

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

Official Report
(Hansard)

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The Honourable George Hickes
Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
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MARTINDALE, Doug	Burrows	N.D.P.
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McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
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REID, Daryl	Transcona	N.D.P.
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RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
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SCHULER, Ron	Springfield	P.C.
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SELINGER, Greg, Hon.	St. Boniface	N.D.P.
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STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
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TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, June 10, 2008

The House met at 1:30 p.m.

MATTER OF PRIVILEGE

Mr. Ralph Eichler (Lakeside): Mr. Speaker, I rise today on a matter of privilege.

Mr. Speaker: The honourable Member for Lakeside, on a matter of privilege.

Mr. Eichler: Mr. Speaker, there are two conditions that have to be met in order to substantiate the matter of privilege: First, that the matter be raised at the earliest convenience; second, that prima facie be established to substantiate a matter of privilege. I will outline my case now.

The first test is whether I'm raising this matter at the earliest opportunity. I submit that I am. This matter of privilege arises out of the events at last night's standing committee, Agriculture and Food, which was public hearing presentations on Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities). A matter of privilege cannot be raised in committee, but the activities at committee are an extension of activities of this House, hence today's sitting of the Legislature is the first opportunity I had to bring this matter forward.

The second test is whether this matter creates a prima facie of privilege, and I will outline the facts. Last night's Standing Committee on Agriculture and Food convened shortly after 6 p.m. to hear public presentations on Bill 17. As the committee room was full of potential presenters, I immediately asked for leave of the committee to determine how late the committee would sit to hear presenters, as the committee notice did not contain an end time. I explained that the majority of speakers were from out of town, many having travelled considerable distance to appear before the committee. I believe it was important that these people provide an estimate of how late the committee would be sitting.

Due to the tremendous volume of people on the list, it has been simply impossible for the Clerk's office to provide people with a definite date and time when they will be able to present on Bill 17. As a result, people have been coming to committee day after day waiting to present, fearful that the names

might be called and that they would not be allowed to speak.

There was no agreement at the end time for the committee. At approximately 8:30, there were 51 presenters in the committee room waiting to speak on Bill 17. So many people had showed up to either present on the bill or to listen to the proceedings that staff were forced to open up Room 257 to accommodate all the people. I again asked for leave to establish a time when the committee might be expected to end. I believe it was important that some certainty be brought to the evening's proceedings. Again, the government members refused to agree to an end time for the committee and presenters were left in limbo.

By midnight, there were 54 out-of-town speakers in the committee room waiting to speak. Again I sought leave to establish a time that the committee would rise so that some certainty could be brought to the process. After considerable discussion, it was agreed to hear a certain number of speakers, but most people left the room before they could present. They were uncertain as to when they would be called to present.

Mr. Speaker, I believe that we have serious challenges with the committee process as it is currently set out, and this impacts the privileges of both the members of this Legislature and our valued members of the public. At 10:37 this morning, according to information from the Clerk's office, there were still 319 people registered to present on Bill 17. This presents a tremendous logistical challenge.

Manitobans are duly concerned about this legislation, but they cannot be told with certainty when they will be called to make their presentations on this bill. This is not a reasonable process. If we could bring some more structure to this process, it would benefit all stakeholders, members of the Legislative Assembly, legislative staff and the public alike.

Therefore I move, seconded by the Member for Carman (Mr. Pedersen), that this matter be referred to the Government House Leader (Mr. Chomiak) and the Opposition House Leader (Mr. Hawranik) to work out a set of rules for Bill 17 that is transparent,

fair, to ensure that all Manitobans be heard with respect to Bill 17.

Mr. Speaker: Before recognizing any members to speak, I remind the House that contributions at this time by members are to be limited to strictly relevant comments as to whether the alleged matter of privilege has been raised at the earliest opportunity and whether a prima facie case has been established.

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I hope members will understand that, first off, I appreciate the comments of the member, and the member ought to know that there's been ongoing discussions amongst House leaders about the committee process for some time. As part of our collaboration, which I think has worked fairly well for all members of this House, we've managed to go through a considerable amount of legislation and agree, unanimously, on both rules structure and timing, and with sessional orders, et cetera, that's unusual.

So, first off, Mr. Speaker, there is no point of order insofar as this is a matter of ongoing discussion between House leaders as we speak, as we spoke last week, as we spoke the week before. The rules on committees, agreed to by all parties, are very clear, and there is a process that was put in place by all parties in the rules that calls for the orderly presentation of speakers, et cetera.

Now, two weeks ago, on a very similar provision—and I want to differentiate from what's happening on Bill 17, which I think is a legitimate public concern where people are coming out legitimately with their concerns versus what I would call the orchestrated effort the last two weeks on other bills by members opposite. I only say that because I guess it was only coincidence that I ended up at one committee hearing from four individuals who had run against me in previous elections. That was a remarkable coincidence. In fact, Mr. Speaker, I never saw more Tory candidates in a room except at a party convention, all the defeated candidates over the past 18 years, and there was an orchestrated effort to try to manipulate the rules to maximize the amount of speakers.

Now, parties do that, Mr. Speaker, and the rules were—and we were very flexible. There were times in committee where members got up on the very same point and slammed the table and demanded—we even went fourth and fifth times calling speakers. We even adjourned debate to allow speakers to come the next

day in order to show and demonstrate what we've always been, that we want to hear the public.

Now, with that in mind, members opposite have, lately, in the House, talked about rules, a lot of process from members opposite, not a lot of substance but a lot of process from members opposite. They want to change question period. They want to change rules and processes, and I wonder, Mr. Speaker, if that's a lot more about not being able to deliver the goods than actually change the form of the House.

But we're prepared to look at process. We've said, you know, the committee structure here isn't like Ottawa. There's not 300-plus members. There's not a Senate. There's not the standing committees. We've got 57 members and one of the only places in the country where we hear the public, and we have revised the rules in the last few years. We have the midnight cutoff. We have the lists and we've tried to be flexible.

Now, turning to Bill 17, which was raised by the member, last night in committee our members actually allowed speakers to not follow the rules, let speakers drop to the bottom of the list and not be dropped off the list. They called people three or four times, Mr. Speaker.

Now, we are in a transition stage. It's very evident, Mr. Speaker. He only needs to look at the sessional order. The sessional order provides—now, this is unheard of in this Legislature—for committee hearings on specific bills, and that's in recognition by the Government House Leader, the third party House leader and myself, that we have to have some movement in terms of committee and we have to be able to proceed orderly and allow people to plan their time. We recognize that. We recognize that people want to come in, and there are problems sometimes. The Clerk's office does monumental work in advising people, and we are open to suggestions and change.

But I tell you, there are two significant points here. First, we are in discussions on a whole variety of changes, Mr. Speaker, and I don't think it's appropriate to negotiate changes on the floor of the House because right now something is problematic. I gave an example of the systematic manipulation of committees. Now we're dealing with a real problem, and we are at ongoing discussions.

* (13:40)

Now, let me tell you what's happened already. The House has sat an additional week. Committee hearings started earlier, Mr. Speaker. They've been going every single night. We've got tonight; we've got tomorrow night; we've got Thursday night; we've got Friday; we've got Saturday; we've got Monday. We have the opportunity, and then we've got fixed dates that are set.

At the same time, Mr. Speaker, what justice would it do for us to bend the rules now, or change the rules dramatically, when every other committee has managed to get through even though there's been a lot of presenters by parties co-operating and working on a sessional order that already fits in significant rule changes?

So, Mr. Speaker, the member has a valid point in terms of this particular bill, but the member should also recognize that we fit in to the sessional schedule some days, fixed days specifically, to deal with the particular presenters on this bill should we not be able to be finished this session.

Mr. Speaker, because we don't negotiate on the floor, I want to talk about mixed signals that have come with respect to how we're going on this bill and what this bill should do. I appreciate that, as the committee goes on, people have different references on the bill and they have different intentions on the bill, but there have been mixed signals as to when committee hearings should wind up and when they shouldn't wind up.

There was agreement as to when the committee should start. The committee started in a co-operative fashion later than we had intended in the House to accommodate people. So we have been flexible. We allowed people not to drop off the list, but we can't totally, in the middle of both negotiating sessional orders, negotiating the end of the current session, moving into another session, all of a sudden change the rules and disregard the rules that we've negotiated with all the House leaders.

With all respect to the member opposite, Mr. Speaker, we're prepared to meet, and we're prepared to go through tonight, tomorrow night, the following, the following day, the following day, to the extent that our rules are already functioning. We've done that over the past few weeks. We've already extended hearings on these bills. We've already heard from hundreds of Manitobans; we've already been flexible. It's not a case of not wanting to hear from Manitobans. It's a case of an orderly progression and a move into another session where we've already

changed the rules in anticipation of this. We're continuing discussions on all of these matters as we speak in this Chamber.

I'd like to close, Mr. Speaker. The member—

Some Honourable Members: Oh, oh.

Mr. Chomiak: I've learned that the Leader of Opposition (Mr. McFadyen) always wants the last word, Mr. Speaker. He always wants the last word, and he'll get his chance. But I have to say that I've had a very good relationship with the House Leader in terms of managing the House, managing changes in rules, sudden events.

I have every hope and anticipation we will be able to manage this issue in order to deal with what we've wanted to do from the very beginning, despite the early moves by members of the opposition, despite that, we've allowed Manitobans to be heard. We want to have all Manitobans who want to speak up on this bill to be heard because that's what this Legislature is about, and that's why we not only organize, but that's why we negotiate arrangements in order to ensure that all Manitobans are heard. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Yes, Mr. Speaker, just a few comments on this important matter. The Government House Leader, I'm afraid, protests too much, a little bit. The government needs to show some leadership in making suggestions, putting forward some ideas for change to improve things.

Last night, Mr. Speaker, I was there until midnight, and as you know, I have long been an advocate that we should not be sitting past midnight unless there is a dire emergency, and under those circumstances, I and many others are ready to be here if we have a dire emergency. But we already have an agreement that the sittings on Bill 17 will continue over the summer. We don't know the dates, which is not yet convenient, but, I mean, at least there is agreement that this process will continue over the summer. It was not an emergency last night.

When I was there at midnight, there were still, I would guess, 40 or 50 people who'd come from various parts of Manitoba, some from quite—

An Honourable Member: 54 presenters.

Mr. Gerrard: —54 presenters who were still waiting to present at midnight. The reality is one of the presenters told me—who presented just before midnight—that he had waited some six hours in order

to present and that with a little bit of more coherent scheduling, he could've been told, if you come between 10 and 12 then it would've been a lot easier for him and for everybody else.

Now, we know from long experience that the government loves waiting lists and loves making people wait. Six hours in an emergency room or six hours in a committee room is nothing to the government, but for a lot of people time is very precious, and I think it really is time that we start to organize things so that people's time is considered more and that we have a process that can work better for the people who present as well as for us here.

When I left at midnight there were still 54 people to present. There were arguments flying back and forth between Conservatives and the NDP as to what was to happen next because there wasn't an organized plan. It's time to have the organized plan, Mr. Speaker.

Mr. Speaker: On the matter of privilege raised by the honourable Member for Lakeside (Mr. Eichler), there are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege: First, was the issue raised at the earliest opportunity, and, second, has sufficient evidence been provided to demonstrate that the privilege of the House had been breached in order to warrant putting the matter to the House.

The honourable Member for Lakeside indicated that he'd raise the issue at the earliest opportunity, and I accept the word of the honourable member.

Regarding the second issue, whether the privilege of the House had been breached, I must advise the House that there is a problem with the process used by the honourable Member for Lakeside. According to *Beauchesne* citation 107: Breaches of privilege in committee may be dealt with only by the House itself on report from the committee. Also, as stated by Marleau and Montpetit on page 128 of *House of Commons Procedure and Practice*: Speakers have consistently ruled that, except in the most extreme situations, they will only hear questions of privilege arising from committee proceedings on presentation of a report from a committee which deals directly with the matter and not as a question of privilege raised by an individual member.

This finding is supported by rulings through Manitoba Speakers. Speaker Rocan made such a

ruling in 1989, in 1993 and in 1994. As Speaker, I have made similar rulings twice in 2004, once in 2005, twice in 2007.

Therefore, on the basis of the procedural authorities and given the long-standing practice requiring committee issues to be raised in the House by way of a report from the committee, I would therefore have to rule that there is no prima facie case of privilege.

Point of Order

Mr. Leonard Derkach (Russell): Mr Speaker, it is a well-known, I think, tradition in this House that committees of this House are also an extension of the House, and what transpires in a committee is seen to be an extension of this Chamber.

I rise on a point of order because I guess to try to accommodate the needs of families who have been coming to the committee on Bill 17, in order to accommodate their needs as a Legislature and in the committee room in a humane way, Mr. Speaker. Many of the families who were there presenting last evening were families who had young children, either with them or at home, and I have to say that the committee did give leave to hear from families whose children were with them at the time.

*(13:50)

But, Mr. Speaker, there were families whose younger children were left at home because individuals wanted to present to this committee and felt that in order for them to be able to do that, they needed to stay at committee as long as they could because they did not know whether their names would be called last night or whether they would wait until the end of the presentations and then have to go home without being called to present.

Mr. Speaker, this does not speak well for us as legislators in terms of the way we organize our business in this House. The Member for Lakeside (Mr. Eichler), on several occasions, attempted to get leave from the committee to try to give some certainty to those who were in attendance that they would be heard in a reasonable time. We could not achieve that—

Mr. Speaker: Order. On the point of order raised by the honourable Member for Russell, what I'm hearing is the honourable member is debating the issue that I had just ruled on—[interjection]

Order. When a Speaker makes a ruling, it's not to debate the ruling. You either accept it or you

challenge it, and from what I've heard is that the House leaders were working on negotiating some kind of an agreement for the committee to deal with, not the House but for the committee to deal with it. What I'm hearing is the honourable member debating the issue that I had just ruled on. From what I'm hearing, it's exactly the same issue about presenters in committee. That's what I am hearing.

Mr. Derkach: Mr. Speaker, in no way would I ever want to challenge or to debate a ruling that you have just delivered in this House. My point of order relates to the humane treatment of people who were presenting at the committee.

