—

**Mr. Speaker:** Order. I haven't recognized you yet.

The honourable Minister of Science, Technology.

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** I hope the member also reads other parts of the paper.

Hopefully the member opposite reads the fact that we are defying gravity as far as our economic and manufacturing base.

Maybe the member opposite will read that we are increasing our population. As opposed to what happened in the 1990s, our population is going up. People are moving in. We have more younger people. Our taxes are dropping. We have good, clean water. We have the lowest price of electricity in the country. We have one of the fastest growing biotech in the country.

Mr. Speaker, we are growing. We are a wonderful destination. I'm proud of the co-operation we have with businesses and other community groups promoting Manitoba as a destination for tourism and the economy. We will continue to grow. I'm a proud Manitoban and, hopefully, she can be.

### **Dursban Pesticide Ban**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, Dursban or Chlorpyrifos is a riskier, toxic, older pesticide which has been banned or very severely restricted by the EPA in the United States. It's a neurotoxin, a chemical, which is so toxic to nerves and to the brain and toxic to pregnant women and children that it has been fully banned in the United States in all areas where there are women or children.

And, yet, Mr. Speaker, Manitoba's Premier (Mr. Doer) allows Dursban to be sprayed at the base of boulevard trees in Winnipeg in areas where children play.

I ask the Minister of Health (Ms. Oswald): Will her government ban the use of Dursban in areas where there are children and pregnant women?

**Hon. Stan Struthers (Minister of Conservation):** Well, first of all, the member knows that anything that is used in Manitoba has the approval of Health Canada, and that's where we start from. We start from people who know the science, people who understand these chemicals, people who make recommendations—

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

**Mr. Speaker:** Order.

**Mr. Struthers:** Our friends across the way should try to be consistent from one issue to the next, Mr. Speaker.

But I want to assure the Leader of the Liberal Party that despite Health Canada, all of their recommendations, we do look at other jurisdictions to see what they're doing in terms of reductions of these pesticides because we are, first and foremost, here to protect the people of Manitoba and the environment we live in.

**Mr. Gerrard:** Mr. Speaker, Dursban was banned in the United States where there are children and pregnant women after the most extensive scientific review of a pesticide every conducted. If you want science, it's there, huge amounts of it. The reality is that it's being sprayed in areas on boulevards, at the base of trees, where children play, to control Dutch elm disease. If the minister can't find an alternative, at the very least there should be danger signs wherever it's sprayed. It's a chemical which is very easily absorbed by the skin and is toxic.

Will the minister immediately make sure that there are hazardous signs in any areas where there are children where Dursban is used?

**Mr. Struthers:** Well, Mr. Speaker, I'd ask for a little bit of consistency from the member. First he tells us that there's a pile of science that says it's dangerous; then he says you can put it under a tree as long as you put a sign next to it.

Mr. Speaker, we need to take a very reasonable approach to this. We need to be able to work with Health Canada, as every other jurisdiction in this country does; Health Canada, who is responsible for looking at the science involved, and then we take our cue from them. But, having said that, we are looking at what is sprayed in this province. We're looking at ways in which we can make it safer for Manitobans and looking for ways in which we can lessen that impact on Mother Nature.

**Mr. Gerrard:** Mr. Speaker, if the minister is going to allow toxic chemicals to be used where there are children, there should be signs clearly letting people know that these chemicals have been applied.

The NDP government is refusing to protect children by mandating bike helmets. It's refusing to protect children by banning smoking in cars where there are kids. It refused, this morning, to pass the poverty act. This government is really not acting in the best interests of children. We have seen it time and time again.

I ask the Premier: When is he going to start standing up for children in this province?

**Hon. Gary Doer (Premier):** Mr. Speaker, the record will show that the member opposite cut the Child and Family Services budget to children in Aboriginal communities from 100 percent to 80 percent. So he shouldn't feign too much indignation in terms of the House.

We have reduced the poverty rate from 19 percent to 12 percent. It's still not low enough, Mr. Speaker. It's about a 33 percent reduction. The single moms and single parents—but mostly single moms—with children have gone down from over 50 percent in terms of the low-income levels down to 22 percent, still too high at 22 percent.

\* (14:20)

We have forwarded some 40,000 helmets to children, tried to make them very affordable to low-income families. Not everybody can afford to pay for a helmet. We're trying to encourage both the use of helmets and the affordability of helmets.

It's easy to pass a law. It's harder to make it affordable because we actually like kids to ride bikes, as well, for their fitness level. So we're trying to approach it in a practical way.

There were a number of other questions the member raised in his questions, but, certainly, on the issue of banning smoking in cars, we support that. The first phase of legislation we're going to introduce will include a mandatory education program. We know the passing of a ban is easy, but it's the police officers that have to enforce it.

We want to have an education program first, so the public will understand the reasons why they shouldn't smoke in a car with children. That's also on our agenda to do, and we plan on doing it, Mr. Speaker.

#### **Bright Futures Program Government Initiative**

**Ms. Erna Braun (Rossmere):** Mr. Speaker, in the last election, the government promised to increase high school graduation rates and widen the range of learners pursuing a post-secondary education.

Can the Minister of Advanced Education and Literacy inform the members what her department is doing to fulfil this promise?

**Hon. Diane McGifford (Minister of Advanced Education and Literacy):** Yes, in last year's election, we did make those promises. I think today is May 22, so it was a very special day for us and a

great day to announce our Bright Futures program, Mr. Speaker.

I made the announcement together with my colleague from Education, Citizenship and Youth. We announced a million-dollar Bright Futures program which will do just as the member suggests, increase high school graduation and widen access to post-secondary education. Every life is precious. Every kid counts.

#### **Regional Health Authorities Board of Directors Guidelines**

**Mr. Blaine Pedersen (Carman):** My question is to the Minister of Health concerning the regional health authority guidelines for a board of directors, Mr. Speaker, including qualifications, term of appointments and other general responsibilities as laid out in the application.

Will the Minister of Health confirm to the House that she is indeed applying the guidelines as currently set out in the board members' nomination form when making new appointments?

**Hon. Theresa Oswald (Minister of Health):** The regional health authorities of Manitoba and their boards, of course, are working every single day to ensure that health care in our regions is the very best that it can be. We know that we have guidelines that we follow together with the boards in order to ensure that we have the very best skilled people, representative of all faces of Manitoba, of all corners of our province, Mr. Speaker.

We want to ensure that we have that mosaic on those boards. We certainly do take into consideration advice from boards. We follow guidelines and, indeed, Mr. Speaker, we'll be looking very closely at recommendations that have come from the independent regional health authority review that we just received.

**Mr. Pedersen:** Would the Minister of Health take as notice and provide an answer back to me about the board terms and the recent board appointment in regard to the Assiniboine Regional Health Authority and get back to me on that? Thank you.

**Ms. Oswald:** Mr. Speaker, I'm happy to speak to all members of the House anytime that they wish concerning regional health authorities, health care in our province, work that's being done to bring health care professionals to all areas of the province, work that is being done with board governance and accountability, work that's being done to ensure that

we bring diagnostics outside the perimeter of Winnipeg, work that's being done to ensure that we meet our commitments that the people of Manitoba voted on a year ago today, bringing 700 more nurses to Manitoba, a hundred more doctors.

I'd be happy to talk to the member about those things anytime.

### **Provincial Road 340 Repairs Needed**

**Mr. Cliff Cullen (Turtle Mountain):** I have a question for the Minister of Infrastructure and Transportation and it concerns provincial road 340. This is the road that runs from Canadian Forces Base Shilo to the community of Wawanesa.

Back in the 1980s, there was a bridge constructed over the Assiniboine River there. Since that time, sections of that road have been paved, but 13 kilometres of that section of road remain unpaved.

I'm just wondering if the minister could decide today whether he's going to invest some money in that particular stretch of road and when that particular road will be paved.

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** Well, Mr. Speaker, we have put unprecedented amounts of money to Transportation, which I might add, they voted against in our budget.

But, just to that point, our department continues to monitor that particular stretch of road, monitoring the traffic counts and also looking at different portions of the southwest where work is needed, quite frankly, and we're putting approximately \$60 million over the next number of years into Highway 10, which is located in the MLA's constituency, as well as the Member for Minnedosa (Mrs. Rowat).

So, Mr. Speaker, we're very proud of our record with regard to the amounts of money, No. 1, we put into Infrastructure and, No. 2, the amount of work we're able to get through the kind of money that we're investing.

Mr. Speaker, with regard to the specifics on this particular question, we continue to—

**Mr. Speaker:** Order.

**Mr. Cullen:** To the minister: There certainly has been increased traffic on this particular road. Over the last couple of years, there have been situations arise where this road has basically been impassable.

The Province has been forced to spend hundreds of thousands of dollars to repair that stretch of gravel.

I'm just wondering if the minister would consider making an investment in this particular stretch of road.

**Mr. Lemieux:** Well, on the one hand, Mr. Speaker, the member says, there's nothing being done. On the other hand, the next question he says there's hundreds of thousands of dollars being spent on this road. He should get his message straight.

But let me just say that the engineers in our department monitor our roads on an ongoing basis and provide advice with regard to the priorities in which they should be addressed. Nineteen thousand kilometres, Mr. Speaker, of highways connecting our province, unprecedented amounts of money, yes, but there are indeed a great number of challenges as well.

We're not perfect, Mr. Speaker, but we've spent unprecedented amounts of money in Infrastructure with regard to bridge inspections, bridge construction and roads. There's nothing like it in the morning, smelling the beautiful smell of asphalt.

**Mr. Speaker:** Time for oral questions has expired.

### **MEMBERS' STATEMENTS**

#### **Dr. Emöke Szathmáry**

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, I rise today to pay tribute to Dr. Emöke Szathmáry. She is the 10th president and vice-chancellor of western Canada's oldest university, and her term as president will be ending at the end of June this year. Her dedication and long service to the University of Manitoba was honoured last night at a farewell dinner that I was pleased to attend, along with 1,000 people from a wide range of diverse backgrounds. At last night's events, we heard tributes to her service at the university that were eloquent, heartfelt and extremely complimentary.

Dr. Szathmáry has consistently and tirelessly advocated for improved accessibility for students, while working to continually improve the quality of post-secondary education in Manitoba. Under her leadership, the university has benefited from the extraordinarily successful \$237-million Building on Strength capital campaign and has recently embarked on a very ambitious plan to renovate and revitalize many of the university's key facilities under the new Project Domino program. Endeavours such as these

testify to the great legacy she is leaving to future students.

Dr. Szathmáry excels as a researcher in addition to her exemplary work as an administrator. She is internationally recognized for her contributions to a better understanding of the causes of type 2 diabetes among the indigenous peoples of North America, the relationship between North American and Asian peoples and the micro-evolution of sub-arctic and arctic populations.

In recognition of her contributions to higher education, she was appointed a Member of the Order of Canada in 2003, was named to the Top 100 Most Powerful Women in Canada in 2004 and was elected a Fellow of the Royal Society of Canada in 2005. Mr. Speaker, in 2007, Dr. Szathmáry received the Lieutenant-Governor's Medal for Excellence in Public Administration in Manitoba.

Mr. Speaker, Dr. Szathmáry's integrity, hard work and dedicated leadership is an example to all Manitobans. I ask all honourable members to join me in wishing Dr. Szathmáry all the best in her future endeavours. Thank you, Mr. Speaker.

#### **Daniels Family**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I rise today to acknowledge the recipients of the Conservation Farm Family of 2007 for the West Souris River Conservation District. This award recognizes a family who actively promotes wise farm management and conservation practices. This year this honour goes to the Daniels family, who own and operate a Century Stock Farm south of Pierson, Manitoba.

\* (14:30)

You could say that they have gone back to the grass roots of farming. Their forefathers have farmed this land since around 1880. Neale and Gail Daniels, with their son Todd and his wife Heather and their family, have seen many positive changes over the years.

They've implemented pasture control using native and tame pastures that make up 40 percent of their operation and 40 percent hay, with the remaining acres cropped for feed and used for rotational grazing. Mr. Speaker, they have succeeded in utilizing shelterbelts where they are constantly moving the cattle around the land, making the land

environmentally friendly and providing habitat for wildlife.

The Daniels family feed their cattle during the winter by using horse-drawn bale sleds which supplements their enjoyment of working with horses. This will also save the environment and at the same time save money on tractors, fuel and repairs. The Daniels stock farm has made progressive changes over the last hundred years. These changes will ensure that the farm remains with the family well into the future.

Mr. Speaker, I wish the Daniels family continued success and congratulate them on their dedication to agriculture and their support of new initiatives and stewardship. They are well-deserving of the 2007 Conservation Family Award for the West Souris River Conservation District. Thank you.

#### **Grace Gala**

**Ms. Sharon Blady (Kirkfield Park):** Mr. Speaker, I was very pleased to attend the 3rd Grace Gala on May 13, 2008. This fantastic fundraiser organized by the Grace Hospital Foundation raised over \$50,000. There were 420 people who came out to support the work of the foundation and of the Grace. The theme of this year's Grace Gala was "Opa!: a journey to Greece." Many fantastic prizes were awarded throughout the night, including the grand prize of a cruise voucher.

I was pleased to join my honourable friend the Leader of the Official Opposition (Mr. McFadyen) at this event and was thrilled that so many Manitobans were able to support this very worthy cause.

The work of the foundation is important. The foundation relies on the generosity of caring individuals and organizations to make a difference in the lives of patients at this facility. Donations, along with funding from our government, provide critical support to patient care and help make the Grace Hospital a better place for everyone who comes through the door. Along with funding from the Province, recent donations have funded the Grace Hospice; a CT scanner; equipment for diagnostic imaging; the creation and furnishing of patient comfort rooms; the upgrade remodel of the intensive care unit; new arthroscopic equipment for the operating room; pumps, lifts, beds and chairs for all units within the hospital.

The Honourable Pearl McGonigal provided a poignant keynote address on the wonderful role that

the Grace plays in the community. We all look forward to a continuation of this excellent tradition.

Mr. Speaker, I would like to congratulate all the hardworking staff and volunteers who made this year's Grace Gala a success. The work of the foundation is making an important difference in the lives of many Manitobans who have come to trust the compassionate caring that the Grace Hospital is famous for. Thank you.

#### **FPM Peat Moss Company Ltd.**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, on May 14, I had the pleasure of speaking at an official sod-turning ceremony for the new FPM Peat Moss Company Ltd. processing plant that is to be constructed just south of Vassar in the Rural Municipality of Piney. Tom King, the vice-president of operations and administration for Conrad Fafard Inc., Marvin Hovorka, the reeve for the R.M. of Piney and Tom Nevakshonoff, MLA for Interlake, were in attendance along with many other Manitobans.

FPM Peat Moss Company Ltd. is a subsidiary of Conrad Fafard Inc., which operates facilities in four states and three provinces, owning a dozen peat moss bogs covering over 10,000 acres. FPM Peat Moss Company Ltd. will allow Fafard to access the central and western United States markets and will manufacture packaged peat moss and peat-based professional mixes and potting soils.

In January, development of the Sprague Lake Bog began, and construction of the 32,000 square foot peat processing and packaging plant is set to begin soon. The Manitoba economy is sure to benefit as this bog operation will employ 40 to 50 seasonal workers and the plant operation will employ 30 seasonal workers and five full-time staff in the first phase alone. The second phase will see an employment of 50 full-time workers and 150 seasonal workers.

Mr. Speaker, I ask the members here today to help me in thanking Marvin Hovorka, who played an active and critical role in attracting this company's business from New Brunswick and bringing it to Manitoba, as well as all the others who have worked tirelessly to make this project possible. We look forward to the positive impact the FPM Peat Moss Company Ltd. will have on the local community and on the province of Manitoba, as it will be one of the largest employers in the R.M. of Piney. The processing plant is set to open this fall. Thank you.

#### **Concordia Hip and Knee Institute**

**Ms. Erna Braun (Rossmere):** The Concordia Hospital is an exciting place that is seeing exciting changes. I was pleased to attend the fundraising kickoff for the Concordia Hip and Knee Institute. Concordia is the centre of excellence for hip and knee surgery and, with the creation of this new institute, they will be a national star in joint replacement surgeries, research and development.

I am very pleased that our government committed \$3 million towards the construction of the Concordia Hip and Knee Institute.

The centre for excellence at Concordia has seen dramatic improvements in wait times. Since 2003, the wait time for surgical consultations has been reduced to less than three months from approximately one year. Likewise, the wait time for joint replacement surgery has decreased to six to nine months from nearly two years. Never afraid to try innovative solutions, Concordia's two-room operating model uses clinical assistants, resulting in lower wait times for Manitobans. The two-room model allows Concordia to perform up to eight surgeries a day, instead of a standard three.

Mr. Speaker, Manitoba was the first province to pass legislation, in December 1999, enabling clinical assistants to practice here.

Another innovation coming to Concordia Hospital will be the prehabilitation clinic to be located in the Hip and Knee Institute. Prehab clinics are a new service that helps patients get ready for surgery and lead to better outcomes. One of the only jurisdictions to offer this service, it has been so successful that some patients do not need to go through their surgery.

The Concordia Hip and Knee Institute is a model of how the community, the hospital, government and other stakeholders can work together to make a dream a reality.

Congratulations to all parties on their success thus far. I look forward to hearing about their further successes in the months to come.

#### **ORDERS OF THE DAY (Continued)**

#### **GOVERNMENT BUSINESS**

#### **House Business**

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I think; therefore, I am.



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

**Mr. Chomiak:** I also suggest that, if you canvass the House, you would find unanimous agreement that the Chamber will sit for its regular hours next week, Monday to Thursday, and that you'll also find that committee meetings will take place six hours a day, Monday, Tuesday, Wednesday, Thursday.

Normally, Mr. Speaker, the time period would be 6 till 12, but there will be leave, the committee will have the ability to set the time as 4 till 10, if they should so feel it's appropriate. In other words, two committees will meet for six hours Monday, Tuesday, Wednesday, Thursday. They normally would meet from 6 p.m. to 12 a.m., but the committees will have the ability, should they choose, to meet from 4 p.m. till 10 p.m.

I believe that you'll have unanimous agreement of the House to structure next week in that fashion.

\* (14:40)

**Mr. Speaker:** Is there unanimous consent for the House to sit regular hours from Monday to Thursday next week and the committees to meet from 6 to 12 p.m., but—6 p.m.? That 12 caught me there. Okay, I'll do it again.

Monday to Thursday, the House will sit regular hours, and the committee will sit from 6 p.m. to 12 a.m., but the committee also has the right, if they choose, to change the hours from 4 p.m. to 10 p.m., if the committee chooses. That would be from Monday, Tuesday, Wednesday and Thursday for six hours a day. Is that agreeable? That pertains to each committee. Is that agreeable? *[Agreed]* Okay. We have an agreement.

**Mr. Chomiak:** Mr. Speaker, I thank the House, yourself and the clerks for expediting and helping us to deal with this matter.

On House business, I'd like to call debate on second readings of Bills 37, 38 and 17, to be followed by the bills in regular order.

**Mr. Speaker:** We will resume debate on second reading, in this order, Bills 37, 38, 17 and, if time permits, it will be in the order as they're listed.

## DEBATE ON SECOND READINGS

### Bill 37—The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act

**Mr. Speaker:** Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Pembina?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Speaker:** Can I advise the House, to have the House leaders respond to my requests, please, because I'm getting all mixed messages here. I'm going to ask once more. Please, I ask the co-operation of the House.

On the proposed motion standing in the name of the honourable Member for Pembina, is it the will of the House for the bill to remain standing in the name of the honourable Member for Pembina?

**An Honourable Member:** No.

**Mr. Speaker:** No? It's been denied.

**Hon. Jon Gerrard (River Heights):** I rise to put a few words on the record on Bill 37. There are clearly some aspects of this bill which we think need to be looked at very, very carefully and changes made to make sure that things are attended to and we don't have a worsened democratic situation as a result.

The first deals with the lobbyists registration. Very clearly we need to have an independent individual, whether it is a registrar or the Ombudsman appointed by the Legislative Chamber, rather than anybody who would be appointed by the Premier (Mr. Doer). Quite frankly, we need that level of independence and the Premier should not be the person who is closely connected with the registration of lobbyists. This would not be a good precedent and it would not be good for the opposition parties if this is what the Premier was intending when the legislation was initially put forward.

The list of who is involved as lobbyists and who is not, it appears to us that those who are here or come here as lobbyists should be so recognized. We all are aware, for example, that the Association of Manitoba Municipalities comes here as a lobbyist. If a mayor comes with an individual problem to one of us, that's not lobbying; that's bringing an issue that needs to be dealt with. If it's an organized lobby effort by the Association of Manitoba Municipalities, they should not be exempt, in my view, from being classed as lobbyists. We are including businesses as lobbyists, and indeed, we should include unions as lobbyists where they are coming to lobby.

Let's do this in a way that is fair to everybody, rather than trying to exclude some of the major lobby organizations that there are in this province. So let's treat fairness, rather than trying to pick and choose or cherry-pick who is going to be considered as a lobbyist. If they're coming here to lobby as a primary purpose then there should be the registration. At the same time, we don't want under any circumstances somebody who comes with a constituency problem to be classed as a lobbyist by mistake. We want to make sure that there is no need for MLAs to have to report meetings with their constituents over issues where they're coming forward. Although this appears to be the case in this legislation, we don't want people to get caught up in this who should not be caught up in it.

*Ms. Marilyn Brick, Acting Speaker, in the Chair*

One of the aspects of this legislation which is clearly of major concern is the setting up of the process which would screen letters being sent out by MLAs to people around the province. This is a normal part of what MLAs do in terms of dealing with people. I send out lots of congratulatory messages. I send out lots of messages which deal with the issues of the day. As a provincial leader, I have to deal with people all over the province, whether it is Leaf Rapids or Transcona or Fort Garry, as well as River Heights. So, clearly, if I'm going to be effective in my job as leader and as critic for a number of portfolios, if the MLA for Inkster (Mr. Lamoureux) is going to be effective, and he's responsible as critic for a number of portfolios, we have to be able to communicate and communicate with people around the province.

There has been a tradition, and rightfully so, that letters do not have requests for memberships or requests for money, but, beyond that, we have not had censorship of letters going out in envelopes to

people around the province. We should not have such letters censored. Madam Acting Speaker, members should be responsible for what they say and what they communicate, but you don't need to have LAMC or anybody else coming in as a censor for that.

There are time delays that we are dealing with. We need to be able to respond promptly to people. I got a letter from a minister recently that was in response to a letter I sent in, I think, three years ago. That's the kind of time delay which is a little bit unusual, but we don't want to set up a censorship process that would delay the ability of people to communicate with people around the province. I think that's very clear.

We want to make sure that there are changes in this bill to eliminate this problem of the government trying to censor people in opposition, because, hey, that is part of what we need to be doing is communicating with people around the province. This government, the NDP, believe, yes, in big government, and they believe in government apparently trying to censor, make sure that they're looking in on what people are sending out in the mail, and we do not agree with that.

There are, I believe, reasonable to have a fixed election date, and so we will support that part. We argued back and forth. We don't believe that the distribution of money, as is being proposed, is a fair basis, but we do see that there is a need when there are a lot of extra onerous provisions being put on all parties in terms of accounting. There should be that there is appropriate to have some public funding for political parties to make sure that the accountability mechanisms and everything else are working properly, and that there is public accountability for dollars raised and for dollars spent by political parties.

\* (14:50)

We are willing to work with the government to get a bill which would avoid the major problems which we see in terms of censorship, avoid the problems which are potentially there—which are there in the current bill, I believe—in terms of lobbyists, and, hopefully, after the presentations and input from people around the province on this bill, we will be able to have a bill which is amended and considerably better than the current bill.