Mr. Speaker, it is somewhat of a different matter. What we are trying to do is to establish some semblance of order for people who are lined up for hours and hours at the committee trying to make sure that they are heard, yet there's no certainty as to whether they're going to be heard that evening or perhaps another evening.

So, Mr. Speaker, my point of order is that perhaps we could encourage our House leaders to get together and to ensure that there is some semblance of order given to this matter.

Mr. Speaker: For clarification for the House, a point of order should point out to the Speaker a breach of our existing rules and our Manitoba practices, and the honourable member does not have a point of order.

But what I was encouraged—I saw the two House leaders talking. I hope they are in the process of negotiating some form of structure that will be satisfactory to the committee because that's where the issue belongs, is in committee.

The only way the House can deal with it is if I receive a report from the committee. That's the only way that the House can deal with it. Until there's a report from the committee, I cannot deal with it in the House. So let's continue on with our House business and we'll do routine proceedings, introduction of bills.

PETITIONS

Cancer Treatment Drugs

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

These are the reasons for this petition:

Colon cancer is the second leading cause of death.

Colon cancer affects both men and women almost equally.

Avastin and Erbitux are two drugs that have been shown to work and offer hope to patients who suffer from the disease.

CancerCare Manitoba is offering Avastin to patients on a case-by-case basis, claiming the cost to be too much to give all patients the prescribed treatment.

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

The CancerCare Manitoba Act stipulates, and I quote: "The objects of the corporation are the conduct of a program of diagnosis of, treatment of and research in"

The principles of the Canada Health Act under the criteria list, universality. One hundred percent of the insured residents of a province or territory must be entitled to the insured health services provided by the plans on uniform terms and conditions.

Several other provinces are providing access to these two drugs for colon cancer patients.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier of Manitoba (Mr. Doer) and the Minister of Health (Ms. Oswald) to consider providing CancerCare Manitoba with the appropriate funding necessary to provide the standard of care treatment, Avastin, to all colon cancer patients.

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

Signed by T. Nagy, K. Nagy, Brenda Dahl and many, many others.

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

Long-Term Care Facility—Morden

Mr. Peter Dyck (Pembina): Mr. Speaker, I wish to present the following 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 Jake P. Hoepfner, Emily Hoepfner, Helen Goossen and many, many others.

Pharmacare Deductibles

Mrs. Bonnie Mitchelson (River East): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The NDP government has increased Pharmacare deductibles by 5 percent each year for the past seven years, with the curious exception of the 2007 election year.

As a result of the cumulative 34 percent hike in Pharmacare deductibles by the NDP government, some Manitobans are forced to choose between milk and medicine.

Seniors, fixed and low-income-earning Manitobans are the most negatively affected by these increases.

We petition the Legislative Assembly as follows:

To urge the Premier (Mr. Doer) of Manitoba to consider reversing his decision to increase Pharmacare deductibles by 5 percent in budget 2008.

To request the Premier of Manitoba to consider reducing health-care bureaucracy, as previously promised, and to consider directing those savings into sustaining Pharmacare and improving patient care.

This petition is signed by Sheila Williams, Jean Bell, Sheila Cochrane and many, many others, Mr. Speaker.

Child-Care Centres

Mr. Stuart Briese (Ste. Rose): I wish to present the following petition to the Legislative Assembly:

These are the reasons for this petition:

There is an ongoing critical shortage of child-care spaces throughout Manitoba, particularly in fast-growing regions such as south Winnipeg.

The provincial government has not adequately planned for the child-care needs of growing communities like Waverley West where the construction of thousands of homes will place immense pressure on an already overburdened child-care system.

The severe shortage of early childhood educators compounds the difficulty parents have finding licensed child care and has forced numerous centres to operate with licensing exemptions due to a lack of qualified staff.

Child-care centres are finding it increasingly difficult to operate within the funding constraints set by the provincial government to the point that they are unable to provide wages and benefits sufficient to retain child-care workers.

As a result of these deficiencies in Manitoba's child-care system, many families and parents are growing increasingly frustrated and desperate, fearing that they will be unable to find licensed child care and may be forced to stop working as a result. In an economy where labour shortages are common, the provision of sustainable and accessible child care is critical.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Family Services and Housing (Mr. Mackintosh) to consider addressing the shortage of early childhood educators by enabling child-care centres to provide competitive wages and benefits.

To urge the Minister of Family Services and Housing to consider adequately planning for the future child-care needs of growing communities and to consider making the development of a sustainable and accessible child-care system a priority.

To urge the Minister of Family Services and Housing to consider the development of a governance body that would provide direction and support to the volunteer boards of child-care centres and to consider the development of regionalized central wait lists for child care.

To encourage all members of the Legislative Assembly to consider becoming more closely involved with the operations of the licensed day-care facilities in their constituencies.

This petition is signed by Bonnie Coombs, Gordon Belut, Susan Walls and many, many others.

* (14:00)

COMMITTEE REPORTS

Standing Committee on Social and Economic Development Fifth Report

Ms. Erna Braun (Chairperson): Mr. Speaker, I wish to present the Fifth Report of the Standing Committee on Social and Economic Development.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Social and Economic Development presents the following as its Fifth Report.

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on Social and Economic Development presents the following as its Fifth Report.

Meetings

Your committee met on the following occasions:

Saturday June 7, 2008, at 10 a.m.

Monday June 9, 2008, at 10 a.m.

All meetings were held in Room 254 of the Legislative Building.

Matters under Consideration

Bill No. 2 – The Public Schools Amendment Act (Trans Fats and Nutrition)/Loi modifiant la Loi sur les écoles publiques (gras trans et nutrition)

Bill No. 24 – The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices)/Loi modifiant la Loi sur les écoles publiques

(cyberintimidation et utilisation de dispositifs électroniques)

Bill No. 28 – The Strengthening Local Schools Act (Public Schools Act Amended)/Loi sur le renforcement des écoles locales (modification de la Loi sur les écoles publiques)

Committee Membership

Committee Membership for the Saturday June 7, 2008, meeting:

*Hon. Mr. Bjornson
Ms. Braun (Chairperson)
Mr. Cullen
Mr. Hawranik
Mr. Jha
Ms. Korzeniowski
Hon. Ms. McGifford
Hon. Ms. Oswald
Hon. Mr. Rondeau
Mr. Schuler
Mrs. Stefanson*

Your committee elected Ms. Korzeniowski as the Vice-Chairperson.

Substitutions received during committee proceedings:

*Mr. Reid for Mr. Jha
Hon. Ms. Irvin-Ross for Mr. Reid*

Committee Membership for the June 9, 2008, 10 a.m. meeting

*Hon. Mr. Bjornson
Ms. Braun (Chair)
Mr. Cullen
Mr. Dewar
Mrs. Driedger
Mr. Jha
Ms. Korzeniowski (Vice-Chairperson)
Ms. Marcelino
Hon. Ms. Oswald
Mr. Schuler
Mrs. Stefanson*

Substitutions received during committee proceedings:

Mr. Maloway for Mr. Dewar

Public Presentations

Your committee heard the following thirty-one presentations on Bill No. 28 – The Strengthening Local Schools Act (Public Schools Act Amended)/Loi

sur le renforcement des écoles locales (modification de la Loi sur les écoles publiques):

Victoria Schindle, Argyle Community Action Group
Joan Clement, Park West School Division
Jennifer Berry, Fisher Branch Parent Advisory Council
Teresa Johnson, Ashern-Moosehorn Parent Advisory Council
Beth Geisel, Mountain View School Division
Craig Whyte, Kenton Community School
Debby Lee, Private Citizen
Jim Murray, Brandon School Division
Margaret Anderson, Private Citizen
Bruce Alexander, The Manitoba Association of School Trustees
Lawrence Lussier, Manitoba Association of School Superintendents
Bruce Alexander, St. James Assiniboia School Division
Craig Stahlke, Pembina Trails School Division
Shannon Forest, Private Citizen
Bob Fraser, River East Transcona School Division
Anna-Marie Westervelt, Private Citizen
Cheryl Zelenitsky, Evergreen School Division
Debbie McMechan, Pierson Advisory Council
Tom Parker, Louis Riel School Division
Colin Craig, Canadian Taxpayers Federation
Leanne Carlson, Private Citizen
Karen Carey, Sunrise School Division
Gordon Shead, Frontier School Division
Gladys Hayward Williams, Private Citizen
Jan McIntyre, Prairie Spirit School Division
Colleen Claggett-Woods, Prairie Rose School Division
Randy Aitken, Private Citizen
Larry Oakden, Private Citizen
Jason Koscielny, Strathclair Community School Catchment Area Committee
Shonda Ashcroft, Birtle & District Community Development Corporation
George Marshall, Private Citizen

Written Submissions

Your committee received the following one written submission on Bill No. 2 – The Public Schools Amendment Act (Trans Fats and Nutrition)/Loi modifiant la Loi sur les écoles publiques (gras trans et nutrition):

Jim Goetz, Vice President, Food and Consumer Products of Canada

Your committee received the following sixteen written submissions on Bill No. 28 – The

Strengthening Local Schools Act (Public Schools Act Amended)/Loi sur le renforcement des écoles locales (modification de la Loi sur les écoles publiques):

Pat Isaak, President, The Manitoba Teacher's Society
Murray Skeavington, Chair, Flin Flon School Division
Kelvin Dyck, Chair, Garden Valley School Division
Wendy Bloomfield, Seine River School Division
Linda Buchanan, Chair, Kelsey School Division Board of Trustees
Denise Dewar, Strathclair Community School Advisory Council for School Leadership
Jill Kosowan, Private Citizen
Bill Clark, Reeve, R.M. of Miniota
Tracie Cousins, Miniota Parent Council Advisory
Jaime Glenat, Private Citizen
Ed Lelond, Private Citizen
Robert Dyck, Private Citizen
Valerie Weiss, Interlake School Division
Jennifer Stefanec, Resident Representative of the Chapman School Review Committee
Charles Morrison, Board Chair, Portage La Prairie School Division
Kristine K. Barr, Board Chair, The Winnipeg School Division

Bills Considered and Reported

Bill No. 2 – The Public Schools Amendment Act (Trans Fats and Nutrition)/Loi modifiant la Loi sur les écoles publiques (gras trans et nutrition)

Your committee agreed to report this bill without amendment.

Bill No. 24 – The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices)/Loi modifiant la Loi sur les écoles publiques (cyberintimidation et utilisation de dispositifs électroniques)

Your committee agreed to report this bill without amendment.

Bill No. 28 – The Strengthening Local Schools Act (Public Schools Act Amended)/Loi sur le renforcement des écoles locales (modification de la Loi sur les écoles publiques)

Your committee agreed to report this bill, with the following amendment:

THAT Clause 2 of the Bill be amended by striking out the proposed subsection 41(1.4).

Ms. Braun: I move, seconded by the honourable Member for Burrows (Mr. Martindale), that the report of the committee be received.

Motion agreed to.

Introduction of Guests

Mr. Speaker: Prior to oral questions, I'd like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today from the National Aboriginal Achievement Foundation in Ohsweken, Ontario, Roberta Jamieson who is the president and CEO and Len Flett who is the chair.

I'd like to draw the attention of honourable members to the public gallery where we have with us today a group of retired teachers who are the guests of the honourable Member for Springfield (Mr. Schuler).

Also in the public gallery we have from St. Pierre Collegiate Institute 16 grade 9 students under the direction of Mr. Brian Martel. This school is located in the constituency of the honourable Member for Morris (Mrs. Taillieu).

Also in the public gallery we have from Immanuel Christian School 14 grade 9 students under the direction of Ms. Liz Buist. This school is located in the constituency of the honourable Member for Radisson (Mr. Jha).

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

ORAL QUESTIONS

Inland Port Facility Premier's Support

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, the decision by the American government at the turn of the last century to proceed with the Panama Canal had lasting and historic impacts on the city of Winnipeg and western Manitoba by diverting trade that otherwise would have gone through western Canada and through Winnipeg through the Panama Canal. Today, as we get into the early part of the new century, we have a similarly historic process playing itself out in terms of trade patterns and trade routes within North America.

We are in a pitched battle with Saskatchewan and Alberta to have the main prairie inland port located here in Winnipeg, Manitoba. If we lose this, Mr. Speaker, it could have implications for generations to come in terms of jobs and

opportunities, trade and the rightful place of Winnipeg as the hub of transportation in western Canada.

Now, Mr. Speaker, we've asked several questions over the last number of months on this important initiative. I know that there was an announcement this morning on the part of the Premier (Mr. Doer), that he's determined to, and I quote, push ahead with an inland port for Winnipeg and Manitoba. He indicated that he's going to do a study to figure out how Manitoba might tap in to some of the federal money that might be available for an inland port, examine strategies for perhaps, at some point, one day, positioning Winnipeg. One of the things he said this morning was that the first step is to convince the federal government that Winnipeg is the right place to have the inland port.

Mr. Speaker, 81 days ago, Alberta launched their process for port Edmonton. We know that the Premier has been dragging his feet since we originally started asking questions. Today's announcement, while it sounds positive, lacks specifics.

I want to ask the Premier: Given that free trade is a critical element of having an inland port, free trade to the east and west, NAFTA, as well as a free trade zone along with the inland port, a free trade zone that would allow free trade with Europe, Asia and other places right here in Winnipeg as part of the free trade zone, will the Premier adopt a clear position with the federal government and say we are pro-free trade, so that we can have an inland port right here in Winnipeg, Manitoba?

Hon. Gary Doer (Premier): Mr. Speaker, the member opposite is not correct in some of the parts of his preamble. Just let me deal with a couple of updates on some of the events in terms of North American trade, which is both north and south, and north being to places that we feel very strongly about—Churchill. South is all the way—the NASCO route. In fact, it's indicated to us now that the route is going to go right through Central America to the Panama Canal and, of course, east and west, particularly to the west coast of British Columbia.

We have put this on premiers' agendas before. The previous government did not, with the announcement at the Port of Vancouver and the Port of Prince Rupert, did not acknowledge at all the capacity of an inland port. We got that in communiqués and in announcements from the western premiers a couple of years ago, Mr. Speaker.

Secondly, we've had announcements on the Port of Churchill last fall, six months ago, pre-dating some of the dates the member opposite is using.

We've got announcements on the Inkster Boulevard-Route 90, some \$57 million. Today, in our meeting, we didn't talk about whether we're going to have an inland port. We're all committed to having an inland port, the business community, the transportation sector, the City of Winnipeg, the Province of Manitoba. We're going to do it, Mr. Speaker.

What we talked about today was the governance model we're going to use. We talked about, today, the priorities of different routes. We talked today about the necessity to have railways involved. They already have intermodal sites here in Manitoba. We talked today about the land. Would it be the 8,700 that was originally in part of the Winnport plan, or would it be the 12,000 that we now feel is necessary, 12,000 acres in terms of that site? What does that mean for the municipality of Rosser, who was also at the meeting, Mr. Speaker.

We talked about provincial legislation that we're committed to bringing in, and we talked about a number of other items that we're taking action on: \$57-million proposal is one; the Port of Churchill is two; legislation that we're going to bring in is three; prioritizing the four routes that are necessary for trucks. We prioritized the Inkster Boulevard-Sturgeon Creek, 1 and 2. We've prioritized and we announced to the public the route around the St. Norbert market gardens as No. 3. We prioritized as No. 4 a route potentially around Headingley to deal with issues of safety and trucking on that route. That's the priority that we have on those routes, and we actually have consensus from all the parties in the room, Mr. Speaker, on that plan.

So the member opposite talks about something as if it's not happening. We are working and moving ahead with it. The City of Winnipeg had their trade report out a couple of months ago, and, certainly, we understand there's other provinces that want to have these assets, but, Mr. Speaker, we already have location, location, location, when it comes to the inland port.

Mr. McFadyen: Mr. Speaker, if Winnipeg and Manitoba should lose to other provinces on the inland port, this will be a failure of leadership of historic proportions for the province of Manitoba.

In order for the inland port to work, in order for it to work, we require free trade. He can invest all the money he wants in infrastructure. If people and companies cannot bring the goods into Manitoba with a free trade zone, if there's no free trade with western Canada, if NAFTA's under threat and he's not standing up and fighting for it, if we don't have federal legislation designating a free trade zone in the inland port zone, then it won't matter how much money he spends on infrastructure; that trade is going to be diverted to places that have free trade, that are fighting for free trade, that are entering into free trade agreements, such as Saskatchewan, Alberta and British Columbia to the west of us.

Now, Mr. Speaker, 81 days ago, Alberta launched their study. We were shocked, shocked to learn that as of last week, Manitoba hadn't even begun the cost-benefit analysis to analyze the benefits to federal, provincial and civic governments. The City is doing their job. The City of Winnipeg is doing their job. The mayor released the report back in March. Chris Lorenc and his group are driving this issue forward. They issued a very thoughtful report back in March, right at the same time as Alberta began their feasibility study and launched their lobbying campaign. On April 30, Saskatchewan released a paper calling for the establishment of the inland port in Saskatchewan. They took a direct shot at Winnipeg saying that it was the wrong location, at page 7 of their report. This was on April 30.

Mr. Speaker, I want to ask the Premier: What steps has he taken to rebut the wrong information that Saskatchewan is putting out on this, and is he committed, yes or no, to free trade, because if he isn't, then this all for naught?

* (14:10)

Mr. Doer: Well, Mr. Speaker, obviously we spoke about NAFTA and the great advantages of NAFTA last week, and we've spoken about it a number of times.

I would recommend to the member opposite to meet with the Airports Authority. They will be informed, perhaps, Mr. Speaker, that the existing federal legislation is totally inadequate for any province in terms of what the member opposite is recommending. In fact, Mr. Mauro said that in the meeting today, that the legislation in Ottawa is useless. We agreed the Province should proceed, and we have many announcements to make. We have been working on it already.

Mr. Speaker, in terms of NAFTA, as well, the four western premiers agreed to go down and talk about the benefits to the Americans about NAFTA. We didn't do that whimsically. It was intended as part of our announcement two weeks ago in Prince Albert.

I would say, Mr. Speaker, there's been a plan in place for an inland port for some 20 years in Manitoba. I would point out that we're still dealing—*[interjection]* You know, members opposite want to make this a political issue. We should be united.

Mr. Speaker, they had an inland port called Winnport. It was their Winnland port. In fact, they had seven press releases from '95 to '98 trumpeting Winnport as the inland port of Manitoba. They gave Winnport \$8 million. You know how long Winnport lasted as an operation? Fifty-three days. The Province, the Tories, lost \$6.5 million.

Now, we're not perfect but we're doing a lot better job than members opposite, Mr. Speaker.

Mr. McFadyen: Mr. Speaker, we will acknowledge that the previous government was ahead of its time. Nobody has said that it's an easy thing to bring together. The previous government started working on it some 13 years ahead of the provinces of Alberta and Saskatchewan, 13 years ahead of those other provinces.

He's been in power for eight years and hasn't done a thing on it, dithering, dropping the ball, nothing to show. Today he announces we're pressing ahead with nothing concrete. We have to give governments credit for having vision, for having had the courage to try to move it ahead. The federal Liberal government at the time didn't share the vision, didn't support the vision and couldn't move ahead. We have an alignment of the stars today. We have a mayor of Winnipeg who's committed. We have a federal government that's committed. We have a provincial government that's dropped the ball for the last eight years, Mr. Speaker.

I want to ask the Premier for a clear answer, because his position on western free trade was made clear by *The Globe and Mail* which said that he doesn't support western free trade because CUPE is opposed to it and CUPE controls his party. This was what was reported in *The Globe and Mail*, that CUPE controls the agenda. They're against western free trade and that's why Manitoba is sitting on the sidelines.

You can't have an inland port without free trade. Will the Premier ask CUPE for permission to support free trade; otherwise this deal's going to crater?

Mr. Doer: The member is going from the sublime to the ridiculous, Mr. Speaker, and you don't have to point this out.

Mr. Speaker, one of the other issues we agreed to today is to look at—we have the whole issue of the Airports Authority, the 24-hour Airports Authority. Now, some of you will recall the great times debate where it was going to impact on the 24-hour service, a corporate decision that was made by the previous government that we opposed in terms of the 24-hour airport service. We also need an Airports Authority that is beyond just the city of Winnipeg, because we also had at the meeting representatives from Rosser that also abut onto the Sturgeon Creek Road area, Sturgeon Road and onto parts of Inkster on the Perimeter Highway.

Mr. Speaker, we are very committed to bringing all parties to the table. We will also be introducing legislation to deal with the 24-hour airport service that's in by-laws now. One of the other assets that we have in Manitoba that's not available to other communities and other cities is the fact that we have a 24-hour airport. It was felt by the private sector and other government sectors today in the room that if we put that in legislation as a provincial government zoning issue, that would give greater protection against a whimsical decision of a future City Hall, or dare I say it, a whimsical decision of a future Conservative government to protect the Airports Authority.

Now, having said that, Mr. Speaker, the decision is that either we unite—and I don't understand why the members opposite are not uniting. If the federal government makes the decision on the basis of location and merit for transportation, Winnipeg is the only centre in western Canada with both railways. Vancouver and Prince Rupert, CP, CN; Edmonton, Calgary, CP, CN; Saskatoon, Regina, Regina has CP, Saskatoon has CN. We have BN. We have CPR. We have CNR. We have all the major trucking companies. We're the only one with a 24-hour service.

Why are the members opposite predicting defeat? Why are they trying to make this a political defeat? Why aren't they uniting? Do they want another CF-18 where a Tory government makes a political decision, Mr. Speaker, or do we want a

federal Conservative government to make a decision on the basis of merit? I say let merit triumph politics.

Bill 15 **Support for Amendments**

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

Mr. Hugh McFadyen (Leader of the Official Opposition): Well, Mr. Speaker, the phony outrage. He's known for months that other provinces were lobbying for it. If it doesn't happen, this will be a failure of leadership of historic proportions. He wants to pawn it off on the business community. This is the job for the Premier of Manitoba to lead the way. If and when he gets around to doing it, we will support him. But he can't do it unless he's prepared to give a clear answer on free trade. He didn't give an answer on free trade. Nowhere in the white noise coming from across the aisle did I hear a clear commitment to free trade, so he's against free trade. It means the inland port will fail because of his failure of leadership.

Now, Mr. Speaker, speaking of failures of leadership, his government has introduced Bill 15. It was debated in committee over the weekend. Our party introduced amendments to Bill 15, the climate change act, to strengthen it by introducing stronger targets, an objective reporting mechanism and real sanctions in the event the government fails to meet its targets.

His members voted against those amendments. We were shocked to see their lack of commitment to fighting climate change in committee on the weekend, but the good news, Mr. Speaker, is that this afternoon they have a chance to redeem themselves. We will be introducing amendments, as will the Member for River Heights (Mr. Gerrard), to strengthen the bill.

Will the Premier direct his party to stand up and vote in favour of a stronger climate change bill this afternoon when it comes back for third reading?

Hon. Gary Doer (Premier): Well, Mr. Speaker, we have a party that opposed Kyoto and climate change policies. Their friends in the editorial board said that it would all fall apart when the Manitoba government announced its plan. It said that Russia wouldn't even sign on. When we were the first province in Canada to sign on with California for cap and trade and for the western climate initiative, members opposite condemned that. Now we see other provinces coming on board. We got the Liberal government

that promised to deal with climate change, signed the document and only came up with buying credits from Russia. You know, the public actually understands who's committed to dealing with climate change and who just talks about it in the House.

Mr. Speaker, we closed a coal plant that was spewing more emissions as a provincially Crown-owned corporation into southeast and northeast Winnipeg and Manitoba. Members opposite, and it's shameful, sat silent at this lack of any kind of protection for the people in eastern Manitoba. They sat silent, Mr. Speaker, and we are proud of the fact that we closed it down.

I've got many other things we could talk about. Yes, we're moving ahead with reducing emissions. Yes, we're moving ahead on climate change, and we need no lectures from people that are kicking and screaming into the last century in terms of climate change and the federal Liberals who did nothing on climate change and did nothing when they had an opportunity, Mr. Speaker.

* (14:20)

Mr. McFadyen: Mr. Speaker, there was an out-of-date coal plant in Selkirk, which needed to be closed, which they closed. That's the only step he has ever pointed to that they've taken. The numbers tell the tale. Greenhouse gas emissions went up in Manitoba between 2005 and 2006.

His carbon-neutral decade is basically a promise to do as badly by the end of the decade as we were doing at the beginning. That's all it is, Mr. Speaker, to get us back to where we were at the beginning of the decade. He's got a coal plant running at full steam from time to time in Brandon. He still hasn't done anything about that even though the natural gas plant has been built and ready to operate.

It's all talk. It's all hot air. His committee members and party members voted against a tougher Kyoto bill on the weekend.

Will he redeem himself this afternoon, vote for the amendments being brought by the members for Tuxedo, Turtle Mountain and River Heights?

Mr. Doer: I'm surprised the member opposite wants an immediate closure of the Brandon coal plant. It's a little shocking. We said we would try to phase out the employees and have them re-employed in other locations, Mr. Speaker. That's a little more humane way to do it, perhaps, than the member opposite.

I would point out, Mr. Speaker, that there is a rating of provinces on efficiency in energy. When we came into office, we were in ninth place in Canada. The latest rating on energy efficiency, with many of the programs we've put in place that both save consumers money and reduce emissions, Manitoba has gone from ninth to first place, from ninth to first place in Canada. So members opposite are all hot air when it comes to climate change.

We were criticized, Mr. Speaker, from all sides when we came out with our first plan. We were criticized by all the pundits, good friends of the members opposite. I actually was reading an editorial the other day that said that Manitoba is crazy to put forward a climate-change plan and support the implementation of Kyoto because Russia wasn't even going to sign on. About a month later, Russia did sign on to the climate-change strategy.

So we've been going against the stream all along, but that's what it takes to get the job done, and we're going to continue to get the job done, Mr. Speaker.

Mr. McFadyen: Mr. Speaker, we have heard a lot of talk and hot air from the other side. They've taken one concrete step which they announce over and over again, and, yet, the numbers show greenhouse gas emissions keep going up. They went up from 2005 to 2006.

I know the Member for Assiniboia (Mr. Rondeau) has got the graph upside down again over there. He thinks it's going down when the numbers are clearly showing that they're going up.

I want to ask the Premier: If he's so confident in his commitment, why not vote for the amendments that put in place real targets, objective measurement and sanctions if he fails? Why is he so afraid of these amendments? Mr. Speaker, why doesn't he show his commitment to it by telling his members this afternoon to stand up and vote in favour of these very sensible amendments?

Mr. Doer: Well, Mr. Speaker, we have, on a per capita basis, the most geothermal in Canada. We've gone from zero wind to one wind farm and others pending. We've gone to a new corporate headquarters for Hydro that will be the most energy-efficient corporate headquarters in, arguably, the world. We're very proud of that.

The PowerSmart program has been extended to the city of Winnipeg. I noticed an article about Winnipeg Hydro, and it actually hasn't been purchased by Manitoba Hydro. It was only five years

ago, in terms of Winnipeg Hydro and Manitoba Hydro. We have now extended PowerSmart to all of Winnipeg, including businesses in Winnipeg. We meet now with companies to revitalize their costs. All new schools, all new hospitals have energy efficiency.

We were just in West Kildonan at a new school that we opened again with a world-class energy efficiency building, and, you know, those students are very, very proud of that because they care about Mother Earth and they care about the great contributions to be made.

Mr. Speaker, we will continue to work—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: You know, again, we're not perfect. *BusinessWeek* magazine in the United States, Mr. Speaker, did say Manitoba had one of the best regional plans anywhere in the world. Again, we can always improve it, but we're going to improve it with action, not political rhetoric.

Bill 15 Support for Amendments

Mrs. Heather Stefanson (Tuxedo): Not only is the Premier allowing for the raw sewage to continue to dump into the Red River, but with his verbiage today, he's spreading it all over Manitoba, Mr. Speaker.

Mr. Speaker, on Saturday, the minister responsible for greenhouse gas emissions and members on his side of committee voted against amendments that we brought forward that would, No. 1, set specific emission reduction targets; No. 2, allow for independent annual reporting on greenhouse gas emissions in Manitoba; and No. 3, provide accountability to taxpayers for failure to meet these targets.