**Mr. Gerald Hawranik (Lac du Bonnet):** I'd like to put a few words on the record on Bill 37, the

elections amendment act, Madam Acting Speaker, and I am concerned about Bill 37 and I don't think it's a secret within the Chamber itself that we on this side of the House, including both Liberal members, are concerned about Bill 37 and we'd certainly vote against this particular bill. There's a number of reasons for that.

First of all, Madam Acting Speaker, I can indicate that the democratic landscape of this province is dramatically affected by Bill 37. It's a bill that changes the democracy, I think, in Manitoba as we know it. I would think that past members of the NDP, whether they're federal or whether they're provincial, would certainly agree that Bill 37 is, in fact, an attack on democracy. It's an attack on democracy for a number of reasons.

First of all, Madam Acting Speaker, the bill itself provides for funds to political parties at \$1.25 per vote, and that means that taxpayers will be funding political parties to fund their campaigns. I can understand why this Premier (Mr. Doer) and this House leader have introduced Bill 37 and I refer to what's happened over the last number of elections. I know when this government introduced a bill just after 1999, in the year 2000, they limited corporate donations to political parties and they also limited union donations to political parties. Well, the youth wing of the NDP party called it trashing the Progressive Conservative bill, and that's a pretty appropriate title for that particular bill because at the time we, as Progressive Conservatives, were receiving a fair amount of donations from corporations, and yet unions, while they were giving to the NDP, certainly weren't giving at the same rate as corporations were. What the effect of that piece of legislation was to limit our ability as Progressive Conservatives to raise funds for election purposes.

Now, it took a number of years before the wrinkles were worked out of that kind of legislation. We had to deal with the provisions of that particular bill, and we found ourselves in the year 2007 and at that time, as Conservatives, we had the ability to look at history in terms of how we dealt with donations in the past. We got the grass roots involved, the grass-root Conservatives involved, and we raised more money approaching the 2007 election than the NDP did.

The Premier, of course, was all upset and excited about that, so he obviously went to the House leader, to the Justice Minister, and said, well, we've got to do something about this. So what they did was come

up with Bill 37, and that's to try to level the playing field to ensure that they do have enough funds. Obviously, their policies aren't good enough to go to Manitobans, to go to their membership, to ask them for donations. I think their membership is giving up on the kinds of things that they're doing and therefore aren't encouraged to give donations to the party.

Certainly, if their policies would improve, if they took a different approach to governing this province, they would have no problem getting donations from their membership as we did in the 2007 election, but since they're having some difficulty, Bill 37 was introduced and, I might add, introduced at the last possible moment.

The Justice Minister and the Premier know that we're under a sessional order. They know that under the sessional order, if he introduces a bill before May 1 in this particular year, it becomes what's called a specified bill and because it's a specified bill on June 12, it has to receive a third reading and royal assent. So what better way to stifle debate. What better way to stop the public from making representations on Bill 37 than to introduce it at the last possible moment and then hope that they can weather the storm until June 12 and have it passed whether Manitobans like it or not.

Well, the reality is that Bill 37 charges people to vote. It discourages people to vote because knowing that government will fund its operations, its political operations through a tax on voting. I know we've talked in the past in this House, Madam Acting Speaker, we talked in the past about trying to increase the numbers of votes. We're concerned about that. Less and less people are coming out to vote in elections yet at the same time we pass Bill 37. The government tries to pass Bill 37 to discourage people from voting through a tax on people to fund political parties at the tune of \$1.25 per vote.

To add insult to injury, Madam Acting Speaker, there is a provision in the bill which provides for an increase every year, based on the consumer price index on inflation, and that's a slap in the face to retired teachers in particular who are asking for a COLA clause for asking for increases to their pension, which they negotiated many years ago and which we as Conservatives up to the 1999 election were providing. The 1999 election comes along, the NDP take power, and they withdraw that COLA clause for retired teachers.

Well, on the one hand, they're denying COLA for retired teachers and, on the other hand, they're instituting through legislation a COLA clause on the vote tax that's happening in Bill 37. So there's a bit of hypocrisy there.

I know that the Premier is all for appointing to and holding public hearings on electing senators this summer. He's going to go across the province and he's going to hold public hearings to determine whether senators should be elected in Manitoba as what's being done now in Saskatchewan and what has been done in Alberta. He's getting on that bandwagon to indicate that democratic reform is necessary when it comes time for the federal government in terms of the Senate, but, at the same time, he's willing to trample on our democratic rights here in the province of Manitoba without holding public hearings, simply trying to jam a piece of legislation through, starting on May 1 and going—yes, from May 1 and going to June 12 and jamming it through the House, Madam Acting Speaker. So I think what the Premier should do is to take a long hard look in the mirror and deal with Bill 37 in a democratic fashion.

Bill 37 does a number of other things, including limiting the right of Manitobans to know what's happening in this House and what's happening with the government. I know that Bill 37 allows for the vetting of pamphlets and materials distributed to constituents throughout this province and gives the ability of government through a committee to limit the kinds of advertising, the kinds of materials that are actually given out to constituents, and trying to stifle debate, trying to stifle opposition to any bills that may come forward, to any policies that may be brought forward by this government, that it limits our ability as members of the opposition to notify Manitobans, notify not only just our constituents but other constituents across this province as to what the government is doing.

\* (15:00)

For those very brief reasons, I can say to this government that, in fact, we will not be supporting this bill. I don't think that comes as a surprise to government, but we will not be supporting this bill in the form that it is, and we would hope that the government either withdraw it or substantially amend it in accordance with amendments that we may bring forward at committee or in third reading. Thank you.

**Mr. Kelvin Goertzen (Steinbach):** It's a pleasure, I suppose, in some ways, to rise and speak to the legislation in the sense that it's a pleasure to have the freedom of speech to be able to stand in this Legislature at least for now, although this particular bill is part of a slow erosion that's a plan by the government to try to limit freedom of speech of opposition parties, of third parties, in the province to bring forward concerns about what this government is doing with a variety of pieces of legislation.

So, while I still have the ability and the freedom to rise and to speak in this Legislature, I'm pleased to do so, but also to say that we do so, and all members of the Progressive Conservative Party do so, with the intention of defending that freedom of speech, defending the right of all Manitobans, whether they're elected in this Legislature or whether they're simply citizens who want to have the right to hear and have the right to express concerns about government policy. We stand proud to defend that right against a government that's trying to erode it, trying to chip away at those democratic freedoms one piece of legislation at a time.

The Opposition House Leader (Mr. Hawranik), my colleague from Lac du Bonnet, made a point, and a very good point, about how this particular bill was introduced into the Legislature, and it all starts from there, Madam Acting Speaker, because it gives a clear indication of the original intent of this legislation. We all know that, ordinarily, when legislation comes before this body, it's tabled prior to question period, and then in due course, in normal course, I would say, Madam Acting Speaker, it's quickly distributed to all members here in the Legislature and then to the media so that there can be, at base minimum, an ability to look at a legislation before all of us are asked to comment on it, either in the media outside of this House or to the media in general in Manitoba, often our own local media.

*Mr. Speaker in the Chair*

In and of itself, that practice often doesn't give members a great deal of ability and a great deal of time to look at legislation because some legislation is often quite hefty and quite weighty in terms of what it does and the number of provisions within legislation that are needed to accomplish that goal, but we do our best with the time that's allotted, the limited time that's allotted, to look at the legislation to give at least a precursory comment on legislation that comes forward.

This particular piece of legislation, Mr. Speaker, has already been noted by the Opposition House Leader. Not only did it get distributed late in question period as a result of actions of the Premier (Mr. Doer), but it also was not provided to the media in a timely fashion. In fact, it was quickly spun to the media without their ability to see the particular piece of legislation, although the bill only dealt with fixed election dates, although it dealt with nothing else but setting in law the date of the next provincial election yet to come. That was, perhaps, clever. Some might say clever or too cute by half, but it certainly was a clever political ploy on behalf of the Premier to do it that way because he, obviously, knew that if the media and others had the full light of day to look at the legislation, they would see what they eventually did see, that is that this legislation has very little to do about setting or fixing the next election date and everything to do with trying to fix the next election in favour of the NDP.

Mr. Speaker, when you look at this particular piece of legislation from front to back, you see there's a great deal for Manitobans to be concerned about. I think that the little trick that the NDP tried to pull in terms of how this bill was introduced in the legislation ultimately backfired. It ultimately didn't serve their purpose. Nor will this bill in the long run serve their purpose or the purpose of Manitobans generally in the defence of democracy. In fact, I think that the media has turned a brighter light on this legislation because of how it was brought forward, because of the attempt by the Premier and members of his Cabinet and caucus to try to put a shadow over the legislation so as to give it a false light and to ensure that those in the media didn't have an opportunity, a fair opportunity to review it before reporting on it.

In fact, the legislation speaks to fixed election dates but only partially. Even in the precursory spin that the Premier (Mr. Doer) and others tried to put on this bill, that it was simply about fixing the next election date, we see that that, even of itself wasn't quite completely true because the legislation, when you read it carefully, it really says that the next fixed election date is set for a particular date in June in 2011 unless the Premier calls it sooner. So really, Mr. Speaker, what the legislation says is, fixed elections if necessary but not necessarily fixed elections. I think Manitobans would see it for what it is.

It's really the Premier's escape clause. It gives him one more leverage of power. He's clasping to

power with firm hands. He's trying hard to not let go of the levers of power, Mr. Speaker, even though there might be some within his own caucus who are trying to wrestle those levers of power away from him. He still wants to hold on to it.

I know that he is probably defending potential leadership bids from the Minister of Labour (Ms. Allan) and the Minister of Finance (Mr. Selinger) and others, so perhaps he has his own selfish motivation to try to hang on to power in one way or the other. He put in that little clause just in case the pervasiveness of the campaign by the Minister of Labour or the Minister of Finance became too strong.

So there is a bit of a self-defence mechanism in it for the Premier. One would think that, after 20 years at the helm of his party, he wouldn't need to put in that sort of a clause. He wouldn't need to worry about whether or not he had a firm grip on his party and had to play politics with the people of Manitoba, by putting in this escape clause within the fixed election date provision.

But of course, Mr. Speaker, we know that generally, when it comes to the idea of set election dates, our party has been a leader in calling for it. Not a watered-down version like we see in this bill but a true legislative framework for set elections. In fact, there have been a number of private members' bills brought forward here in the Legislature by Progressive Conservatives calling for a set election date. At that time, of course, the Premier dismissed it, said he didn't like it, didn't like the concept of it, thought it wasn't the right way to go in a democracy.

Now it shows up in a partial form in this bill, not because, I think, the Premier has a strong conviction or has had a conversion on the road to Damascus in relation to set election dates, but because he saw it as a shield, a shield from the criticism about all the other parts of the legislation that were put as the part of the legislation.

In fact, some might call it a Trojan horse. Members of the Legislature here, many will know the story. The ancient story, perhaps mythical story, of the Trojan horse. When, at a time of war, the statue of the horse, a huge horse, was used as a peace offering, intended to be a peace offering, to get into the gates of the city of the enemy of the Greeks. Once it got into the gates, then coming out of the horse were the Greek soldiers to recapture or to take the city of Troy and hence, the story of the Trojan horse.

The Trojan horse story has come to symbolize things that look on the outside to be positive, or at least not harmful, but hidden within it are things that, in fact, can be harmful. That truly, I think, describes this bill, Mr. Speaker. It's cloaked. It's described as something that's unharmed to Manitobans on the outside because of the fixed election date provision, the watered-down provision, but hidden within it are the things that are much more harmful in the long term to democracy as a whole.

Certainly, one of those things, and raised by my friend, my colleague from Lac du Bonnet, is the issue of political party advertising and the very severe restrictions that are placed on political party advertising in between elections. We certainly believe, and we intend to prove, Mr. Speaker, that this is not constitutional. It erodes and affects our Charter ability and our Charter of Rights for freedom of speech.

I think we'll see in the course of time, when this is brought forward to judicial bodies that, in fact, it won't stand the test of time. We've had the debate before about whether or not pieces of legislation here in Manitoba would conform with the Charter.

\* (15:10)

You think, oh, we all have the right, of course, to have views about whether or not these legislations do conform with the Charter and whether or not they would stand the test of a challenge. I think any objective observer, looking at it legally—and we certainly heard from outside experts such as Brian Schwartz and those such as Preston Manning, esteemed individuals on the political side and on the legal side who suggested that this is not only undemocratic but that it's not likely constitutional.

But you can see the motivation for the government to want to bring in this severe limitation on the ability of political parties to advertise in between elections. We know very well the uneven, the unlevel playing field that there is between a government and an opposition, Mr. Speaker, particularly a government such as the New Democratic Party, which is willing to wield the powers and the taxpayers' dollars that it's entrusted to invest, to wield those in a way that is purely political, to use it for political advertising and to try to cloak it as some other sort of advertising.

We saw it certainly prior to the last election where the New Democrats spent millions of dollars in the year leading up to the election on what would

be described as feel-good ads, ads such as Spirited Energy, which, admittedly, probably did more harm than good for the government, probably didn't work out the way they wanted to. But their intention was to try to make people feel good about the province. Advertising campaigns like Manitoba Means Business and Green Manitoba advertising, all sorts of advertising campaigns intending to inoculate the government to have people believe that things were going well in Manitoba.

That in and of itself is a misuse of taxpayers' dollars. If there was no other piece to this puzzle, we would be concerned by the fact that government is using those taxpayers' dollars in that way. But coupling it with the fact that there are these restrictions on political parties, all political parties, not just Progressive Conservatives, but also Liberals, or any other party like the Green Party, other parties that are registered with Elections Manitoba, coupled with the fact that these political parties are not allowed to advertise to any extent really is what makes this even more egregious. So, on the one hand, you have the government using taxpayers' dollars, spending millions of dollars on feel-good quasi-government ads in the province of Manitoba. On the other side, you have a law that restricts the ability of opposition parties to bring forward their concerns about what's happening in Manitoba.

So it certainly creates an uneven playing field. It strikes at the heart of democracy. We believe it impinges upon the Charter of Rights and Freedoms, and it does all of those things to the detriment of each of us. I know that the government members, at this stage of their political careers, aren't concerned about freedom of speech and aren't concerned about the erosion of democracy because now that they sit on the government benches they feel that it's never going to hurt them. There's a political advantage. There's a political one-upmanship by having this sort of legislation here.

But it's important that all of us, for a variety of reasons, but certainly, too, Mr. Speaker, defend the right for freedom of speech. One of course, is a purely selfish and political reason that none of us have a right to be in government. There's no entitlement for Conservatives or for Liberals or for New Democrats to ever occupy the government benches. That's a decision that's made by Manitobans every four years, or whatever the election cycle is. So today the New Democrats are in government, and sometime it might be the Liberals, but we certainly hope the next time it will be the Progressive

Conservatives. But each member has to recognize that they some day will likely occupy another side of this House. There's no entitlement to government. So it's incumbent, then, upon each of us as individuals to stand up for the rights of us as members, as individual members and future members to come. Just as our predecessors who have been elected to this Legislature would have stood up for the right of freedom of speech, we have the same obligation to stand there for those who will come after us as our successors, whichever position they're in.

So I would certainly appeal to New Democratic members. I know that the government, that the Cabinet has been sort of whipped into supporting this legislation. But there should be serious concerns among the backbench of the New Democratic Party about this legislation. They should be raising their voice. I know that their voice is sometimes muted in their caucus because of the overriding hand of the Premier (Mr. Doer), but they represent more than just a caucus, Mr. Speaker. They each represent a constituency of individuals. They each represent their successors, even if they're unknown at this point, and they certainly have the ability and they have the obligation to ensure that they're defending that freedom of speech.

There's been much debate over the issue of allowances for political parties. The New Democratic decision to bring in a vote tax, essentially, to make Manitobans pay \$1.25 for every vote they cast for a political party, and then that money is funnelled into the pockets of the governing party and to other parties that receive votes in the election, this is something, Mr. Speaker, I think it's clear that it wasn't asked for by political parties in this House.

The Conservative Party and the Liberal Party, I understand, haven't been asking for this provision through Elections Manitoba. There are committees, all-party committees, that are set up under The Elections Act that are intended to give advice to the Chief Electoral Officer on changes in the operations of the financing act here in Manitoba as they relate to elections. This was not a topic of conversation in the last two years. In fact, I understand that the committee hasn't even met in the last two years, so it couldn't have been a topic of conversation prior to this legislation coming forward.

We certainly haven't been asking for this provision. In fact, Mr. Speaker, we were quite satisfied to live under the current provisions. We've seen our party had success in terms of fundraising.

We're more than comfortable knocking on the doors and going to the doorsteps and telling people what we believe in, what our party stands for. Then, if they choose of their own volition to provide funds to the political party, in whatever amount that might be, \$5 or \$10, or whatever they're able to provide, we're satisfied with that. We believe in the values of our party and the policies of our party enough to be able to go to Manitobans individually and say, this is why we believe you should support our party. This is why in the long run we believe you and your children and your grandchildren will be better under a Progressive Conservative government than you would be under a New Democratic government or under a Liberal government.

Then we can judge, we can judge on the doorstep. Individuals can decide whether or not they believe in those policies and whether or not they believe in that vision. If they do, they can choose if they want to provide financial support for the political party of their choice. But it's about choice; it's not about conscribing or conscripting and making individuals contribute to a political party.

You can understand, I suppose, the sense of desperation from the New Democratic Party as they find their financial base is dwindling, as they find the disparity between the people who are willing to contribute to the Conservatives or the Liberal Party is growing as compared to those who are willing to contribute to their own party. There must have been an emergency meeting at some point among the hierarchs of the New Democratic Party, which, I know, would exclude about 95 percent of their caucus. But the hierarchs of the political party would have got together and said, well, how is it that we can ensure that this gap that is growing between the financial abilities of the opposition parties and our party can be closed, because we know that clearly Manitobans are more in tune with the policies and ideas of other political parties? They are giving to them at a higher rate. They're not as engaged with our political party, so we have to find a way to close that gap.

They do, as New Democrats often do, when they're not able to stand on their own two feet and fight on the issue of principle and policies, they decided to legislate. They brought in legislation that says, well, we're going to force Manitobans to give to our political party based on a vote distribution from the last election, which would certainly bode well, they believe, for the members of their current caucus. But, Mr. Speaker, there is again a longer issue here

about whether or not this is good policy for Manitobans as a whole, whether or not Manitobans have been asking for this, whether or not Manitobans believe in this.

I would challenge the Premier (Mr. Doer). We had an amendment that came to the legislation regarding elections financing in 2006 and we had committee hearings at that time. Mr. Speaker, I had the opportunity to be at those committee hearings. I believe the Member for Inkster (Mr. Lamoureux) was there as well, and the Leader of the Official Opposition (Mr. McFadyen) and the Premier, and we had quite a discussion about the changes that were happening at that point. One of the provisions that came forward was this notion, and it didn't come from the Chief Electoral Officer. It came from the Premier himself. He admitted it. It wasn't a recommendation from the Chief Electoral Officer to have hearings across the province, public hearings, on the election of senators, on how an election of senators should take place.

Now that was interesting of itself in that it wasn't again from the Chief Electoral Officer. The Premier said it was his decision. But he decided, he felt that it was the right thing to do. As I review the committee *Hansard* over the last few weeks, Mr. Speaker, I was surprised at some of the rationale that the Premier gave. One of the things that he said was there was a need to have these public hearings because this was a long-term change, determining how senators would be elected in Manitoba and, ultimately, in Canada. If the provision comes through, it was a long-term change that would impact future generations of Manitobans.

\* (15:20)

Because of the fact that it was a long-term change, it wasn't isolated in time, the Premier (Mr. Doer) felt that we needed to have these public hearings. One wonders why he would resist or be reluctant to have these provisions in Bill 37 also go to a public hearing. Does he not feel that they are long term? Does he not feel that they're going to be in place for a long time? Does he think it's only going to impact his current administration in the next three years and then it's going to fizzle away or dissolve? I doubt it. Mr. Speaker, if he truly believes that these are long-term changes that are going to impact Manitobans as he did believe with the elections of senators under the previous changes to The Elections Act, he would also have public hearings.

You know, it's not as though we have to set up a new regime or set up a new level of bureaucracy; there are already plans in place to have public hearings on the election of senators in Manitoba. It's just a matter of maybe changing a notice here or there and adding on Bill 37. We can hear from Manitobans. We don't have to run from the public. We don't have to try to hide from their opinion, Mr. Speaker.

I know when I've heard from members opposite, they've said, well, this will all come out at committee. We're going to have public hearings; it's called committee. But, in fact, when it came to the elections of senators, we also had committees on that bill and the Premier didn't think it was enough; he thought they had to have public hearings needed to go around the province. Well, their argument falls apart that the committee hearings are enough because we know that committee hearings—sometimes it's difficult for all Manitobans to make those hearings at the various hours that they're being held. The Premier saw fit on the previous changes when it comes to electing senators in Manitoba to have public hearings because of the long-term nature of those changes. The same rationale should be applied to Bill 37, and there should also be that same sort of vetting through the public.

I know there's been some discussion as well in the Legislature and beyond about the changes within the act that would restrict the ability of members to communicate with their constituents. I've heard the arguments and I think they've been very valid and well-thought-out arguments by the Member for Inkster (Mr. Lamoureux) and the member for other organizations who have supported the position of our party on this issue. It's not always an easy issue to debate because I know not everybody appreciates getting political mail. I recognize that and I realize that, but here is the reality.

The reality is it's not about the Member for Inkster or members on this side of the House going out and trying to defend our ability to speak to constituents. It's about defending their ability to hear. It's about defending their right to know what's going on in the Legislature. Whether they choose to read that material or not is at their discretion, but they have the right as individual citizens who vote in an election, who need to be informed about what's happening—whether it's in the Legislature, whether it's in Parliament, they have the right to hear what's going on. It is, for sure, Mr. Speaker, also partially about my ability to communicate with constituents,



but I think the prevailing right that's being impinged here is the right for constituents to hear and to know what's happening in the Legislature regarding legislation that's going to impact them and their children for many years to come.

But it's certainly not a secret, or it's not cloaked in mystery in terms of why the government would be trying to make these changes. They've clearly looked and tried to find any sort of political vulnerability they might have on how opposition parties can find a way to communicate with individuals so they can hear about whether it's the hog moratorium that's being placed by this government or other pieces of legislation that are going to hurt Manitobans' long-term future, to try to restrict the ability for MLAs to provide that information to their constituents and the right for constituents to hear about what's going on in the Manitoba Legislature.

It'll be interesting, Mr. Speaker, you know, the government has decided to give a direction to LAMC and LAMC is not probably a body that most Manitobans are familiar with. If you would talk to most Manitobans, I'm sure they would be unfamiliar with the operations of the Legislative Assembly Management Committee, but it is an important body here in the Legislature and that is supposed to be one of the all-party committees that protect the rights of individuals as us as MLAs.

My understanding, and certainly I had the opportunity to serve for a time on LAMC, and I always believed and understood that it's a body of consensus, that it's a body where decisions are made where everybody agrees on a particular issue, that there aren't divisive votes. I won't, Mr. Speaker, reveal any of the discussions that went on at LAMC, on issue. I know that there's a reporting mechanism for that, and I'm not intending to go beyond that. But I can tell you that there are members of this Legislature, members of the government, who've given very impassioned speeches at LAMC about the need for it to be a consensus body, and that if even one member of that committee disagreed with something, if even one member of LAMC didn't believe that something should happen, then the measure failed.

I've seen, Mr. Speaker, I've sat in on committee meetings where that was the case, where every member of the LAMC committee believed in a particular provision except for one member. Because of that, because of the one dissenting voice on the committee, it didn't pass. And I believed in that. I

mean, when I was on the committee, I thought, well, this is one of the few areas in the Legislature we had to have that consensus, where all members had to believe in it, and then we went forward because it did impact all members.