And what did members opposite do, Mr. Speaker? They voted against it. Shame on them. This afternoon we'll be bringing amendments forward to give members opposite a second chance to do the right thing. The only question is: Will they take that chance?

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): Mr. Speaker, I'd like to provide some accurate information on the record.

First, there are independent annual reports by Environment Canada. They came out on May 16. They were provided to the public. We do not control them. So there is annual reporting. We've said that we would put the information on our Web site, like we did on all the workshops on the plan and everything else, and, Mr. Speaker, if you look at this independent third-party information from Environment Canada, the numbers during the '90s went up, and the numbers in our decade went down 200,000 tonnes.

Now, Mr. Speaker, I notice that the member opposite doesn't like the independent third-party results that they would have to speak to. I believe that we've made good progress on geothermal, on hybrid buses, on hydrogen buses—

Mr. Speaker: Order.

Mrs. Stefanson: Mr. Speaker, the member opposite thinks that it's good progress when greenhouse gas emissions are on the rise in Manitoba. That's not good progress, and if he sees them going down, we wonder what kind of a crystal ball he's looking into, because there is no report out there right now that states that greenhouse gas emissions are on the decline. So I would encourage members opposite to take this opportunity to do the right thing today, to strengthen this bill by supporting our amendments and take that opportunity right now to strengthen this.

Will members opposite, will the minister, will the Premier (Mr. Doer), will the Member for Wolseley (Mr. Altemeyer) and other members opposite who I know care about the environment, Mr. Speaker, will they do the right thing and stand with us side-by-side today and support our amendments?

Mr. Rondeau: These are brave words from a group of people who did nothing during the '90s. During the hearings, members who ran for their party—members who ran for their party—said there was no such thing as climate change. Members replied to those speakers that they agreed, there's no such thing as climate change, and yet the rhetoric from the other side is we should do something.

We're planting 5 million trees. We're No. 1 in energy efficiency when you were No. 9. We actually have a geothermal industry with two manufacturing plants which didn't exist. We're No. 1 in geothermal installations. No. 3, we're capturing methane gas. We're producing the first fleet of hydrogen buses in

the world. We have moved forward expedientially, and, Mr. Speaker—

Mr. Speaker: Order.

Severe Weather Warnings Government Strategy

Mrs. Mavis Taillieu (Morris): Mr. Speaker, more than a dozen communities were under a tornado watch yesterday afternoon, and it might have even touched down briefly in the Morris area. Fortunately, no one was hurt. Two years ago, though, one woman was killed in a tornado, and the community of Elie is still recovering from last year's tornado.

On June 7 in the *Winnipeg Free Press*, it was reported that the provincial government is still examining the recommendations put forward by a severe weather working group in February. Well, here we are four months later, and we really urgently need these strategies now to protect Manitobans.

So, Mr. Speaker, I ask the Minister responsible for Emergency Measures: Why is he sitting on these recommendations when we need a severe weather warning strategy now?

* (14:30)

Hon. Steve Ashton (Minister responsible for Emergency Measures): Mr. Speaker, we all in this province take emergency preparation seriously, and I think when it comes to what happened last year and what happened the previous year, we all know some of the real challenges we're facing with unstable weather conditions and particularly with tornados.

Mr. Speaker, there are upwards of 25 to 30 tornados on a yearly basis. But we have been working—like, I'm surprised at the member's question. I held a press conference in February along with the president of the AMM, at which we adopted the recommendations, the report, that we initiated last year.

It's not that we don't have warning systems in place, but we recognize when you have a level 5 tornado, which occurred last year, that you can always do better. We now are moving ahead with a national alert system, Mr. Speaker—

Mr. Speaker: Order.

Mrs. Taillieu: Well, Mr. Speaker, our American neighbours have a very effective weather warning system. Alberta and Ontario have also moved on severe weather notification systems. In Manitoba, some people have simply taken to monitoring the

skies themselves to determine if they should be seeking shelter.

We have seen first-hand in Manitoba the devastation that tornados can cause. Will the Minister responsible for Emergency Measures tell Manitobans, with confidence, when a new severe weather warning system will be in place? I would like to quote the Premier when he just said a minute ago: When are we going to see some action and not just political rhetoric?

Mr. Ashton: Well, Mr. Speaker, first of all, and again perhaps the member's not aware of this, but Manitoba has taken the lead, while working with other jurisdictions, including federal Minister Stockwell Day. In fact, in January we had an announcement by ministers from all provinces and territories and the federal minister that we are moving towards a national system, and, in fact, there's a commitment with a target date of 2010, which will allow for state-of-the-art notification.

But we didn't stop there. Last year I asked the AMM and I asked EMO to work with Environment Canada to bring in immediate recommendations. We adopted that report back in February, again. We will be moving, not only towards financially supporting CANALERT but moving towards bringing weather radios to our schools and municipalities, a public awareness campaign.

We're acting short term and long term, Mr. Speaker, on protecting Manitobans.

Erickson Hospital Physician Recruitment

Mr. Leonard Derkach (Russell): Mr. Speaker, from time to time I try to take the First Minister (Mr. Doer) at his word, and last fall I asked a question regarding the situation at the Erickson hospital and the services to people who are living in the Clear Lake area. People from the Clear Lake area have moved ahead and have found a part-time doctor to meet their needs who is vacationing in the Clear Lake area in the summer months, but nothing has been done.

I want to ask the First Minister if, in fact, he could outline the steps they are going to take to ensure that the 40,000-plus residents in that Clear Lake area are going to have service for emergency services and also a doctor present at the Erickson hospital.

Hon. Theresa Oswald (Minister of Health): I thank the member for the question. As the member is aware, of course, recruitment and retention of health human resources, doctors and nurses, in rural Manitoba continues to be a challenge, but we also continue to see successes on that front.

We know that, in particular, we are seeing some pressures in the Assiniboine Regional Health Authority this summer in particular, and we're working very diligently with the region to ensure that the major hospitals that see the most emergencies and that have the most severe cases remain competently staffed and that people get taken care of.

I can also remind the member opposite that EMS is stationed right in Clear Lake, as it was last year.

Mr. Derkach: Mr. Speaker, when I said I sometimes take the Premier (Mr. Doer) at his word, he said last year that this situation in the Clear Lake-Erickson area is unacceptable and they've got to fix it.

Well, Mr. Speaker, the situation is not fixed. No one would find it acceptable to have a community that has 40,000 people in it to have only an ambulance waiting outside its doors to take people away in case they are injured.

Mr. Speaker, I ask the Premier today if he will undertake to take this matter seriously, since we are in the beginning of the tourism season and we have a situation where, potentially, someone who is injured in a car accident or in an accident, whether it's boating or engaged in tourism activities, may, in fact, find himself or herself unable to perhaps survive that distance that has to be travelled between Clear Lake and Brandon in a case of an extreme emergency.

Will this Premier instruct his minister to take some action on this matter?

Ms. Oswald: I know that all members of this House, any side of the House, are very concerned and interested in ensuring that we have emergency response as complemented as possible and as full-staffed as possible. We know also that we have had success in recruiting doctors to rural Manitoba in comparison to a decade ago. But we know that we have more work that we need to do in building the complement of nurses, in building the complement of doctors, Mr. Speaker.

That's why a year ago we committed to bring 700 more nurses to Manitoba, Mr. Speaker, and that's why we're committed to bring 100 more doctors to Manitoba, to all areas of Manitoba. We are seeing

success, but we have to be vigilant. Now is not the time to turn our backs on health care as a priority.

Mr. Derkach: Mr. Speaker, in the 2003 election, the Premier stood in the Erickson community and promised them that he would fix that situation in that year.

Mr. Speaker, I have stood in this House every year since then and asked the Premier whether or not he is going to put some action to the words that he committed to the people of Erickson, and today we are still facing that situation.

Mr. Speaker, the people of Erickson, Clear Lake and Onanole have had enough. They have asked me to put this in front of the Premier and see whether or not he finds it acceptable that 40,000-plus people only have access to an ambulance outside their community, not to proper emergency care services, as other communities in this province have.

Ms. Oswald: We know that we want to keep as many of our rural facilities open and functional as we can. We know we need to have human resources to do that, Mr. Speaker, and we're going to continue to work with the region to bring human resources to rural Manitoba. We know that we have seen a net increase of 235 doctors to Manitoba since '99.

Mr. Speaker, every single year in the '90s, we lost doctors, including a record-breaking year in 1996 when we lost 75. We know that we stood in front of Manitobans, made health care a priority and committed to bring a hundred more doctors, and the members opposite, who, all they could do was cut spaces in medical schools, they didn't promise one, Mr. Speaker. It's an abomination.

Cree Nation Child and Family Caring Agency Caseload Backlog

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, in the Child and Family Services system, designated intake agencies provide a critical service to children. When a child's safety is threatened, the designated intake agency is the first point of contact. They are responsible for investigating allegations of abuse, maltreatment and neglect. The designated intake agency then apprehends children who are in need of protection.

Cree Nation Child and Family Caring Agency is a designated intake agency in the north. Can the minister tell the House how many files are

backlogged at this agency and what he is doing about it?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Well, Mr. Speaker, as the member well knows that agency is near the conclusion of a complete review of its operations, including the functions that the member talks about.

Mr. Briese: Mr. Speaker, a concerned member of the community contacted me yesterday and told me that there is a backlog of over 300 intake files at this agency. I have been told that some of the children have waited up to five months before the agency visits them to investigate allegations of abuse.

Mr. Speaker, I am told that the northern authority was made aware of this situation many weeks ago, but no action has been taken. Is the minister confident that all the children whose intake files are referred to this agency are safe?

Mr. Mackintosh: Mr. Speaker, I've been assured that that aspect of the agency, the intake function, is one that is under the microscope, and any action that's necessary to be taken is going to be taken.

* (14:40)

Tree-Planting Program Statistics

Hon. Jon Gerrard (River Heights): Mr. Speaker, the NDP government has a so-called much vaunted approach to climate change, full of rhetoric and fancy words, but falling far short when it comes to delivering the goods. Apparently, while the government has been talking big about planting a million more trees a year, the government has been at the same time decreasing the number of trees planted by more than two million a year over the last two years. In 2005 there were almost 14 million—14 and a half million trees planted in Manitoba. By 2007, the number of trees planted has been reduced to just over 12 million trees a year. I table the evidence, the accurate information.

My question to the minister responsible for climate change: Why is the government talking about planting trees but, in fact, is reducing the number of trees that it's planting?

Hon. Stan Struthers (Minister of Conservation): Mr. Speaker, I think the member across the way should get his facts straight before he comes in here and starts making accusations.

Mr. Speaker, I get the impression they don't really want to know the truth of the matter. The truth of the matter is we work in conjunction with a whole number of people, a number of organizations to make sure that we increase every year the number of trees that are planted in this province. I was very pleased to join with my colleague, along with members of the Scouts in Manitoba, to announce, in addition to the trees that we already plant, another five million trees over the next five years. What does the member across the way have against planting trees?

Mr. Gerrard: Mr. Speaker, the government talks about reducing greenhouse gases, but the latest report shows they're increasing. The government talks about planting a million more trees but is actually planting two million less a year.

Talking about trees, in Estimates the Minister of Conservation said May 1 that he had an agreement with Tolko that there wouldn't be any logging in Paint Lake. Apparently, Mr. Speaker, there is no agreement. I table the accurate information.

The credibility of the minister is in serious doubt. The words which flow from his mouth are being undermined by the inaccuracies of his statement. The minister said he had an agreement with Tolko. Table the agreement if it exists. I don't believe it exists.

Mr. Struthers: The member should take a good look at the forest industry today and understand, as most people do, that that forest industry is cutting fewer trees every year. We are at ratios in some places two to one and in some places three to one, regenerating these trees at a faster rate. That's the truth.

Mr. Gerrard: I've seen the accurate information, and it's nowhere near three to one, Mr. Speaker. The Minister of Conservation said in Estimates and he had an agreement with Tolko that there be no logging in Paint Lake Provincial Park, yet today we learn there is no such agreement.

Mr. Speaker, the reality is, while this minister talks one side of his mouth one day, the accurate information shows the opposite. At the same time that the minister has been saying one thing, his credibility is going out the window because he's doing the opposite.

When is the minister going to stop trying to cover up the big cracks in the government with some fancy-looking paint? When will the government admit that when it comes to climate change and parks management, a 2-year-old could manage it better than the minister?

Mr. Struthers: The information that the Member for River Heights tabled actually works against the case he just made.

In 2003, 13,668 trees were planted; in 2007, 12,106. Fewer trees; we're planting more to replace. It's pretty easy, Mr. Speaker. He doesn't get it.

Mr. Speaker: Time for oral questions has expired.

MEMBERS' STATEMENTS

Mr. Speaker: Order. We need to hear the members' statements.

Avastin Pharmacare Coverage

Mrs. Myrna Driedger (Charleswood): An estimated 820 Manitobans will be diagnosed with colorectal cancer this year. As these women and men meet with their oncologists to determine a treatment plan, some will be prescribed the cancer drug, Avastin. Unfortunately, they're unlikely to receive Avastin in Manitoba.

Avastin is covered in B.C., Québec, Saskatchewan, Nova Scotia and Newfoundland. In Manitoba, it is covered on a case-by-case basis for a small number of patients, leaving many colorectal cancer patients without coverage. As a result, patients are forced to make the difficult choice between paying for the treatment themselves or going without.

I welcome a number of those patients to the House today. I'm pleased they could join us in the gallery. I'm also sorry for the fight they have had to wage with this government to gain coverage for a drug that is considered the standard of care in many nations and is gaining in use throughout Canada.

The Progressive Conservative caucus has been working with colorectal cancer patients for more than two years to try to get this government to improve access to Avastin. During the last election campaign, we promised full coverage for Avastin. Then, this winter, when Saskatchewan expanded its drug plan to cover Avastin, we renewed our call for the NDP here to do the same.

Our requests have fallen on deaf ears. It's with great frustration that we're still waiting for action from this government.

I would like to share with this House petitions signed by more than 570 Manitobans who are also frustrated at Manitoba's second-tier status in the fight against colorectal cancer. I would table those petitions right now. This is in addition to the numerous petitions we've tabled in the past two years.