Yet, here we have a piece of legislation that directs LAMC to do something. I'm not sure what the precedent for that is. I know there are obligations for LAMC to fulfil certain roles and it does that, I think, to the best of its ability, but I'm not sure what the precedent is for a government piece of legislation telling LAMC that they have to do something because I wonder what happens if there's not unanimity, if there's not unanimity on provisions at LAMC.

The history of that committee, as far as I understand it, as far as other members of the government have argued within LAMC, is that it has to be done by consensus, that there can't be that dissenting voice. So, if provisions get to LAMC and there is this dissension, how's it going to be resolved? This is the problem with the legislation that the government has brought in. They brought in a dictatorial piece of legislation demanding that something happens with LAMC because they're concerned that members of this Legislature are communicating with their constituents in a way that affects and negatively affects the government, and I don't think that they've thought this through. I don't think that members of the back bench of the New Democrats, who, I know, won't have had a voice in this, won't have had their opinion, wouldn't have had the opportunity to give their opinion on this legislation before it came forward. They probably heard about it like the rest of Manitobans as it was brought forward in the Legislature. I know that they won't have been asked about it, but it impacts them as much as it impacts me. It impacts all of us as legislators.

To give this direction to LAMC, to say, this is what you must do, not this is what you should do or this is what you may do; this is what you must do—it'd be very interesting to see how the words of the members opposite who've served on LAMC before and have said that everything must be done by consensus, how it's going to match up with the reality if this legislation passes.

There is an opportunity, I think, for the government to step back and to realize that, I mean, not every piece of legislation that comes forward to the Legislature is a perfect piece of legislation.

We've seen many times legislation be amended. Often, legislation is withdrawn because, in the clear light of day, individuals realize that this maybe wasn't the right way to go, that there are problems with legislation. I pointed out a number of them here today, Mr. Speaker, that involved not only the will of the public and what the public is looking to have from the electoral process, but also the will of the Legislature and us as individual MLAs, and the rights and the responsibilities that we have not just to ourselves in the limited time that we're here. We're all here for a limited time. We don't know how long the electoral winds will blow favourably upon us as individuals in our own individual constituencies, so we're here for a limited time to represent the people that we're elected to represent. *[interjection]*

You know, I know that the minister of—I'm not actually sure what he's minister of anymore because it changes so often. The Member for Assiniboia (Mr. Rondeau), he used to be the minister for Crocus, Mr. Speaker. I know that he has less concern about this. He has less concern and perhaps it's the arrogance of a government that's been there too long or of a minister who hasn't served in opposition and seen the need for freedom of speech.

But I would say to all members—I know that my time is limited—but I would say to members that this isn't about a partisan fight. This isn't about a political fight. It's about understanding that there are people who have served in this Legislature before us who have fought for certain rights and certain abilities. There will be people who are going to serve in this Legislature who we are going to expect after to fight for certain rights and certain abilities and our time is time-limited here. To have a short-term decision made on the fact that the government might think it might serve their members today and in a couple of years is short-sighted for us as MLAs. It's short-sighted for this Legislature. It does a disservice to Manitobans. It's a disservice to us today. It's disrespectful for members who've served before, and it's a disservice for members who are going to serve after us when our time is done.

I look forward to hearing comments from other speakers, Mr. Speaker.

\* (15:30)

**Mr. Leonard Derkach (Russell):** I rise today to address Bill 37 in second reading, Mr. Speaker, and I do so with some trepidation, because when I think about democracy and what democracy represents to people in this province and in this country,

democracy means that we have certain rights. They are rights that we have fought for. They are rights that our forefathers fought for. They are the rights that men and women laid down their lives for in the Second World War and, indeed, in the First World War, so that those of us who have come after those times have been able to enjoy certain freedoms, certain rights and, more importantly, the freedom of expression.

Bill 37 is an affront to anyone who holds these freedoms near and dear to his heart. I don't know what those many men and women who died for the cause of freedom would say today to Bill 37 if they could speak. Mr. Speaker, now, that may be going over the top, some would say. But it's a beginning to a process that begins to cut away the ability of people to express themselves freely without fear. It also is a way in which a government that is out of control begins to squeeze down on the freedoms that we enjoy in society.

This bill, if you look at it from just a quick look, would give the impression that finally government has recognized that there is a need for set election dates. But that is the loss leader, if you like, in this bill because that part of the bill only says that there will be set-date elections if, in fact, there are other circumstances that don't take place where a government could call up an election at another time. Even that provides a way out for the government.

I have never been forced by any legislation, I don't believe, to pay towards a political party that I don't believe in, and neither should any other Manitoban be forced to pay any money towards a political party that they don't believe in. But this government has taken it upon itself because they have an inability to raise monies from donations. They have now put in place legislation that forces ordinary Manitobans, through their tax dollars, to pay to their coffers so that they can spend that money promoting their political cause.

Mr. Speaker, they can turn around and say, well, we're going to be able to have that same privilege. But that's a privilege we don't want. That's a privilege that we reject because we believe that if you are worth your salt, people will come behind you and support you. I think that the NDP are finding that their political party is waning. Therefore, because the donations are drying up over time, they have found a new way in which to raise money on an annual basis between elections and that is to force Manitobans

through their tax dollars to pay towards a political party.

Mr. Speaker, when we have the kinds of needs we have in this province, and we have the kinds of people who are done injustice in this province by this government, and this government then passes this kind of legislation, it is sheer hypocrisy. When you look at what the retired teachers have been asking for in terms of COLA, this government has turned a deaf ear to their request. This government has turned a blind eye to the inequities that exist for people who have spent their years working in the classroom and, upon retirement, then find out that they do not deserve COLA, according to this government. How is it, then, that the monies that are being collected by this government for its own political purposes are now going to have an inflation factor built into them without giving that same consideration to people who spent years in the classroom and, upon retiring, don't have that same privilege?

I want to ask the question: Who was asking for this legislation? Who in our society asked for this type of legislation outside of the New Democratic Party? Were there Manitobans, ordinary Manitobans, who were petitioning the government for this kind of legislation? Were there Manitobans who were approaching the government for this kind of legislation? No. This is self-serving legislation for the government of the day in the hopes that this will shore up their coffers for the next election.

Mr. Speaker, whose agenda does this legislation address? Does it address Manitobans' agenda? No, I don't think so. The only people who are served by this legislation are the government. This side of the House doesn't want this legislation; this side of the House is going to vote against this legislation. This side of the House can raise its money without having to force taxpayers to pay on an annual basis to this party.

For too long, the NDP's approach has been to force Manitobans to do things that Manitobans don't really want. They do it in subtle ways through legislation of this kind; they mislead Manitobans into believing that there is some other more-pure agenda in the bill when, in fact, when you look at the bill, it really restricts, Mr. Speaker, some of the freedoms that we have enjoyed over time, the freedom to be able to support a political party of our choice, rather than being forced to pay for a political party that we don't believe in.

Mr. Speaker, the other part of this bill addresses the issue of my right, as a MLA, to communicate with my constituents and also to communicate with Manitobans who, perhaps, have some right to know what the government is up to. Now we're going to be censored. This is a bill of censorship on my ability to communicate freely with my constituents and with other Manitobans.

Now we are going to have a process where LAMC is going to actually scrutinize what it is that I'm writing about to constituents. They are going to determine whether or not this is the kind of communication that I, as a MLA, should be able to put out to my constituents. Now that is sheer censorship; you can't call it anything else, because anything that I am going to put out that is going to require tax dollars to pay for is now going to have to be scrutinized by a body whose majority is made up of government members.

Mr. Speaker, why is it that the Premier (Mr. Doer) felt that this was necessary? I can think of a couple of reasons. Number 1, he doesn't like, and neither does his government, his Cabinet ministers, the fact that we sometimes have to tell Manitobans about the agenda of the government. We have to tell Manitobans about what this government is up to in the Legislature here and what they are up to with regard to passing legislation.

When you have the kind of schedule that we've been living under the last couple of years in this House, where the government brings forward legislation in the dying hours of the legislative session and then rams it through because of a legislative schedule, Mr. Speaker, it doesn't allow Manitobans to be able to speak freely to that legislation, to voice their opinion, to voice their opposition or, even for that matter, to voice the support for legislation.

Mr. Speaker, when I look at the fact that, even as late as the beginning of last week, ministers were still introducing bills for second reading in the House, leaving us, basically, one week of debate in second reading before those bills are forced into committee. Now that's basically four days of debate on many of the bills that should have been introduced in second reading months ago.

It is typical mismanagement of this government of the way it runs the House. It's no wonder that we had the chaos this afternoon when the House leader stood up and tried to move things that he had no consensus on. He was trying to force the Liberal

Party, even though they are two in number, he thought he could ram over them and have his way. That was shown that that doesn't happen in the House, Mr. Speaker. We have to be able to negotiate terms, including all members of this House or representatives of all members of this House.

\*(15:40)

Quite rightly so, Mr. Speaker, you ruled that the House leaders should get their act together by going back and negotiating what the terms should be for the following week. That's just typical of the way this government has shown its disdain for the political process in this House. Also, it is using its majority to roll over Manitobans and to, indeed, thwart the rights of people who actually, in this province and in this country, should have the right to express themselves freely to their constituents and other Manitobans.

Mr. Speaker, what is this doing to democracy? Well, many Manitobans out there right now are not paying a lot of attention to Bill 37, and if you were to canvass many Manitobans out there who are trying to put crops in the fields so that we could have a bountiful harvest, they are not interested in what is going on in the Legislature right now because they have other things that are priorities in their lives. They can't give up the time from their fields right now to be able to come in and make presentations on this bill. That just doesn't include the people who are actually involved on the land. It includes people who service that whole industry.

Mr. Speaker, it goes far beyond just the agricultural producers. It goes into many of the businesses that conduct their affairs at this time of the year. This is probably the time of the year when we see the greatest economic activity taking place outside the city than you will have any time else in the year. You can't expect these people to come to the Legislature and begin to debate and to begin to put their comments with regard to Bill 37, even though they would like to. I think, once again, it is curtailing their ability to participate in a democracy.

The ministers and the government can say, well, they have the right. We have this time set aside for scrutiny of the bill, Mr. Speaker, but, actually, they're doing it in a time when Manitobans are busy, when Manitobans don't have the time to be able to come in and debate these issues. Nevertheless, Manitobans will show their feelings about this legislation to the government in times to come.

Mr. Speaker, I think my colleagues would join me in calling on the government to withdraw this legislation off the books. If you really think about it sensibly, this should even go against the grain to New Democrats who sit across the way. You know, the article by Preston Manning a few days ago in, *The Globe and Mail* I think it was, puts it very squarely that even Tommy Douglas, who was the founder of the New Democratic Party, would have rolled over in his grave if he knew what this party was doing in Manitoba today.

Mr. Speaker, Preston Manning puts it fairly squarely. He says, there is a man—Tommy Douglas is, I think, respected by a lot of Canadians for what he did for Canada in terms of making sure that people had the right to express their views on democracy, and he would never, ever have allowed this kind of legislation to come where he was the leader of the party. It's a sad commentary on a party that is supposed to believe in the rights of the little people, that is supposed to believe in the rights of ordinary Canadians and ordinary Manitobans, to then restrict those who represent those people from being able to communicate, from being able to express their views on matters that the government is undertaking within this Legislature.

Mr. Speaker, we are going to continue to fight this legislation as long as we can. We are not going to allow the government to just simply steamroll over this, and I'm looking forward, as a matter of fact, to the committee hearings next week because I do believe that there will be some people who will come forward and express their views on this bill that, I think, will perhaps—perhaps—give this government a reason to think about either amending this legislation or, in fact, withdrawing it and then reconsidering it, and whether they come back with new legislation in the fall is something that they would have to decide.

Mr. Speaker, I think our goal has to be straightforward, and that is to continue to press the government for their removal of this legislation or amending it in a such a way that it is going to become more acceptable to Manitobans and to us in this Assembly.

Mr. Speaker, I'm looking forward to the committee hearings, but I'm also looking forward to the debate and I can tell you that if this bill is called, if this bill is not one of those that is rammed through at 5 o'clock today, and we have an ability to vote on

this bill, that is certainly something that we want to be able to do and I thank you for the opportunity.

**Mr. Hugh McFadyen (Leader of the Official Opposition):** I'm pleased to put a few words on the record with respect to Bill 37 and picking up on themes that have been expressed by other speakers on this bill today. Our concern, of course, is not just with the substance of the bill, but the manner by which it was introduced and the manner by which this government has attempted to speed its passage through without an adequate opportunity for a full public airing.

We note the irony, Mr. Speaker, that today a story would appear in *The Globe and Mail* of the Premier of the province saying that he wants to have public hearings on the issue of Senate reform in Canada. Senate, a national federal institution, one in need of reform to be sure, but the attitude of wanting democracy and openness in public hearings and input from regular Manitobans into this federal institution is so at odds with what he is attempting to do with legislation that impacts us in areas within his direct control, and that is democracy in Manitoba at the provincial level. The irony of it is almost unbelievable that the Premier, on the one hand, is calling for public hearings to reform the federal Senate at the same time as he's wanting to jam through a bill respecting reform of our democratic processes and institutions at the provincial level.

We have made comments about the manner by which the bill was introduced, the misleading information provided, both to members of the House and to the people of Manitoba, about the content of the bill, and the way it was done at the last minute with little opportunity for full public scrutiny, input, debate, and ultimately responsiveness by the elected representatives of the people of Manitoba.

So we are gravely concerned about this bill. It didn't go through the normal channels. It was not vetted by the Elections Manitoba all-party committee that is supposed to review legislative amendments respecting The Elections Act. It was not vetted by the all-party committee that was set up and is supposed to review amendments to The Elections Finances Act. Mr. Speaker, the Legislative Assembly Management Committee containing representatives of all parties was not consulted on those elements of the bill that deal with reforms to the way this Legislature operates and, in particular, those reforms which seek to limit communications for members of the Assembly, including, incidentally, members of

the government side, and to cap it by putting in place budgets that had heretofore never been abused and had never been put in place.

So, Mr. Speaker, the bill is a tremendous step backward. It claims to fix election dates when in fact it doesn't. The discretion is left in the hands of the Lieutenant-Governor to call an election on the advice of the Premier. That clause overrides the date that was placed in the bill, and then it does a bunch of other things that have nothing to do with openness and democracy; in fact, they have everything to do with the very opposite: closing debate, shutting down access to information, interfering with Manitobans' right to know what is going on in their government.

It's not the Premier's government. It's not the minister's government. This is the government that belongs to the people of Manitoba, and to think that those ministers and the Premier have now taken on such a sense of entitlement that they feel that they can introduce legislation blocking access to information by the people who elected them as to what they're doing, how their money is being spent, how their laws are being framed, is an appalling example of a government that is entirely out of touch with the people of Manitoba, Mr. Speaker, completely disconnected from the wishes of the people of Manitoba, and arrogant to a degree that I think we've seen very rarely in recent Manitoba history.

So, Mr. Speaker, this bill is a massive step backwards on so many fronts: limiting MLAs' ability to share information with Manitobans, limiting political parties in their ability to provide their perspective to the people of the province, and what can be more important in a healthy democracy than hard-hitting debate.

\* (15:50)

Somebody once said, I won't name the Prime Minister, if you can't stand the heat, get out of the kitchen. There's supposed to be heat in politics. There's supposed to be hard debate. There's supposed to be a clash of ideas and perspectives, and instead what we have is a government that is so accustomed to getting its way, and so sensitive to any kind of criticism, any attempt to hold them accountable, Mr. Speaker, they feel the need to control the means of communications between the elected officials and the people of Manitoba. So this is just wrong in every way. It violates every principle that has been established in the creation of our democratic society

in the various ways in which it seeks to inhibit the flow of information to the people of our province.

So, Mr. Speaker, we cannot support this bill. We condemn the way it was introduced. We criticize the way the government has attempted to push it through with great haste, with little opportunity for public input. We call on the people of Manitoba to come forward to committee, starting on Monday evening next week, to come to committee and make sure their voice is heard because we can do so much as members of the Assembly to voice our concern. When the people rise up, the government must listen.

We call on all Manitobans to call the Clerk's office at 945-3636 to register to present to committee on Monday evening on this bill and any other evening that this bill is put before the Legislature. We call on them to come out and have their say because, Mr. Speaker, once this bill becomes law, the government is attempting to slam the door on their opportunity for further input into the making of law in Manitoba, into getting information they need to be informed citizens and into being able to hold their government to account.

So the window is closing quickly. There's urgency. Manitobans need to register. They need to speak up and they need to support amendments and changes to this act that will ensure that democracy and openness prevail here in the province of Manitoba.

So, Mr. Speaker, I want to just conclude by encouraging all members, and in particular, members of the government who sit not in Cabinet but on the benches of the government side. Those who aren't privy to the big Cabinet decisions, those who aren't privy to the awarding of contracts and decisions around the expenditures of money, to stand with us to oppose this bill because it violates their rights every bit as it violates the rights of MLAs in opposition.

I think we need to remind the government that those who sit in Cabinet today are a minority of members of this Assembly. Let's forget about partisanship and party membership. There is a majority of members of this Assembly today who do not sit in Cabinet, who are not privy to those inside discussions. It's time for all of us to assert the strength and the forcefulness for our elected Legislative Assembly to stand up, to join with us across the aisle.

I see the Member for Wolseley (Mr. Altemeyer), who, I know, has great democratic instincts, even though we disagree on many, many issues. The Member for Wolseley, I know, wants to be able to communicate with his constituents. He wants to be able to speak out on issues that are important and he wants to but he can't because he's not allowed to, Mr. Speaker.

There are other members across the way, and I call on them to support us and for a majority of members who don't sit in Cabinet, and some who I fear may never sit in Cabinet, to reach across the aisle and to join with us and to stand up against the minority that are the privileged few in this Chamber, who sit in Cabinet, to stand up against the tyranny of the minority, to join with us in an all-party consensus to restore the place of this elected Legislature in Manitoba, to vote down Bill 37 and to bring democracy back to Manitoba, Mr. Speaker.

I know, Mr. Speaker, as I look across the way, I have friends, individuals—*notwithstanding* our partisan differences—whom I have great respect for, who ran for election under the belief that they wanted to come to this place to make a difference, to stand up and make their views known. I know today that they look at this as perhaps the last best chance to stand up against the tyranny of the minority in this House, so I call on all of those members in this House to join together in a majority to defeat Bill 37, to amend it, to bring democracy, to ensure the taxpayers aren't on the hook to fund parties that they may not want to support voluntarily, to be sure public money is spent on the priorities of our province: health care, education, public safety, cleaning up Lake Winnipeg, ensuring the protection of children in care. That's where the money should go.

It shouldn't go to the NDP advertising machine. It shouldn't go to the Progressive Conservative Party. It shouldn't go to the Liberal Party or any other party, Mr. Speaker. Let Manitobans give freely to the parties, the party that they believe in and that they want to support. Let not them be directed, forced against their will to support political parties that they may not believe in.

So I'm calling on all members, the majority of members of this House who don't serve in Cabinet, to rise up, for us to stand together, to link arms, to stand up for democracy, to say that it's a new era for politics in Manitoba. It's a new era where the majority-governed elected officials who were sent

here to stand up for their constituents work together to hold that small, little clique that sits in Cabinet—the Minister of Education (Mr. Bjornson) excepted; I know he wasn't in the loop on the bill that was introduced on school closures; he didn't see that one coming—but for those who are on the inside track who saw what was coming, who make all the decisions, here's a golden opportunity for all of us to stand up together, vote against Bill 37, vote for democracy. Let us stand together and make Manitoba a great democratic province once again, Mr. Speaker. Thank you for the opportunity.

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

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, it's my privilege to rise and put some words on the record in regard to Bill 37 as well, The Elections Finances Act and amendments to it. This bill is one that needs to be repealed as our leader just indicated; we wanted to have the opportunity to have some words.

Mr. Speaker, this bill takes a dollar and a quarter out of general revenues. It's done under the guise of having a set election date as members have spoken to already in this bill, but it really—if the government wanted to have set election dates, they could just have brought a bill in and called for set election dates. There are so much other derogatory amendments or parts to this bill that it should be completely revamped and looked at, and a lot of amendments would delete articles from this particular bill.

I think one of those would be the area of a dollar and a quarter that has been spoken about today, taken out of general revenue on behalf of all of the parties that are there to fund the general operations of those parties for the year, Mr. Speaker. That's to a maximum of a quarter million dollars which, of course, is where the government would be and it's unfortunate.

Maybe the Premier (Mr. Doer) looked at the opportunity of what was described in the Canadian Taxpayers Federation today, the article in the *Winnipeg Free Press* today, and he knew that he could limit oppositions, throw them off for a little while, because change takes a little bit of time to adapt to.

Mr. Speaker, the first Elections Finances Act limited corporations and union donations. We've overcome that and raised more money than the government, the NDP. So now he's changing the

rules again to pad his own pocket by allowing a dollar and a quarter per voter for each of the parties to come into the province of Manitoba and help run their party which can't raise money.

That's the fear that's out there today amongst the government. They've got the majority of members and they can't raise enough money to run an election, to run their own party on a yearly basis. So the Premier brings in a bill like this to allow for the opportunity to run his own party between elections and particularly during an election.

I know that this is one of the third-party advertising part of this—it's rather an irony, Mr. Speaker. There are two sections of this bill that are being amended, and they're amending parts of a 2000 bill that's been sitting unproclaimed for eight years. So how can you describe this as anything but devious or vindictive to the opposition in limiting our abilities to provide information to our constituents, like our leader just said from the Progressive Conservative Party, which involves all of the backbenchers of the governing party as well?

Mr. Speaker, when you've got amendments from the 2000 elections act, changes that haven't been proclaimed yet and now in this Bill 37, eight years later, you're amending amendments that haven't even been proclaimed, it seems to be just very spurious, in regard to what the intention of this kind of legislation is.

We know that it's been designed to limit the debate and the opportunities of getting the message out for the bad legislation. If they hadn't brought Bill 37 forward or Bill 38 or bills like 15 and some of the other bills that this government has brought forward in this session, they wouldn't have needed this kind of legislation because they would have had common-sense legislation.

None of these bills have got common sense, Mr. Speaker. Breaking balanced budget legislation under Bill 38—that'll be spoken about as well and many, many taxpayers of Manitoba are already calling about—is not good legislation; neither is Bill 17.

It was mentioned that the Minister of Education (Mr. Bjornson) didn't know about Bill 28. I know that the Minister of Agriculture (Ms. Wowchuk) didn't know anything about Bill 17. She's still got the Premier's footprints on her back from having had that one implemented.

\* (16:00)

I think that the Minister of Conservation (Mr. Struthers) should be looking at rubbing his footprints off his back, the Premier's footprints off his back, as well. It's too bad that they didn't have input into these bills before this kind of legislation hit the floor. Mr. Speaker, I don't doubt that the reason they're bringing Bill 37 in is to squelch this kind of poor legislation.

Mr. Speaker, with those few words, I look forward to others making comments.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

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

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

#### Formal Vote

**Mr. Gerald Hawranik (Official Opposition House Leader):** A recorded vote, Mr. Speaker.

**Mr. Speaker:** A recorded vote having been requested, call in the members.

Order. The question before the House is the motion on second reading of Bill 37.

#### Division

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

#### Yeas

*Allan, Altemeyer, Ashton, Bjornson, Blady, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard,*

*Irvin-Ross, Jha, Korzeniowski, Mackintosh, Maloway, Marcelino, Martindale, McGifford, Melnick, Oswald, Reid, Rondeau, Saran, Selby, Selinger, Struthers, Wowchuk.*

#### Nays

*Borotsik, Briese, Cullen, Derkach, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 29, Nays 20.

**Mr. Speaker:** The motion has been carried.

#### House Business

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, on House business.

I'd like to announce that the Standing Committee on Justice will meet in Room 255, on Monday, at 4 p.m., to consider Bill 37.