I hope the Minister of Health (Ms. Oswald) will give serious consideration to the wishes of these Manitobans and extend Manitoba's Pharmacare plan to cover Avastin. At the very least, I hope the minister will take a moment to speak with these cancer patients and explain to them why they can't access Avastin in Manitoba, even though their doctor has prescribed it.

I hope she'll explain to them why Manitoba is behind other Canadian jurisdictions that provide great access to cancer-treating drugs, like Avastin. Thank you, Mr. Speaker.

Flin Flon 75th Anniversary

Mr. Gerard Jennissen (Flin Flon): Nestled in the rocks of the Canadian Shield, the beautiful community of Flin Flon will be celebrating its 75th anniversary this year. Seventy-five years is an impressive record for any mining city and a true testament to the strength of our citizens.

Flin Flon is a picturesque and unique place. We enjoy waking up each day to the north in all its majesty. The northern lights are our street lights, the boreal forest is our backyard and the ancient rocks of the earth are our walkways.

Mr. Speaker, Flin Flon is Manitoba's ninth-largest city and one of Canada's only two authentic border towns. We straddle the border between Manitoba and Saskatchewan. The city of Flin Flon, while an impressive 6,000 strong, provides services to 20,000 people in the surrounding communities.

Our city is known the world over for being one of the most welcoming and hospitable. This keeps visitors coming back season after season, year after year. Flin Flon not only has a renowned passion for hockey, but is a world-class destination for fishing, camping, golfing, snowmobiling and skiing. The creativity of the Flin Flon arts community is well known across North America.

* (14:50)

In this, our 75th year, the city has been planning many wonderful events ranging from bed races to a folk festival, from cage wars to a teen dance and a voyageur canoe challenge. From June 27 to 30, there will be events all over the city for people of all ages and interests.

This celebration will be a wonderful way to welcome visitors from near and far, as well as those former residents who have ventured away. I know many families who will be welcoming home sons, daughters and grandchildren during the festivities. Flin Flon will always be a place for them to call home.

Mr. Speaker, as much as this 75th anniversary is about a celebration of our past, it is also a celebration of our future. Just as the Hubble Space Telescope gazes off at the unknown with wonder and optimism, so too we look toward to future challenges and exciting opportunities that await our ever-evolving city.

Mr. Speaker, I would like to thank the dedicated volunteers of the 2008 celebrations committee. These festivities will be talked about for years to come. Congratulations Flin Flon, on 75 spectacular years and I look forward to many more anniversaries.

FLIPPR

Mr. Leonard Derkach (Russell): Mr. Speaker, I rise today to congratulate the Manitoba Fish Enhancement Group, called FLIPPR, who promote trout fishing in Manitoba by stocking lakes both south of Riding Mountain and to the west of Riding Mountain.

On Saturday, June 7, I attended the opening of yet another stocked trout-fishing lake half a mile south of the town of Sandy Lake. The lake, named after a World War I casualty, Mr. Antosh [*phonetic*] Pybus, is a deep prairie lake that will provide a wonderful trout fishery.

I would like to congratulate the volunteers of FLIPPR and the president, Ray Frey, of the FLIPPR organization for their tremendous effort in developing and stocking trout-fishing lakes along the Riding Mountain.

Mr. Speaker, these lakes have become attractions for people from not just in Canada, but indeed from the United States and beyond.

The event, yearly, is one where there is a spring competition for trout fishing, and in 2010 this organization is hoping to host the world fly fishing for trout competition in this part of the province.

Mr. Speaker, I know that there are members of this House who engage in fly fishing. I think the Minister of Culture, Heritage and Tourism (Mr. Robinson) is one of those individuals who, from time to time, likes to take his fly fishing rod, and so does the Minister of Conservation (Mr. Struthers). Indeed, I encourage them to join us in the area along the west side of the province where we can engage in some catch-and-release trout fishing that is becoming a very, very attractive sport for many, both men, women and, indeed, youth in that part of the province. Thank you.

James Nisbet Elementary School Citizenship Ceremony

Mr. Mohinder Saran (The Maples): Mr. Speaker, I rise before the House today to celebrate the individuals who became Canadian citizens in a ceremony at James Nisbet School in May of this year. I had the privilege of attending and speaking at the event. I would like to congratulate the new Canadians who participated in the ceremony.

Mr. Speaker, since 1947, when Canada gained its own citizenship separate from Great Britain, over 6.1 million people have been granted Canadian citizenship. Today, over 60 years later, immigration continues to be one of the largest factors behind this country's growth and success. Manitoba, in particular, has benefited greatly from the arrival of over 10,000 immigrants who have chosen to settle in the province over the course of this last year alone.

The citizenship ceremony at James Nisbet Elementary School was truly a celebration of the values we hold dear in this country and the wonderful diversity that newcomers bring to our communities. Mr. Speaker, 52 people of all ages, stemming from 11 different countries, became Canadians at this ceremony.

I was touched when the school choir, of which many of the children who became Canadians were a part, sang "O Canada" for all those gathered, and when the multi-national audience joined all the citizenship candidates in repeating the Canadian citizenship pledge. It was truly a wonderful moment, as new and old Canadians joined together in such a moving ceremony.

I ask all honourable members to join me in welcoming and congratulating all the individuals who became Canadian citizens at the ceremony at James Nisbet Elementary School. Thank you, Mr. Speaker.

Back 40 Festival (Morden)

Mr. Peter Dyck (Pembina): Mr. Speaker, I would like to congratulate everyone who helped contribute to the successful Back 40 Festival which took place in Morden this past weekend. The annual event which takes place in the beautiful Morden park bowl features home-made music recalling the community's diverse cultural heritage in a laid-back, family atmosphere. The weekend featured a variety of popular performers from local favourites Stu and Juanita Clayton to the Juno-award winning James Keelaghan, who were thoroughly enjoyed by the over 1,300 spectators on hand.

The Back 40 Festival, which celebrated its 20th anniversary, used the occasion to move from a single day of entertainment to two full days this year. Run by a non-profit organization, the event was bolstered this year by co-operation and support it received from the Cultural Capitals of Canada program. The town of Morden, having been selected for a nationwide competition, received the designation from the federal government last year, based on the community's thriving arts and culture scene.

The program allows the town to access up to \$500,000 of funding to cultivate the chautauqua spirit within the community, and the Back 40 Festival was an excellent fit for such a mandate.

Chautauqua spirit refers to the movement that began two centuries ago near Lake Chataqua in New York and which travelled the country combining diverse cultural entertainment with education. Back 40 Festival chairperson, Linda Hiebert, who has also been involved with leading the Chautauqua program in Morden, gave credit to the federal government for enhancing this year's festival and especially in attracting such an impressive list of performers.

Again, I would like to congratulate everyone involved with this successful event, another example in a long record of events that demonstrate the vibrancy of arts and culture within Morden and the surrounding community. Thank you, Mr. Speaker.

**ORDERS OF THE DAY
(Continued)**

GOVERNMENT BUSINESS

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I have a number of—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I need to be able to hear the Government House Leader, for House business.

Mr. Chomiak: I have a number of announcements that I'd like to make and a number of matters that I'd like to seek leave on.

The first one is, could you seek leave, canvass the House to see if there's leave to allow for the private members' resolution for September 9, 2008, to be submitted intersessionally to the Clerks and to have it appear in the Notice Paper for Monday, September 8, 2008, notwithstanding rule 31(8)?

Mr. Speaker: Is there leave to allow for the private members' resolution for September 9, 2008, to be submitted intersessionally to the Clerks and to have it appear in the Notice Paper for Monday, September 8, 2008, notwithstanding rule 31(8). Is there agreement? *[Agreed]*

Mr. Chomiak: Mr. Speaker, I'd also move, seconded by the Minister of Finance (Mr. Selinger), that the Sessional Orders passed on June 5, by leave—I'm seeking leave to move, seconded by the Minister of Finance,

THAT the Sessional Orders passed on June 5, 2008 be amended by inserting the following as the first paragraph under Sessional Order 13(a):

(a) Notwithstanding Rule 138(6), to amend any of these Bills at Report Stage,

(i) notice of a motion to amend must be filed with the Clerk before noon on Friday, September 5, 2008, and

(ii) a copy of the motion to amend must be placed on each Member's desk in the House before 1:30 p.m. on Monday, September 8, 2008.

Motion presented.

* (15:00)

Mr. Speaker: Is there leave?

Some Honourable Members: Leave.

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

Mr. Chomiak: Mr. Speaker, I would like to announce the Standing Committee on Agriculture and Food will meet on Thursday, June 12, at 6 p.m., to continue to consider Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities).

Mr. Speaker: It's been announced that the Standing Committee on Agriculture and Food will meet on Thursday, June 12, at 6 p.m., to continue to consider Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities).

Mr. Chomiak: Mr. Speaker, on House business, I'd like to first deal with report stage amendments on Bill 14.

Then, Mr. Speaker, would you please canvass the House to see if there's agreement to proceed to consider the report stage amendments for the following bills: Bill 15, Bill 22, Bill 25, Bill 27 and Bill 40.

Mr. Speaker: Orders of the day for today. We will start off with report stage amendment to Bill 14.

Also, is there leave to deal with report stage amendments for Bills 15, 22, 25, 27 and 40? Is there leave? Is there an agreement? *[Agreed]*

REPORT STAGE AMENDMENTS

**Bill 14—The Criminal Property Forfeiture
Amendment Act**

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Minister of Transportation (Mr. Lemieux),

THAT Bill 14 be amended in Clause 18 by adding the following after the proposed motion 19.9:

Annual report to minister

19.10(1) As soon as practical after March 31 of each year, the director and the asset manager must jointly prepare and submit to the minister an annual report, for a 12-month period ending March 31, that includes the following:

(a) the number of forfeiture orders made within that period;

(b) the total amount realized within that period from the disposition of forfeited property;

(c) a statement respecting the operation of the criminal property forfeiture fund for the period that includes, without limitation, the following information:

- (i) the total amount paid for costs and expenses under subsection 19(3),
- (ii) the total amount paid to compensate victims of unlawful activity or to remedy the effect of unlawful activity, as permitted under clauses 19(4)(a), (b) and (c),
- (iii) the total amount paid to support programs operated by law enforcement agencies, as permitted under clause 19(4)(c),
- (iv) the amounts paid to support programs or activities under clause 19(4)(d), showing the total amount paid for each program or activity;

(d) any other information requested by the minister.

Report to be included in department's annual report

19.10(2) The minister must include the report under subsection (1) in the annual report of his or her department.

Mr. Speaker: It's been moved by the honourable Attorney General (Mr. Chomiak), seconded by the honourable Minister of Transportation (Mr. Lemieux),

THAT Bill 14 be amended in Clause 18 by adding the following after the proposed section 19.9:—as printed? [Agreed]

THAT Bill 14 be amended in Clause 18 by adding the following after the proposed section 19.9:

Annual report to minister

19.10(1) *As soon as practicable after March 31 of each year, the director and the asset manager must jointly prepare and submit to the minister an annual report, for the 12-month period ending March 31, that includes the following:*

(a) the number of forfeiture orders made within that period;

(b) the total amount realized within that period from the disposition of forfeited property;

(c) a statement respecting the operation of the criminal property forfeiture fund for that period that includes, without limitation, the following information:

- (i) the total amount paid for costs and expenses under subsection 19(3),*
- (ii) the total amount paid to compensate victims of unlawful activity or to remedy the effect of unlawful activity, as permitted under clauses 19(4)(a) and (b),*
- (iii) the total amount paid to support programs operated by law enforcement agencies, as permitted under clause 19(4)(c),*
- (iv) the amounts paid to support programs or activities under clause 19(4)(d), showing the total amount paid for each program or activity;*
- (d) any other information requested by the minister.*

Report to be included in department's annual report 19.10(2) *The minister must include the report under subsection (1) in the annual report of his or her department.*

Mr. Speaker: The amendment is in order.

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, I take pleasure in putting some words on the record with respect to this proposed amendment by the Minister of Justice (Mr. Chomiak).

Just by way of background, this amendment arose in committee with respect to Bill 14. The minister did provide me with a commitment that he would look at my particular amendment that I proposed to the committee at the time, saying that, in fact, he was in favour in principle of the amendment and committed that I would be able to speak to several members of staff and himself with regard to it and try to work out some kind of a compromise.

We, in fact, did do that. I spoke to staff and so on. It was very minimal amendment to my amendment that was done in committee, and I'm happy that the Minister of Justice saw fit to bring this amendment forward.

I think it is important that this amendment does pass to Bill 14. We're certainly in favour of it because what this amendment does is ensure that there's accountability, that there's accountability to the minister and then from the minister directly to

this House and directly to other members of the Legislative Assembly.

This is not anything new with respect to legislation that's out there across this country. There are other provincial jurisdictions that have a similar law to Bill 14 that we have on our books. The minister has acknowledged the existing legislation, The Criminal Property Forfeiture Act, itself, has been a failure. There have been no convictions; there have been no seizures under this particular legislation. There have been no property forfeitures.

Mr. Speaker, something had to be done to ensure that a message was given to gangs and criminal organizations, to ensure that they were aware we were making changes to that piece of legislation, to ensure that the message gets out to them that, in fact, if they do commit a criminal offence, property will be seized as proceeds of crime.

For that very reason, I wanted to ensure that there's some accountability, that we monitor the progress of this particular amendment because it took some time, after The Criminal Property Forfeiture Act was passed, until we discovered that there were no property seizures at all.

I think this amendment is important, not only from the minister's point of view but also for all MLAs to determine whether or not this kind of amendment, whether the amendments to The Criminal Property Forfeiture Act under Bill 14 itself are going to be effective and, if they aren't, that certainly we can move to deal with further amendments, if necessary, to ensure the effectiveness of The Criminal Property Forfeiture Act as a whole.

With those brief comments, Mr. Speaker, I would certainly speak in favour of this amendment. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, just a note that we support this amendment and will do so and look forward to annual reports to see whether this legislation is working. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment to Bill 14.

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

* (15:10)

Bill 15—The Climate Change and Emissions Reductions Act

Mr. Speaker: We'll now deal with amendments to Bill 15.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I believe there is leave of the House for the Member for Tuxedo to present her amendments first.

Mr. Speaker: Is there agreement for the honourable Member for Tuxedo to present her amendments ahead of the honourable Member for River Heights? Is there agreement? *[Agreed]*

Okay, the honourable Member for Tuxedo, to move her amendments.

Mrs. Heather Stefanson (Tuxedo): Thank you very much, Mr. Speaker.

I move, seconded by the Member for Turtle Mountain (Mr. Cullen),

THAT Bill 15 be amended by adding the following after Clause 3(1):

Initial annual targets

3(1.1) For each of the years 2009 to 2012, the annual emissions reduction targets for Manitoba is to reduce emissions before the year's end by at least 25% of the total amount required to meet the initial emissions reduction target set out in subsection (1).

Mr. Speaker: It's been moved by the honourable Member for Tuxedo, seconded by the honourable Member for Turtle Mountain,

THAT Bill 15 be amended by adding the following after Clause 3(1):—as printed? Is that okay? As printed? Okay, as printed.

We're dealing with the amendment—well, here, I'll read the whole thing. It's okay.

THAT Bill 15 be amended by adding the following after Clause 3(1):

Initial annual targets

3(1.1) For each of the years 2009 to 2012, the annual emissions reduction target for Manitoba is to reduce emissions before the year's end by at least 25% of the total amount required to meet the initial emissions reduction target set out in subsection (1).

The amendment is in order.

Mrs. Stefanson: Thank you very much, Mr. Speaker.

I'm pleased to rise, obviously, in support of this amendment, but I hope that members opposite will also stand by us and support this amendment as well.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

If they don't, I think it was unfortunate in what we saw with a similar amendment that was brought forward in committee stage on Saturday evening where I think that the minister responsible for greenhouse gas emissions in our province and other ministers and members of that committee did not see fit to support our targets set forth for greenhouse gas emission reductions in our province.

I think, if the minister and members opposite truly believe that they're on target to meet their Kyoto commitment in 2012, they wouldn't have a problem with standing before Manitobans and supporting these reduction targets, these annual emission reduction targets. It was unfortunate that they saw fit on Saturday not to support those reduction targets.

We're, in fact, giving them a second chance today to redeem themselves when it comes to their constituents with respect to—this is a very serious issue—the reduction of greenhouse gas emissions and with respect to setting targets that I think the government should support.

I think it's unfortunate that they haven't so far, but we hope that they will see fit to support this amendment today. If they don't, it just shows that they're really all talk and no action when it comes to greenhouse gas emission reductions in our province.

The only target that they have set forward in this bill is to reach a carbon-neutral decade by 2010. What's unfortunate about that is that recent numbers have come out where we see that the numbers were not—that, essentially, the government could increase greenhouse gas emissions and still meet their so-called, their carbon-neutral decade. I think that's unfortunate.

I think it's time for Manitobans to really see what this government is all about. They're full of hot air when it comes to this issue. They're not serious about setting real targets, especially when the only target set forward offers them the ability to increase the greenhouse gas emissions by 2010. I think that's not a target that should be set. I think we should work

towards a reduction in greenhouse gas emissions in our province.

When other members, if they choose not to support this, what they are supporting is, in fact, a target, the only target set out in this bill which happens—just prior to the next election—to be an increase in greenhouse gas emissions.

We think that's wrong and we hope that members opposite will also see that is wrong. I think it's unfortunate that it's not until after the next election which will be sometime in 2011 and, if a certain bill passes, it may be June 14, 2011.

Unfortunately, the Kyoto commitment targets that this government has set for itself is for 2012, which is in fact after the next election. So I think it's important to note that the only target set is an increase in greenhouse gas emissions, and it leaves a hundred percent of their commitment, in fact more than a hundred percent if they actually do increase the greenhouse gas emissions and meet their target by 2010, that it allows them one year after the election to be able to meet their Kyoto commitment.

We just don't believe that that's the right way to approach this, that if they're really serious about meeting their commitment, they would support this amendment, which is, I believe, very important toward showcasing to Manitobans that they're setting realistic targets for themselves, realistic targets for Manitobans. So I hope that members opposite will see fit today to do the right thing, do the thing that their constituents want them to do and to support this amendment.

Thank you very much, Madam Deputy Speaker.

Mr. Gerrard: Madam Deputy Speaker, I rise to support this initiative by the Member for Tuxedo. The reason is really quite simple. After the Kyoto Accord, it's true that there was need for a year or two before things really got rolling, but by now we should have had a steady progression of decrease in greenhouse gas emissions, and as we've been hearing from the reports recently, the greenhouse gas emissions this year actually went up. Although the minister for hot air—oh, I guess it's greenhouse gases, has been providing some excuses, you know, the reality is, we need to change the way things are done and we actually need to decrease the greenhouse gas production in Manitoba.

Let me give the minister an example. Back in 2000-2001, many years ago, I warned this government that they had to pay attention to

agricultural greenhouse gas emissions because that was an area where it was likely to increase, that they didn't seem to be on top of what they were doing, and, lo and behold, now, many years later, this government is finding out that the fastest area of growth in greenhouse gas emissions is in agricultural greenhouse gases.

In our view, this minister should be accountable and this government should be accountable, and this is a reasonable approach. It's a terrible approach if you leave everything till the last minute and then hope that it's going to work. There's some who feel that the change in Bill 38 is an approach which is four years and you could leave it till the last minute and hope it works out for you, but it's really much better to plan it so that you have a decrease gradually over time and you can meet your targets with some confidence instead of having to gear things up so that, at the last minute, you have to throw some sort of a Hail Mary pass and hope that it succeeds.

So, Madam Deputy Speaker, this is one of the reasons why we're supporting this amendment today.

Mr. Speaker in the Chair

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): It was very amusing to listen to the previous two speakers, especially when, if you look at the former speaker, the member from the Liberal Party, during 1995 when he was a member of the Cabinet, he did nothing about emissions. He's got a great record as far as scientific discovery of nothing on environment and climate change, and although he was full of sound and fury, he signified nothing, nothing, Mr. Speaker.

* (15:20)

And if you take note of the amendments, you notice, Mr. Speaker, not one amendment from the Liberal or the Conservative parties talks about reducing greenhouse gasses. They talk about measurement; they talk about paperwork; they talk about bureaucracy, but they didn't once mention one action. It is really passing strange that they talked about how to count, and I know that a member from the Liberal Party likes to count. He counts about where his seat is. He counts about what he's doing. He counts about the fact that he only has two members and he's upset.

But I take note that if the member opposite had taken me up on my offer to talk about the plan, he could turn to page 6. I know he hasn't opened up the

plan, but I hope he does some research—opens it all the way to page 6. On page 6, it talks about Manitoba's Kyoto target, and it talks about it being the only legislated target in North America. It talks about six percent below 1990 levels, and it talks about a date, 2012. It's quite plain, and I know the member opposite likes to muddy the waters. But this is a very plain target.

Take note, Mr. Speaker, that when the Liberals were in power, it wasn't like where—in Manitoba, where the numbers have gone from 21.4 tonnes in 2000 to 21.2 tonnes. Now, I know the member opposite didn't teach math. I did. But 21.2 is less than 21.4.

Now, if the member opposite wishes to give me \$21.4 million and I'll give him back \$21.2 million, I would consider that a fair trade. If the member opposite, the Member for Tuxedo (Mrs. Stefanson) and the Member for River Heights (Mr. Gerrard) wish to do that, I would consider that a fair trade. But I know that we're going downwards.

I know that the population's gone up 45,000 and there's a direct correlation between greenhouse gas and population growth. There's a direct correlation between GDP growth and greenhouse gas emissions, and the GDP has gone up 21 percent in the last period. I know our numbers have gone down.

So I'd like to quote some numbers—*[interjection]*—the Member for Tuxedo has got her hands out wondering what it is. Here it is: 1990, 18.8 megatonnes; 1995, five years later, Mr. Speaker, 19.9. That's a 1.1 million increase. If you take a five-year period beyond that, it's 21.4. That's an increase. I happen to know that, I was a math teacher. Now if you take it five years later, you have a decrease of 200,000 tonnes.

Now, when you're talking about serious action, Mr. Speaker, the members opposite are talking about how to count; they're taking about where to count; they're talking about who to count. We are actually taking action in this bill. And I noticed that they didn't make any amendments on the capturing of methane gas. They didn't make any amendments on our transportation system. They didn't do anything on energy efficiency or furnaces or anything like that. They didn't do anything on low-income energy-efficient. They didn't do anything on geothermal. They did nothing on new vehicles, vehicle standards or retiring or making the fleet more energy efficient.

I notice they also didn't do anything as far as true action. Their amendments are all political. If they had had one substantial amendment that caused creative or substantial change in greenhouse gases, we would've been happy to look at it. But they were lazy. They were poking at the way you count, not what you do.

So, I know the member opposite has been too busy to take me up on my offer to read beyond Kyoto. It's got 60 actions. I said 60 actions. I know the Member for Tuxedo is chirping from her desk. But the difference is, this is not chirping. This is actual, concrete action. So, Mr. Speaker, when the members were in government, the Conservatives were in government, they were nine out of 10 on energy efficiency. We're now No. 1.

I was pleased to be with Tom Jackson and a number of people to talk about the first, low-income energy efficient project in the country—that the Conservatives in Ottawa even think is good. So I know the members opposite might not think that's good. I know the Liberals don't think that's good, to help poor people. But that was a good thing, to save greenhouse gases, save energy and help poor people. I know that's not the Liberal way. I know that's not the Conservative way. But I'm proud to be a government that did that and worked in conjunction of business, foundations, government and Hydro to do that.

I'm also, Mr. Speaker, very, very pleased that we have lowered it while our economy is growing, while our population's growing. So, if you look at the bill, they were sitting there saying they want to count annually. Well, we just had an annual report out, and the members opposite tried to muddy the issues. They said, you're not down; you're up a little bit this year. You're down a little bit this year; you're up.

If you look at the trend, Mr. Speaker, 21.4, 21.2—that's 200,000 megatonnes down. In that sense, we've made announcements with the geothermal people; we made an announcement on the closure of Brandon. We made announcements in moving forward on low-income energy efficiency; we made announcements and worked on renewing the fleet. So those are what we're doing.

Mr. Speaker, if the members opposite want to stop playing politics and bring forward concrete, actual suggestions to do actions, to do a better plan, that would be great, but the Member for River Heights (Mr. Gerrard), the Member for Tuxedo (Mrs.

Stefanson) want to count. We want a third-party validator to count, not government.

What we want to do is move this forward, real. I know what you did when the Conservatives were in power and I know what the Member for River Heights (Mr. Gerrard) did when he was Minister of Science, technology in the federal government.

If I was looking at their record, I would probably support a government that's taking action rather than throwing rocks because, when you look in the mirror, you have to wake up and say whether it's real or not. This is real. I wonder what the member opposite's actually saying.

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, it's certainly a pleasure to rise in the House today to support the amendment brought forward by the Member for Tuxedo.

Clearly, Mr. Speaker, this amendment is all about accountability. We feel, as a political party and as the opposition in the House, that it's our job to hold the government accountable. I will acknowledge, first of all, that it took eight years or eight and a half years for the government to finally acknowledge that there may be a greenhouse gas issue in Manitoba. So I'm happy that they're at least brought forward some legislation to try to address it.

But, Mr. Speaker, if the minister really wants to talk about politics, he only has to have a look at the legislation he's brought forward. It's certainly very familiar, not only this bill, but a lot of the other legislation that this particular government brings forward, such feel-good type of legislation, the feel-good legislation that has a nice name on it, so that Manitobans think that this particular government is actually doing something concrete.

In this case, we're talking about The Climate Change and Emissions Reductions Act. It's a nice rosy name on it, and, if the government gets the bill passed, they'll be able to go to their constituents and say, we've got this legislation in place and we're well on our way to reducing greenhouse gases in Manitoba.

We feel that there are a lot of things lacking in this particular legislation and, in particular, what is going to hold this particular government and this particular NDP party accountable? That's really about why we're talking and bringing forward this particular legislation and this amendment.

Mr. Speaker, we realize that we have to have some kind of accountability, because we've heard across the House where the minister actually thinks greenhouse gas emissions are going down.

Quite frankly, we know by the facts put out by Environment Canada, by the statistical information, by the graphs that support it, greenhouse gas emissions are actually going up in Manitoba. It's pretty clear and we could certainly circulate the numbers around the House for all members to see, so they can draw their own results from what the numbers say.

But, clearly, this particular portion of the initial target—and this is really pretty vague and this is part of the vagueness that we're concerned about in this legislation—the initial target deals only with the supposed Kyoto targets. Basically, what they're saying is the initial emissions reduction target for Manitoba is to reduce Manitoba's emissions by December 31, 2012, to an amount that is at least 6 percent less than Manitoba's total 1990 emissions. That is the initial target in this particular document.

* (15:30)

When we proposed an amendment last Saturday in committee—and the whole idea behind the amendment was to make the minister accountable—the minister, of course, stood up and talked against that particular amendment. He says, no, the voters of Manitoba will hold us accountable.

That's precisely why we bring this amendment in because, if you listen to what I said in the minister's legislation, he's talking about 2012. So, for all intents and purposes, that particular date is well beyond the date of the next provincial election. Without some other type of target before then, how can we say to Manitobans either that this government did or did not meet targets? That's the whole premise behind this particular amendment that's being brought forward.

It's all about action. It's all about action versus talk and rhetoric. This government is certainly good at bringing out legislation and putting the spin on it so that Manitobans feel good about it. You know, the minister, certainly, under this legislation too, has the ability to appoint just a horrendous amount of advisory boards, and we don't really know what the advantage would be or what roles those advisory boards would play, but he can appoint those advisory boards. We're not sure who they're accountable to. Mr. Speaker, this is part of the amendments that

we're proposing here, to strengthen the accountability to all Manitobans in this regard.

Now, Mr. Speaker, we think that there are a lot of technologies out there. If the minister is really keen on reducing greenhouse gas, he would be looking in this legislation to encourage Manitobans to reduce greenhouse gas, and by having annual reporting targets, we think that would help encourage Manitobans to get onside so that they know, they can evaluate whether they are actually helping in the process, and that's very important.

So, Mr. Speaker, I just wanted to say, that's it in terms of my comments on this amendment, but we hope that the members opposite will support the amendment because it's certainly in good order, and it would speak volumes in terms of accountability on behalf of this government to all Manitobans. Thank you.