**Mr. Speaker:** It's been announced that the Standing Committee on Justice will meet on Monday, at 4 p.m., in Room 255, to deal with Bill 37.

**Mr. Chomiak:** I wonder if, on Monday, from the period of 4 p.m. to 5 p.m. in the House, and, actually, Tuesday, Wednesday, Thursday, we could have no vote, no quorums, as both committees will be sitting concurrent with the House. Or have I gone too far ahead?

**Mr. Speaker:** Is there agreement that for next week, Monday, Tuesday, Wednesday and Thursday, between 4 p.m. and 5 p.m., that there be no quorum calls or no votes? Between 4 p.m. and 5 p.m. *[Agreed]*

#### Bill 38—The Balanced Budget, Fiscal Management and Taxpayer Accountability Act

**Mr. Speaker:** Okay. We will resume debate on Bill 38, The Balanced Budget, Fiscal Management and Taxpayer Accountability Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Is the will of the House for the bill to remain standing in the name of the honourable Member for Pembina?

**An Honourable Member:** No.

**Mr. Speaker:** No. It's been denied.

\* (16:20)



**Hon. Jon Gerrard (River Heights):** Mr. Speaker, we've had a careful look at Bill 38, and have come to the conclusion that this is a pull-the-wool-over-people's-eyes bill. That this is not a good bill. It's not a good piece of legislation, and it has some major problems.

The origin of this legislation was the move to generally accepted accounting principles, a move which was driven in a number of ways in the Legislature, and which, indeed, I remember many Conservatives being very, very strongly supportive of, but the problem in moving to generally accepted accounting procedures is that the government has fully put together Crown corporations' budgets and the core government expenditures and is now going to consider balanced budget legislation, not on the basis of what happens with the core budget expenditures, but what happens with the combined core budget and Crown corporations' expenditures and revenues.

For Manitoba, in terms of proceeding in this way, there is a major problem when it comes to Manitoba Hydro, in particular. The reason is that there can be fluctuations' deficit because of a dry year of 300 million or 400 million or 500 million sometimes. There can be a surplus in a good year for Manitoba Hydro of 500 million, 600 million, 700 million, 800 million even. That creates a twofold problem.

One is that, in any given year, if you have to account for a deficit of several hundred million dollars from Manitoba Hydro, then in order to balance the whole budget, you create a problem which would only arise during the year in which, all of sudden, you're going to have to find \$100 million, \$200 million, Mr. Speaker, \$300 million, \$400 million, \$500 million, if you're going to actually balance the budget under this procedure for that given year.

The problem that this creates, the NDP have tried to rationalize by, we're going to solve that problem by averaging it out over four years and then we're going to be fine. The problem that it creates is two-fold.

One is, when there is a surplus in the Manitoba Hydro revenue, then it's all too easy to cover up a deficit in core operations of government, to disguise a deficit. Poor financial management in terms of the core expenditures and revenues of government would be disguised and reported in a way that would be totally deceiving to most Manitobans.

*Mr. Daryl Reid, Acting Speaker, in the Chair*

The problem the other way, it may be all well to have a single year when there is a big deficit in Manitoba Hydro, but the problem would really be huge if there were three years in a row when there were dry years and there was a deficit for Manitoba Hydro for three years in a row. You're going to have to make huge changes to the core expenditures of government in order to balance the budget.

There is the weather escape clause which talks about unusual weather or climate conditions. A dry year, as we had not very long ago, is not all that unusual. I don't believe that three dry years in a row would necessarily qualify for this sort of exemption, but the government is likely to interpret it as that because they might see themselves as being in trouble.

This legislation should work for whoever is in government. There are problems with the existing balanced budget legislation from our point of view, but this makes the problems much, much worse, instead of better. There really are too many problems. They can't be adjusted for, accounted for by amendments.

Our recommendation is that the government go back and revise and bring it back in the fall with some reasonably legitimate legislation.

It is interesting, curious, problematic that this legislation, if it were in force, could create a situation where the government is more likely to consider selling Manitoba Hydro. That would be the total opposite, right? They might consider selling it because it was too much of a problem adjusting to these up and down fluctuations.

The reality is there's a clause that you can't consider the revenue from selling it. Fine, that's a protection but the very fact that you've got up and down fluctuations could create a real problem for governments. I suggest that the government, the NDP, go back and rethink this.

There are some areas in this bill which I wanted to make a few comments on. One of these was the financial management strategy, which the minister must prepare a statement of the government's financial strategy, including the government objectives and measurable outcomes. Now, we interpret this not just as financial outcomes but performance outcomes; that is, you know, reducing poverty by half. Right? The performance outcomes in terms of deliverables, in terms of what's happening

in our health-care system, deliverables in a whole lot of areas which this government has been far too reluctant to even start to address. So we let the government stand on notice that, if they proceed with this legislation, we are going to be looking for those sorts of accountability outcomes, not just financial outcomes.

I want to talk for a moment about the part where it says, requires revenue neutrality. In one of the clauses, which is 10(2)(b), it talks about the proposed changes designed to restructure the tax burden and doesn't result in an increase in revenue. We believe, Mr. Acting Speaker, that there needs to be some real strong accountability here, that there needs to be an annual report of the actual revenue specific to that term. There needs to be a substantive case made that, in fact, there's not going to be an increase in the tax burden with an increase in revenue. Indeed, perhaps there needs to be a plan that if there is an increase in revenue, which happens after the fact, that there needs to be clear indication that this talks about, this is taxes, that there will be reductions in certain taxes or [*inaudible*] to people or what have you so that, in fact, that money is not put into the political purposes of the NDP. They've got enough money going to advertising as it were, at the moment.

With those comments, Mr. Acting Speaker, as I said, we recommend that this bill go back and the government redraft it and bring it back in the fall.

**Mr. Rick Borotsik (Brandon West):** I'm very happy to rise to speak to this unbalanced budget legislation that's put before this Legislature in a force-fed manner, Mr. Acting Speaker.

I guess the first question that has to be asked is why? Why is the NDP being so manipulative in, first of all, putting this piece of legislation forward in the way they did? One day before the selective bills had to be tabled was the day that they put forward, what I consider to be one of the most important pieces of legislation that this Legislature will deal with in this session, probably in this term, because this is all about money. Mr. Acting Speaker, this is all about revenue in, expenditures out, balanced budget, money that has to be expended for the services, provide those services to the taxpayers of Manitoba. They manipulated the process; they brought it forward at the 11th hour, and they did it because they want to consolidate as little time as possible so that Manitobans could, first of all, be consulted and, secondly, that Manitobans could be heard. That in itself is an undemocratic travesty.

I would hope that the members of the government would certainly stand in their place when we're voting for second reading and vote against this bill, Mr. Acting Speaker, and, as was said, send it back. The Finance Minister takes great pride in the fact that he goes on a pre-budget jaunt throughout the province of Manitoba to get consultation with Manitobans. That's just for budget. This is so much more important. This is the legislation that will allow this government to effectively go into deficit for three years, something that is unheard of in any provincial jurisdiction across this country. This government is now going to have the legislated authority to go into deficit when there's no need for it. It's giving carte blanche to a government and a Finance Minister who's proven the inability to manage the finances of this province, mismanage the finances of this province in nine years of the most robust economy that we have ever seen in this country. If they can't do it in the most robust economy, what are they going to do when, in fact, the economy does have a downturn?

\* (16:30)

As I have experienced many times in my business career, and certainly as a politician, there are downturns in the economy. Everything that goes up comes down, Mr. Acting Speaker, and that's the answer to the question that I asked in the first place.

Why are they doing this? The existing budget legislation that was passed in 1995 by a previous government is good legislation. As was mentioned by a previous speaker, if there have to be little tweaks to it, if we have to use—and we do have to use—GAAP, if we have to go to that direction, we can amend within the existing legislation so that it can still be in place. It's good, good legislation. Why do they have to get rid of that legislation, Mr. Acting Speaker? Well, let me tell you why. They're very afraid with the fact that they overspend on an annual basis. They're very afraid that their own-source revenues are going to start decreasing, which they will. Mark my words, put it in *Hansard*, bring it back to me in 12 months, and I'll guarantee you that there are going to be some reductions in own-source revenues.

It may come from retail sales tax. We just heard on the news the other day that tourism is drying up in Canada because the Americans aren't travelling. That affects retail sales tax. The tourism industry affects our hoteliers, our restaurants. It affects our retailers. That's going to happen. Make no mistake. We know,

as standing here today, mark my words, bring back the *Hansard*, equalization payments are not going to increase at the levels they have in the past nine years. Equalization, a dependency of this government, the squeegee capital of the world, if you will, and the Premier (Mr. Doer) is the biggest squeegee kid of them all, we have to depend on the federal government for almost 40 percent of our total budget. Between transfer payments and equalization payments, this government is dependent upon federal transfers and equalization. That is going to change.

We recognize right now that Ontario and Québec are in a difficult economic downturn. We know that. They're the industrial heartland of this country. Together, they amount for about 60 percent of our total GDP. If they're in a downturn, we in Manitoba are going to be affected. This government knows that. So they know they are going to have own-source revenue difficulties. They know they're going to have equalization and transfer payment difficulties. So why are they changing the balanced budget legislation? So they will have the ability to go on a four-year rolling average and the balanced budget will be required in 2012, one year after the next election. So they can go on and they can spend till their heart's content, like they did in this last budget. Increase the expenditures to the province of Manitoba by 6.2 percent. CPI is 2.2 percent, yet they are increasing this budget expenditure by 6.2 percent. It doesn't make any sense. You can't balance a budget like that, Mr. Acting Speaker. That's why they have to change this legislation.

Back in 1995, when the previous government put forward the legislation, the NDP spoke in absolute opposition to it. The comments at that time, Mr. Acting Speaker, were, we don't have to have balanced budget legislation. We don't have to balance our budgets. We should be spending whatever is necessary to spend to provide the services. Well, they do that. Right now, they spend whatever it is that they want to spend to provide the services. By the way, the services they're providing are not the best services. As a matter of fact, there was a Conference Board of Canada report that was put out where they said that Manitoba spends more per capita on health care than any other province in the country. We spend more per capita on health care, but when they went on to the next question in the survey, we delivered the worst service in the country of any province.

So we spend the most, but we deliver the worst service. So spending money isn't the answer,

Mr. Acting Speaker. Management is the answer. Efficiencies are the answer. But the problem is they don't know management and efficiencies. So what they want to do is they want to have legislated opportunity to go and spend as much as they want and, unfortunately, not have to balance the budget. So that's what they're doing.

They're using an excuse. The excuse, Mr. Acting Speaker, is that we have to comply with GAAP. GAAP is the generally accepted accounting principles. We accept that. We believe that we should in this House, as the province of Manitoba, comply with GAAP, no questions asked.

What that means is, we have a summary budget in the province of Manitoba as people recognize there's more than just simply provincial core operations. This province does have other Crown corporations. They have Manitoba Hydro; they have MPI, Autopac. They have MLCC, the Manitoba Liquor Control Commission; they have Manitoba Lotteries Commission. We have other entities as an operation within the province and outside the province.

What the accountants are saying is, you have to bring forward all those entities into a summary statement and we accept that. Bring it forward in a summary statement, show us what the retained earnings are in those Crown corporations and give us a complete balance, according to GAAP. That doesn't mean, Mr. Acting Speaker, we cannot and should not balance the core operation of this government on an annual basis.

That's what balanced budgeting is all about. What it means is, when you have \$10 billion which the last budget was, \$10 billion of revenue coming in from any number of sources—and I've already explained to you, Mr. Acting Speaker, that a substantial amount of those revenues are dependent upon the federal government—when we bring that \$10 billion of revenue in, we should only expend \$10 billion. That's all we should be able to afford to spend.

It's like a household, when you make \$60,000, all you can spend is \$60,000. You shouldn't spend any more because, if you do, you have to borrow money in order to do that. By the way, this government has been doing that over the past five years. They have been borrowing much more money than what Manitobans really understand. As a matter of fact, the debt this year, the net debt will go up

from \$10 billion to \$10.5 billion; that's net debt. Gross debt is sitting somewhere about \$20 billion.