* (15:40)

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Tuxedo (Mrs. Stefanson) to Bill 15.

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mrs. Stefanson: Yeas and Nays, Mr. Speaker.

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

Order. The question before the House is an amendment moved to clause 3(1), to Bill 15, and was

moved by the honourable Member for Tuxedo (Mrs. Stefanson).

Division

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

Yeas

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

Nays

Allan, Altemeyer, Ashton, Bjornson, Blady, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Wowchuk.

Madam Clerk (Patricia Chaychuk): Yeas 20, Nays 34.

Mr. Speaker: I declare the amendment defeated.

House Business

Hon. Dave Chomiak (Government House Leader): On House business, I wonder, Mr. Speaker, if you would canvass the House to see if the Clerk's office, when consulting individuals to attend at the committee hearings scheduled for Thursday, that only the first 200 names on the list be advised to attend on Thursday on the understanding that they can attend on other occasions—*[interjection]*—too late for the Wednesday—on the understanding that they can appear at another hearing if they can't attend.

Do you want me to repeat that? I don't think I could.

Mr. Gerrard: Just a point of clarification, because we take out-of-town presenters first and in-town, are you talking about just the out-of-town or both?

Mr. Chomiak: I don't think we have the ability to deal with it that way. This is a first-time attempt to try to move it a little bit differently, so we're going to just attempt to try to phone the first 200 on the list for tomorrow's hearing. *[interjection]* For Thursday's hearings.

Mr. Speaker: Is there agreement for the Clerk's office to contact the first 200 presenters to advise

them for the committee meeting on Thursday, the first 200? Is that agreed to? *[Agreed]*

Mr. Chomiak: I thank the House.

I'd also like to seek leave of the House to see if I can announce that the Standing Committee on Agriculture and Food will meet on Thursday, June 12, from 10 a.m. until 12 noon, concurrent with the House, with the proviso that there be no quorum in the House.

Mr. Gerrard: I would request that there be some discussion before we have a final decision on this, just because it makes it rather difficult for me because I've got to be in the House as well as at the committee.

Mr. Chomiak: Yes, we can proceed to regular House business, and I'll come back with further House business as necessary.

Mr. Speaker: Okay, I won't be asking for agreement. We'll defer that to later.

* (15:50)

Mr. Speaker: Right now we'll move on to orders of the day, and we're dealing with the second amendment for Bill 15.

Mrs. Stefanson: I move, seconded by the Member for Turtle Mountain (Mr. Cullen),

THAT Bill 15 be amended in Clause 3(3)

(a) by striking out "The minister may" and substituting "In accordance with the regulations, an independent third party must annually"; and

(b) by striking out "in any given year" and substituting "in the year for which the determination is made".

Motion presented.

Mr. Speaker: The amendment is in order.

Mrs. Stefanson: I know I have spoken already to this type of amendment within our committee on Saturday. I know members opposite did not see fit at the time to vote in favour of this amendment. This is an amendment that brings forward annual reporting that is done by an independent party so, as the minister himself is not bringing forward his own report card on his own emissions targets and reductions, Mr. Speaker, I would hope that members opposite would take this opportunity today. This is a second chance we're giving them to stand before

Manitobans, alongside ourselves, and in support of this type of amendment. So I hope the members opposite will do the honourable thing today, Mr. Speaker.

Mr. Rondeau: I find it passing strange that the member opposite is saying that, as a government, we should require an independent third party to report on emissions, when, in the last statements from two members, they actually weren't talking about the emissions that are reported by the Canadian government through the environment group. So there are annual emissions. I hope the member opposite is saying that the government of Canada and Environment Canada are a reputable group. This is not something where I, as a minister in Manitoba, would tell Environment Canada and the Canadian government that they have to report.

So, Mr. Speaker, I would submit to the Chamber, as well as all Manitobans, that (a) Environment Canada is a reputable organization, (b) they don't ask me whether they should report or not, nor should they. They're an independent group of the Government of Canada, and, third, they're reputable just like Statistics Canada, just like NRCan, Environment Can. This makes sense. This is an independent group—and, may I repeat to the member opposite: The western climate change organization, the Midwest governors, Kyoto and other environmental organizations are working out the reporting, not just for Canada, but for the world.

I'd like to tell the member opposite, you were quoting about environmental greenhouse gas emissions. Remember when I made the offer of: you give me \$21.4 million, I'll give you 21.2; we'll call it even. Those were numbers from Environment Canada. They put them out annually. They do not ask me whether they put them out and, I might add, the former—I also repeated that the member opposite questioned why I didn't present the Environment Canada data. When it came out on May 16, independent of Manitoba government, we had to be prepared and justify what we've done. I submit that's the way it should happen.

So I will be not in favour of this because there are credible third parties that already do this, Mr. Speaker.

Mr. Gerrard: Mr. Speaker, the minister himself is saying that we should have third party. He should be endorsing this amendment. He's arguing we don't have a problem with the Government of Canada doing it, we just don't want the minister orchestrating

something, and so the change in this legislation would, you know, it would satisfy all parties.

I think it's also worthy of note that—I believe it is the United Nations effort looking at how climate change emissions are calculated, is updating and calling for Canada to update and improve the reporting, and to have that sort of check on what's happening here is good.

So it's all in line with what this amendment is saying, an independent report, and that's why I support this, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Tuxedo (Mrs. Stefanson) to Bill 15.

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

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mrs. Stefanson: Yeas and Nays, Mr. Speaker.

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

Order. The question before the House is the amendment moved by the honourable Member for Tuxedo that Bill 15 be amended in clause 3(3).

Division

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

Yeas

Borotsik, Briese, Cullen, Derkach, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Graydon,

Hawranik, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler, Stefanson, Taillieu.

Nays

Allan, Altemeyer, Ashton, Bjornson, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Wowchuk.

Madam Clerk (Patricia Chaychuk): Yeas 20, Nays 33.

Mr. Speaker: I declare the amendment lost.

* * *

Mr. Speaker: The third amendment to Bill 15.

Mrs. Stefanson: Thank you very much, Mr. Speaker.

I move, seconded by Member for Turtle Mountain (Mr. Cullen),

THAT Bill 15 be amended by adding the following after Clause 5 and before the centred heading "GOVERNMENT INITIATIVES":

REDUCED SALARIES AS A

CONSEQUENCE OF MISSING A TARGET

Consequence of missing a target

5.1(1) If an emissions reduction target set out in subsection 3(1) or in a regulation under subsection 3(2) is not met, for the next year the salary of each minister – including any person appointed as minister in that next year – must be reduced in accordance with subsection (2).

Salary reduction

5.1(2) When a minister's salary is to be reduced for a year,

(a) it is to be reduced by the following percentage of the additional salary otherwise payable for that year to him or her under *The Legislative Assembly Act* for his or her services as a minister:

(i) 50%, if salaries were reduced under this section for the immediately preceding year, or

(ii) 25%, in any other case;

(b) the reduction may be spread out equally over the remaining pay periods in the year; and

(c) the reduction applies only when he or she is a minister.

Application after change in government

5.1(3) If the party forming the government after a general election is not the party that formed the government before the election, the salary reduction does not apply to a minister appointed after the election in respect of a missed emissions reduction target in respect of

(a) the year in which the election occurred; or

(b) the immediately preceding year.

Mr. Speaker: It's been moved by the honourable Member for Tuxedo, seconded by the honourable Member for Turtle Mountain,

THAT Bill 15 be amended by adding the following after Clause 5 and before the centred heading "GOVERNMENT INITIATIVES":–

An Honourable Member: Dispense.

Mr. Speaker: Dispense? As printed? Okay.

THAT Bill 15 be amended by adding the following after Clause 5 and before the centred heading "GOVERNMENT INITIATIVES":

REDUCED SALARIES AS A

CONSEQUENCE OF MISSING A TARGET

Consequence of missing a target

5.1(1) If an emissions reduction target set out in subsection 3(1) or in a regulation under subsection 3(2) is not met, for the next year the salary of each minister – including any person appointed as minister in that next year – must be reduced in accordance with subsection (2).

Salary reduction

5.1(2) When a minister's salary is to be reduced for a year,

(a) it is to be reduced by the following percentage of the additional salary otherwise payable for that year to him or her under *The Legislative Assembly Act* for his or her services as a minister:

(i) 50%, if salaries were reduced under this section for the immediately preceding year, or

(ii) 25%, in any other case;

(b) the reduction may be spread out equally over the remaining pay periods in the year; and

(c) the reduction applies only while he or she is a minister.

Application after change in government

5.1(3) *If the party forming the government after a general election is not the party that formed the government before the election, the salary reduction does not apply to a minister appointed after the election in respect of a missed emissions reduction target in respect of*

(a) the year in which the election occurred; or

(b) the immediately preceding year.

The amendment is in order.

* (16:10)

Mrs. Stefanson: Mr. Speaker, I think it's important to note that this is a sad day in Manitoba where members of the government are voting against accountability.

What we've tried to do—we've brought forward two amendments so far; this is our third amendment now. I'm hoping that they will see fit to at least be able to hold themselves accountable when it comes to environmental issues, when it comes to this bill.

If truly they believe that they can reach their targets, then they have nothing to hide and they should support this legislation. I look forward to asking them and giving them yet another chance, Mr. Speaker, to do the right thing and stand with us, with all Manitobans who are looking for accountability from their government. Thank you.

Mr. Rondeau: Mr. Speaker, I'll speak on this amendment that the member brought up in committee.

I will make a commitment to the House and to all Manitobans that we will actually have annual reporting on the Web site of the STEM Web site, climate change Web site, and we will be accountable. We will use independent third-party verifiers but we don't yet know who that will be, whether it's the UN, whether it's a separate organization, whether it's Environment Canada, et cetera.

We will have a report of the event, of our progress on the Web site. We will have annual proposals on where we're going. We'll put our plan on the Web site. It will be made public on the Web

site and we do intend to be fully accountable to all Manitobans.

We also will not just keep it to a simple paper report. It will be something that we put forward to all Manitobans on a Web site, on the climate change branch, that I hope to have links to other third-party verifiers who will talk about the program, the progress and what we're actually achieving.

I think that's going—and communicating with all of Manitoba is the ultimate accountability, as it should be. Thank you.

Mr. Gerrard: Mr. Speaker, this is all about having accountability; I think it's not unreasonable. We have experienced time and time again with the member trying to say things which are not correct.

Mr. Speaker, I give him an example from just a few minutes ago. Liberals certainly support energy efficient, low-income housing. The minister shouldn't be trying to put on the record something that's different. That's why we're looking for accountability and that's why we support this resolution.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Tuxedo (Mrs. Stefanson).

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mrs. Stefanson: Yeas and Nays, Mr. Speaker.

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

Order. The question before the House is the amendment moved by the honourable Member for Tuxedo

THAT Bill 15 be amended by adding the following after Clause 5 and before the centred heading "GOVERNMENT INITIATIVES":—

Division

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

Yeas

Borotsik, Briese, Cullen, Derkach, Driedger, Dyck, Eichler, Faurshou, Gerrard, Goertzen, Graydon, Hawranik, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler, Stefanson, Taillieu

Nays

Allan, Altemeyer, Ashton, Bjornson, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Wowchuk

Madam Clerk (Patricia Chaychuk): Yeas 20, Nays 33.

Mr. Speaker: I declare the amendment lost.

* (16:20)

House Business

Mr. Chomiak: On House business, I wonder if you might canvass the House to announce that the Standing Committee on Agriculture and Food will meet on Thursday, June 12, from 10 a.m. till noon, to continue to consider Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities), and that there be leave that there be no quorum in the House during that concurrent session, and leave for the committee to sit concurrently with the House.

Mr. Speaker: It's been announced for 10 a.m. to 12 noon, on Thursday, in committee to deal with Bill 17 concurrently with the House. Is there agreement?

Some Honourable Members: No.

Mr. Speaker: No. There's no agreement. It's been denied.

* * *

Mr. Speaker: We're going to deal with amendments. We have two more amendments to Bill 15.

Mr. Gerrard: Mr. Speaker, I move, seconded by the MLA for Tuxedo (Mrs. Stefanson),

THAT Bill 15 be amended by adding the following after Clause 3(4):

Salary reduction for failing to meet set targets

3(5) If, by December 31, 2012, the emissions reductions target set out in subsection (1) has not been met, the salary of the minister for the 2013-2014 fiscal year is to be reduced by 20%. The salary reduction applies even if a new person is appointed as minister in that year.

Exception for change in government

3(6) If a different political party forms the government in the year that the salary reduction provisions of subsection (5) apply, the salary reduction does not apply to a minister in the new government.

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

THAT Bill 15 be amended by adding the following after Clause 3(4):

Salary reduction for failing to meet set targets

3(5) If, by December 31, 2012—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

The motion is in order.

Mr. Gerrard: Mr. Speaker, this is, again, about accountability. We have had problems on a continuing basis with accountability from this government, so I think it's important that we have some reasons that the government decides to be accountable.

I would once again point out that the minister has put on the record or continues to put on the record statements which are not all that accurate. Back, for example, when I was in Ottawa as a member of Parliament and the Minister for Science, Research and Development, I worked with many environmental industries across Canada, and some of that work may actually be showing up in some of the technology and other ways that we are now working to improve greenhouse gas reductions. So that's the reason for this amendment, that we do have

accountability and I hope that all members will support this.

Mrs. Stefanson: Mr. Speaker, I think it's unfortunate that members opposite saw fit to vote against our previous amendment, and certainly we will stand in support of the Liberals' amendment here. This is yet the third chance for the government to stand up for the citizens of Manitoba and holding them accountable for what their job is, and certainly the minister responsible for greenhouse gas emissions in this province.

So, again, three strikes. Are they going to be in or out?

Mr. Rondeau: I mentioned before, Mr. Speaker, the option for the member opposite, either the Liberals or Conservatives, is on the table by myself. I know that the emissions in the year 2000 was 21.4—is 21.2. I would be happy to exchange the \$200,000—you give me 21.4 million, I'll give you 21.2 million; give me the difference and we'll call it even.