I won't get into the details of net debt and gross debt, but I will tell you what this legislation does. What this legislation does is, Mr. Acting Speaker, it allows the government to borrow more money, spend more money and hide all the numbers in a summary statement. That's wrong. It's absolutely wrong.

We could keep the 1995 balanced budget legislation and simply adjust it to read that a summary statement be provided with compliance to GAAP. That's all we have to do. They would still have to balance on that core budget. They could do that, Mr. Acting Speaker, but they won't.

Now here's the reason why they won't. They want to overexpend and they want to be able to use those revenues from Manitoba Hydro and all those other Crown corporations, not necessarily the cash itself, but they want to show it on a summary statement which will always show a positive balance. It will always show a positive balance, even though the government can go and spend to its heart's content without having to balance the core operation.

Again, Mr. Acting Speaker, that is a very dangerous position we put ourselves in because, at some point in time, we are going to find a very difficult position of not having to balance that budget, even within the four years. Now here's what could happen if you want to be a cynic; there aren't that many cynics in politics. Most people in politics can't be cynical, certainly when it comes to this NDP-mismanaged government, but here's what could happen.

They could increase hydro rates, so they show a better bottom line on Manitoba Hydro. They could increase Autopac rates, so they could show a better bottom line on Autopac. They could increase Workers Compensation Board, Mr. Acting Speaker, and guess what? They're now looking at adjusting the WCB, so it has a much broader base, so it can generate much more revenue, so it will look much better on a balance sheet. When all those dollars increase on that balance sheet, unfortunately, it allows this government to spend more money on the operating side because they can balance every four years.

Now, Mr. Acting Speaker, they have so many checks and balances and safeguards built into this legislation that I can assure you this balanced budget legislation will never, ever come into effect. They

will never have to balance another budget again, a safeguard that they've thrown in here because we know Manitoba Hydro has fluctuations with respect to weather. It's based on water; it's based on the amount of water that's available, how much water comes from the turbines.

\* (16:40)

*Mr. Speaker in the Chair*

The Province of Manitoba, now and before, has always received revenue based on that water capacity. What happens if there is a weather occurrence, a drought, too much water, not enough water. In this legislation there's a clause that is built in for unusual weather or climate conditions. If there's a fiscal impact because of unusual water or climate conditions, this government doesn't have to balance their budget.

Well, there's nothing in here that says what is defined as an unusual climate or weather condition. Is it an inch of rain, Mr. Speaker? Is it a drought? Is it a flood? Is it too much wind? There are no definitions, so any amount of weather condition that is suggested by this government already gives them the out of not having to balance this budget.

They also have another condition in here which I find somewhat difficult to apt to comprehend. It is the fact in here that if there is a change in revenues that are being generated by another level of government—now I just explained that our dependency on another level of government is quite horrendous here in the province of Manitoba. The fact is that, if within 30 days of tabling this budget, this government can prove that there has been a reduction in revenues from another level of government, then they don't have to balance their budget, Mr. Speaker. Now, if we have a cutback of any amount, it could be a dollar, it could be \$5, it could be \$10. If that level of government reduces those revenue levels, then this legislation will allow this government to run a deficit. It's our suggestion that there be some limits and caps placed on that particular clause. If it's \$5, it's an impact by another level of government, and that's wrong. We should not have that safeguard built in there.

Another thing that we did in the 1995 balanced budget legislation, which, by the way, should be put into play, should not be repealed, should stay where it is and amended in order to comply with GAAP, that's all we're asking. That's all they have to do. Now what we had in 1995 was a clause, a 5 percent

clause. What that 5 percent clause was is that if there was a reduction of 5 percent in revenues, then those reductions had to be made up by efficiencies. They have to have it made up by efficiencies, not to the fact that they would just be able to run a deficit. Now there is no 5 percent clause in this piece of legislation, so what it means, Mr. Speaker, if they have a reduction of any sort in revenue, of any amount, could be a dollar, could be \$2, they have the authority in this legislation run a deficit.

I think this all boils down to a very simple fact. Should we spend, should we spend efficiently, should we spend the same amount of money that we have in revenues, and should we live within our means? That's the question that has to be asked. If they ask those questions of this piece of legislation, all of the answers that they give are no. They don't have to live within their means. They don't have to generate any more revenue. They don't have to be efficient which they aren't at the present time. So what they want to do is put a piece of legislation forward that will, in fact, give them an opportunity to be wasteful, inefficient, and not have to balance a budget.

Mr. Speaker, I would hope that people on that side of the House would go back to a very sound fiscal policy, back to balanced budgets, because this four-year rolling average will never be balanced and Manitobans and taxpayers in this province will, unfortunately, have to make up the difference in four years to come. At that time it may well be too late because they do not have any fiscal responsibility whatsoever.

I would hope that everyone would vote against second reading of Bill 38. Send it in the fall to public consultations, and let us talk about amendments to the existing legislation and certainly not this legislation.

Thank you, Mr. Speaker.

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

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 38, The Balanced Budget, Fiscal Management and Taxpayer Accountability Act.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

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

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

#### Formal Vote

**Mr. Gerald Hawranik (Official Opposition House Leader):** Recorded vote, Mr. Speaker.

**Mr. Speaker:** Recorded vote having been requested, call in the members.

The question before the House is second reading of Bill 38, The Balanced Budget, Fiscal Management and Taxpayer Accountability Act.

#### Division

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

#### Yeas

*Allan, Altemeyer, Ashton, Bjornson, Blady, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Jha, Korzeniowski, Mackintosh, Maloway, Marcelino, Martindale, McGifford, Melnick, Oswald, Reid, Rondeau, Saran, Selby, Selinger, Struthers, Wowchuk.*

#### Nays

*Borotsik, Briese, Cullen, Derkach, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 28, Nays 20.

**Mr. Speaker:** I declare the motion carried.

#### Bill 17—The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities)

**Mr. Speaker:** Resume debate, second reading, Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities), standing in the name of the honourable

Member for Emerson, who has 23 minutes remaining.

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, I'd like to start off where I left off yesterday.

Yesterday, Dr. Trevan told the *Winnipeg Free Press*, and I quote: The contribution of the total hog industry in Manitoba to the phosphate in Lake Winnipeg is probably 1.5 percent. Consequently, if you actually took all the hog barns out of production in Manitoba, it would make no difference to the lake. That was reported in the *Free Press* on March 20, 2008.

What really troubles me is that the minister's pretending he's working on the basis of the recommendations by the Clean Environment Commission, Mr. Speaker. He implies that science is supporting his case and it doesn't. As soon as we get into that sort of situation where politicians pretend that they have evidence that supports what they're doing, they both damage the political machinery and they damage the machinery, in this case, the university that is providing the evidence. That's from Dr. Trevan.

Mr. Speaker, the editors of Manitoba's largest paper, the *Winnipeg Free Press*, have questioned the motivation behind the Doer government decision to enact a permanent moratorium on hog production. The following are some excerpts.

On May 28, 2008, the editorial on the moratorium, and I quote: Hog producers and some academics are rightly outraged that the NDP government imposed a crippling ban earlier in this month on new hogs in most areas of central Manitoba and the Interlake. They are outraged because the moratorium was promulgated without any specific scientific information or in defiance of a report from the Clean Environment Commission.

It's ruled recently that the industry was—

\* (17:00)

**Mr. Speaker:** Order.

The hour being 5 p.m., in accordance with the sessional order adopted by the House in June 2007, item 14 of sessional order states that the Speaker must, at 5 p.m., interrupt the proceedings and without seeing the clock put all questions required to conclude the second reading stage on all specified bills that end at that stage. The questions must be decided without further debate or amendment.

The hour being 5 p.m., I will now proceed in accordance with the provisions of the sessional order. Just to advise members that specified bills required to have the second reading stages concluded include the following and I will start at the top and work the way down.

I'm calling second reading on Bill 2, The Public Schools Amendment Act (Trans Fats and Nutrition). Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

I'm calling Bill 6, The Securities Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Calling Bill 13, The Highway Traffic Amendment Act (Damage to Infrastructure). Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 14, The Criminal Property Forfeiture Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 15, The Climate Change and Emissions Reductions Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 16, The Child Care Safety Charter (Community Child Care Standards Act Amended). Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities). Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

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

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

**An Honourable Member:** On division.

**Mr. Speaker:** Okay, on division.

\*\*\*

**Mr. Speaker:** Bill 19, The Liquor Control Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 21, The Advisory Council on Workforce Development Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 22, The Worker Recruitment and Protection Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 23, The International Labour Cooperation Agreements Implementation Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 24, The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices). Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 25, The Embalmers and Funeral Directors Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 26, The Legal Profession Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 27, The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended). Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 28, The Strengthening Local Schools Act (Public Schools Act Amended). Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 29, The Business Practices Amendment Act (Disclosing Motor Vehicle Information). Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 30, The Crown Lands Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 31, The Freedom of Information and Protection of Privacy Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 32, The Personal Health Information Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 33, The Salvation Army Grace General Hospital Incorporation Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed?

No? Is there agreement? *[Agreed]*

Bill 34, The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children). Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 35, The Statutes Correction and Minor Amendments Act, 2008. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 36, The Municipal Assessment Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 39, The Court of Appeal Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 40, The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act. Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

That concludes second reading of all bills.

### House Business

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I'd like to announce that the Standing Committee on Social and Economic Development will meet on Monday, May 26, and Tuesday, May 27, at 4 p.m., in Room 254, to consider the following bills:

Bill 10, The Legislative Library Act; Bill 13, The Highway Traffic Amendment Act (Damage to Infrastructure); Bill 15, The Climate Change and Emissions Reductions Act; Bill 16, The Child Care Safety Charter (Community Child Care Standards Act Amended); Bill 19, The Liquor Control Amendment Act; Bill 21, The Advisory Council on Workforce Development Act; Bill 22, The Worker Recruitment and Protection Act; Bill 23, The International Labour Cooperation Agreements Implementation Act; Bill 27, The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended); Bill 31, The Freedom of Information and Protection of Privacy Amendment Act; Bill 32, The Personal Health Information Amendment Act; Bill 33, The Salvation Army Grace General Hospital Incorporation Amendment Act; Bill 34, The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety

of Children); Bill 36, The Municipal Assessment Amendment Act.

Also, Mr. Speaker, I would also like to advise that the Standing Committee on Justice that is meeting on Monday at 4 p.m. will also be meeting on Tuesday at 4 p.m. and will also be considering the following bills in addition to 37. Those bills are Bill 14, The Criminal Property Forfeiture Amendment Act; Bill 26, The Legal Profession Amendment Act; Bill 35, The Statutes Correction and Minor Amendments Act, 2008; Bill 39, The Court of Appeal Amendment Act; Bill 40, The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act.

Also, the Standing Committee on Justice will meet on Thursday at 4 p.m. in Room 254 to consider the following bills: Bill 6, The Securities Amendment Act; Bill 25, The Embalmers and Funeral Directors Amendment Act; Bill 29, The Business Practices Amendment Act (Disclosing Motor Vehicle Information); Bill 38, The Balanced

Budget, Fiscal Management and Taxpayer Accountability Act.

**Mr. Speaker:** Order.

Is there leave for the Standing Committee on Social and Economic Development to meet on Monday, May 26, and Tuesday, May 27, at 4 p.m., in Room 254, to consider the following bills: Bill 10, 13, 15, 16, 19, 21, 22, 23, 27, 31, 32, 33, 34, 36?

Also, is there leave for the Standing Committee on Justice to meet on Monday at 4 p.m., and will also be meeting on Tuesday, at 4 p.m., and will also be considering the following bills in addition to Bill 37. Those bills are 14, 26, 35, 39 and 40.

Also, the Standing Committee on Justice will meet on Thursday, at 4 p.m., in Room 254, to consider the following bills: 6, 25, 29, 38.

Is there leave and agreement? *[Agreed]*

The hour being past 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.



# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 22, 2008

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are also available on the Internet at the following address:

**<http://www.gov.mb.ca/legislature/hansard/index.html>**