I have made a commitment to this House and to the people of Manitoba that there will be third-party validation on the Web site. In other words, we'll use third-party numbers. I actually have to compliment the Member for River Heights (Mr. Gerrard). Yes, there is some actual discussion between United Nations and different groups to figure out what is the method of counting and how it's moved forward. That's one of the reasons why it's not specified exactly in the bill who can specifically account the greenhouse gas emission. So thank you for the research in that one.

Once the western climate exchange, once the western governors, once the United States and other people figure out how to count, I am pleased to make a commitment to make sure that a third-party validator, not tied to this government, is going to make—we're going to use their numbers; we're going to present it to the people of Manitoba; it's going to be on the Web site, and I would like to compliment the Member for Tuxedo (Mrs. Stefanson). She did actually have one good amendment in the committee. In the committee she had suggested that we use the Web site to provide independent third party in how we're going to achieve our plan, and I'm pleased we're going to do that. And that's how we're going to be accountable to the people of Manitoba, the voters of Manitoba, and I'm pleased to say that we're going to do that annually.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for River Heights.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Some Honourable Members: On division.

Mr. Speaker: On division? On division.

* * *

Mr. Speaker: Okay, we'll move on to the second amendment that's being brought forward by the honourable Member for River Heights.

Mr. Gerrard: Mr. Speaker, I move, seconded by the MLA for Turtle Mountain (Mr. Cullen),

THAT Bill 15 be amended by adding the following after Clause 5:

Quarterly progress reports on Manitoba's greenhouse gas emissions

5.1(1) The minister must, on a quarterly basis beginning June 30, 2009, prepare a report on Manitoba's greenhouse gas emissions for the previous quarter, which must include

(a) a determination of Manitoba's greenhouse gas emissions for the previous quarter, expressed in megatonnes CO₂ equivalent; and

(b) beginning with the report due June 30, 2010, a statement comparing Manitoba's greenhouse gas emissions for the previous quarter with the emissions from the same quarter in the previous

year, expressed as a percentage above or below the emissions from that previous year's quarter.

Date by which the quarterly progress reports are required

5.1(2) The reports for each quarter must be made public on or before the following dates:

- (a) for the quarter beginning on January 1 and ending on March 31 of a year, on or before June 30 of that year;
- (b) for the quarter beginning on April 1 and ending on June 30 of a year, on or before September 30 of that year;
- (c) for the quarter beginning on July 1 and ending on September 30 of a year, on or before December 31 of that year;
- (d) for the quarter beginning on October 1 and ending on December 31 of a year, on or before March 31 of the following year.

Salary reduction for failure to complete reports

5.1(3) If a quarterly progress report is not released to the public by the deadline set out in subsection (2), the salary of the minister for the following fiscal year is to be reduced by 20%. The salary reduction applies even if a new person is appointed as minister in that year.

Exception for change in government

5.1(4) If a different political party forms the government in the year that the salary reduction provisions of subsection (3) apply, the salary reduction does not apply to a minister in the new government.

* (16:30)

Mr. Speaker: It's been moved by the honourable Member for River Heights (Mr. Gerrard), seconded by the honourable Member for Turtle Mountain (Mr. Cullen),

THAT Bill 15 be amended by adding the following after Clause 5:—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

The amendment is in order.

Mr. Gerrard: Mr. Speaker, what is important about this resolution is that it allows us to track on a regular three-month basis what's happening with

greenhouse gas emissions in Manitoba and for the public to know what is happening.

I suggest to the minister that the first step in making changes is measuring and accurate reporting. It doesn't matter what we're changing, if we're going to make those changes effectively, as a lot of businessmen know, then the first thing you need to know is measure what you're trying to change.

One of the substantial things that was done at the federal government level was actually to track, on a country-wide and province-wide basis, the greenhouse gas emissions. It may not have been done perfectly, as we know from the United Nations adjustment, but at least it was an important step.

We acknowledge that, when you're doing it on a three-month basis, it may not be perfect but we do suggest that it's going to be good enough to give us a tracking and that there will then be a check which happens when the federal numbers come out for a given year.

But until we have regular tracking, it's going to be very difficult to make quick adjustments, changes. The reality is that the most recent report was 2006 which is a year and a half ago. We need more up-to-date information if we are, in fact, going to make this change effectively and be able to reduce greenhouse gases effectively in Manitoba.

Mr. Speaker, I suggest this may not be as difficult as the minister will probably make out. Greenhouse gases come from burning fossil fuels, gasoline, natural gas, et cetera. Knowing on a three-month basis what the consumption is in Manitoba of fossil fuels should not be all that hard, so that this is, in fact, doable, should be very helpful in helping us to get to the targets and letting Manitobans know where we are.

It's an important amendment. We should be supporting this.

Mr. Cullen: Just briefly, I want to speak in support of the amendment brought forward by the Leader of the Liberal Party.

Really, this speaks to accountability, this particular amendment. It's similar in nature to an amendment we brought forward a few days ago in committee. Our amendment looked at annual reporting; this particular amendment goes a little further in that regard. Our amendment, though, dealt

with having a third party have a look at the assessments and at the reporting stage. This particular amendment does allow the minister to bring forward the report.

When we talk about the idea of accountability, the more teeth we can see in this particular legislation going forward, the better we think this particular legislation can be and, obviously, to the benefit of all Manitobans.

The existing legislation or the proposed legislation, actually, if you read it closely, the reports are required in 2010, 2012 and then only every fourth year after that. Quite frankly, the reporting period isn't very acceptable to us and I don't think all Manitobans. That's why we speak in favour of this motion, Mr. Speaker.

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

Mr. Rondeau: Just quickly, Mr. Speaker. Just as the member chatted, we were talking about the federal government being responsible for counting environmental greenhouse gas emissions. Right now there's a two-year delay. They've set up a whole structure to count greenhouse gases and do it on an annual basis.

There's some discussion how it's going to go in the future. I've made a commitment that we will have a third-party validator that's independent of government. Every year there will be a report on that. We will put it on our Web site, and what we will do is we'll continue to report annually. We will have it on our Web site, an independent third-party validator on, you know, whether it's Environment Canada or the new systems, and what I've also said is that right now there's a two-year delay with a complete group of people in Environment Canada doing the counting.

So it's not something that we do on a three-month basis; it's something we do on an annual basis for long-term trends with automobiles, with industry, et cetera, and I'd just like to let the whole House know the federal government currently, the Conservative federal government, has got targets for 2050. I think I have to compliment the former Liberal government for actually signing Kyoto and making the commitment to Kyoto. But what I've said is that we have legislated we will meet Kyoto. It is a target. It's in legislation and we'll make it, and we'll actually have annual reports. So, although it would be interesting to see how we could do it in three

months, it's not physically possible. We don't have the staff and nor do we have the collection of the results. So thank you very much for an interesting amendment.

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

An Honourable Member: Question.

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

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mr. Gerrard: A recorded vote, Mr. Speaker.

Mr. Speaker: Does the honourable member have support?

An Honourable Member: Yes.

Mr. Speaker: Okay, the honourable member has support. A recorded vote having been requested, call in the members.

Order. The question before the House is the amendment moved by the honourable Member for River Heights

THAT Bill 15 be amended by adding the following after Clause 5:—

Division

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

Yeas

Borotsik, Briese, Cullen, Derkach, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Graydon,

Hawranik, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler, Stefanson, Taillieu.

Nays

Allan, Altemeyer, Ashton, Bjornson, Blady, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Wowchuk.

Madam Clerk (Patricia Chaychuk): Yeas 20, Nays 34.

Mr. Speaker: I declare the amendment lost.

Bill 22—The Worker Recruitment and Protection Act

Mr. Speaker: Okay. We'll move on to first amendment to Bill 22.

Mrs. Mavis Taillieu (Morris): I move, seconded by the Member for Portage la Prairie (Mr. Faurschou),

THAT Bill 22 be amended by adding the following after Clause 4(1):

Information not to be used for other purposes

4(1.1) Subject to section 23, the director must not use or disclose information provided under subsection (1) for any purpose other than the administration or enforcement of this Act.

Motion presented.

Mrs. Taillieu: I just want to say, in overall for Bill 22 we are supportive of this bill, but there's maybe an opportunity to just clarify a few things in the bill.

In section 4, and recognizing, of course, that this is a new piece of legislation, there's a requirement for a new licence for foreign worker recruiters, and we support that. But in the requirement they're asking for information: information required by regulations or the application form or additional information requested by the director. So we're quite unclear at this point what information would be required. So sometimes that's personal information; sometimes that might be a background check on a person. So I think there needs to be careful care for the use and disclosure of that information, and that perhaps is what's necessary here.

* (16:50)

It doesn't take away from subsection 23, the sharing of information which is addressed under The Freedom of Information and Protection of Privacy Amendment Act. However, we do know that Bill 31, the bill I just referenced, is being held over to the fall, and there will be some further amendments to that bill, as well.

So this piece of legislation will come into effect before the amendment to The Freedom of Information and Protection of Privacy Act. I think that just adding this clause here strengthens the bill and just adds a little bit more protection for information.

Thank you, Mr. Speaker.

Hon. Nancy Allan (Minister of Labour and Immigration): I would like to just put a few comments on the record in regard to the amendment that the MLA for Morris has brought forward in regard to Bill 22. Section 23 of the act already limits disclosure to other government agencies and departments, including law enforcement agencies. Therefore, we believe that this amendment appears redundant as the department is currently guided by the present FIPPA legislation. Moreover, when officials in my department had an opportunity to analyze this amendment, we believe that it could have the unanticipated consequence of limiting our ability to share information with law enforcement agencies.

We will be working with border security and the RCMP, so it's critically important as we move forward with this legislation that our ability to share that kind of information to strengthen the legislation is not limited. The FIPPA allows the department to provide information to others for law enforcement purposes. So this provision may unduly restrict it. If there is a concern that trade secrets or competitive information would be disclosed to a third party, the department is already bound, as I said, to disclose information to third parties.

So, I apologize, Mr. Speaker, but, unfortunately, we will not be supporting this amendment.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment brought forward by the honourable Member for Morris (Mrs. Taillieu).

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

* * *

Mr. Speaker: Okay, we'll move on to the next amendment.

Mrs. Taillieu: Mr. Speaker, I move, seconded by the Member for Portage la Prairie (Mr. Faurichou),

THAT Bill 22 be amended in clause 11(4)(b) by adding ", that is understandable to those whose first language is not English or French," after "notice of the registration".

Motion presented.

Mrs. Taillieu: Mr. Speaker, again, I think that, as I said, we supported Bill 22, but certainly, when you look at language, and I did get a list of the people that were registered recruiters in Canada and the names on the list were foreign names to me, names that would be considered other ethnicities. Therefore, we know that there are a lot of people that are working in this industry that probably, or perhaps, English or French may not be their first language.

So, when you're filling out application forms, where you're putting down information that has to be correct, it just seems to be common sense that you would make sure that those forms are understandable in a language that the person themselves would understand. So I think that just clarifies something with this amendment.

Thanks, Mr. Speaker.

Mr. Speaker: And the amendment was in order.

Ms. Allan: Mr. Speaker, I think there might be some confusion in regard to this amendment. This section of the act, 11(4), deals with the registration of

employers, not with the licensing of recruiters, so I'm not exactly sure—I don't think this amendment is going to work. Manitoba employers already have to deal with government agencies in French or English. We have every confidence that they have the ability to fill out the registration forms. So I'm not sure exactly how this particular section of the act deals with recruiters.

So, I'm sorry, Mr. Speaker, but we will not be supporting the amendment.

Mr. Speaker: House, ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Morris (Mrs. Taillieu).

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

* * *

Mr. Speaker: Next, we'll deal with the amendment to Bill 27.

Mr. Leonard Derkach (Russell): Is this Bill 27?

Mr. Speaker: No. I'm sorry, Bill 25.

Bill 25—The Embalmers and Funeral Directors Amendment Act

Hon. Jon Gerrard (River Heights): Mr. Speaker, I move, seconded by the MLA for Portage la Prairie (Mr. Faurichou),

THAT Bill 25 be amended in Clause 7 by adding the following after the proposed subsection 16.1(1):

Code of ethics requirement

16.1(1.1) The code of ethics must include a provision prohibiting a funeral director from soliciting the sale of any supplies or services of the

funeral director by telephone or in a hospital, health care centre or nursing home.

Mr. Speaker: It has been moved by the honourable Member for River Heights, seconded by the honourable Member for Portage la Prairie,

THAT Bill 25 be amended in Clause 7 by adding the following after the proposed subsection 16.1(1):

Code of ethics requirement—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

The amendment is in order.

Mr. Gerrard: Mr. Speaker, when the government brought forward Bill 25, I took the opportunity to talk to quite a number of funeral directors in Manitoba and had a number approach me directly with regard to the problem that there exists at the moment with telemarketing.

Of course, right after somebody has died, it is a very sensitive time. It is just not appropriate to have people calling, telemarketing right after somebody has died, trying to sell them a funeral package.

The other problem is that, when you have things sold—like a funeral—on a telemarketing call, the problem is that it's very often presented in a very incomplete fashion and not adequate. So people get the impression that they've bought the whole process when, in fact, they've just bought a piece of it.

So telemarketing in this context is not appropriate ethical perspective, as I've heard from many funeral directors, and that is the reason for this amendment.

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

Some Honourable Members: No.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I'd like to speak to this amendment.

I understand that the amendment is trying to prevent a vulnerable person in an institution, such as a hospital or a nursing home, from being taken advantage of. That is a worthy objective that will be covered by the code of ethics that is required to be prepared under this legislation.

I'm concerned that the wording of the amendment is too broad and it may prohibit behaviour or activity between funeral directors and families that they consent to, having due regard to the situation of the person that is vulnerable in these institutions.

It may not, for example, allow a funeral director to be invited to a hospital by the family, health-care centre or nursing home, to discuss the person's wishes for their funeral arrangements. What I will do is—the board of directors for this legislation has on it two funeral directors as well as four members of the public as well as our senior administrator for this act.

As they develop this code of ethics, I will ask them to pay attention to this concern about unwarranted and unwanted solicitation, either by phone or in the context of these institutions when people are in a vulnerable state. I will ask them to give due regard to considering that and ensuring that the code of ethics covers that. That is the whole purpose behind the code of ethics, but I think we should give the opportunity for the—

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

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, June 10, 2008

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