

**Third Session - Thirty-Ninth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BLAIKIE, Bill, Hon.	Elmwood	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
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.
JENNISSSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
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MARCELINO, Flor	Wellington	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McFADYEN, Hugh	Fort Whyte	P.C.
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MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
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PEDERSEN, Blaine	Carman	P.C.
REID, Daryl	Transcona	N.D.P.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SARAN, Mohinder	The Maples	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELBY, Erin	Southdale	N.D.P.
SELINGER, Greg	St. Boniface	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WHITEHEAD, Frank	The Pas	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, September 22, 2009**

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

**ROUTINE PROCEEDINGS**

**PETITIONS**

**Long-Term Care Facilities—Morden and Winkler**

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

And these are the reasons for this petition:

Many seniors from the Morden and Winkler area are currently patients in the Boundary Trails Health Centre while they wait for placement in local personal care homes.

There are presently no beds available for these patients in Salem Home and Tabor Home. To make more beds in the hospital available, the regional health authority is planning to move these patients to personal care homes in outlying regions.

These patients have lived, worked and raised their families in this area for most of their lives. They receive care and support for their families and friends who live in the community, and they will lose this support if they are forced to move to distant communities.

These seniors and their families should not have to bear the consequences of the provincial government's failure to ensure there are adequate personal care home beds in the region.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to ensure that patients who are awaiting placement in personal care homes are not moved to distant communities.

And to urge the Minister of Health to consider working with the RHA and the community to speed construction and expansion of long-term care facilities in the region.

This is signed by Esther Penner, Helen Schmitt, Caroline Ens 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.

**Ophthalmology Services—Swan River**

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

These are the reasons for this petition:

The Swan Valley region has a high population of seniors and a very high incidence of diabetes. Every year, hundreds of patients from the Swan Valley region must travel to distant communities for cataract surgery and additional pre-operative and post-operative appointments.

These patients, many of whom are sent as far away as Saskatchewan, need to travel with an escort who must take time off work to drive the patient to his or her appointments without any compensation. Patients who cannot endure this expense and hardship are unable to have the necessary treatment.

The community has located an ophthalmologist who would like to practise in Swan River. The local Lions Club has provided funds for the necessary equipment, and the Swan River Valley hospital has space to accommodate this service.

The Minister of Health (Ms. Oswald) has told the town of Swan River that it has insufficient infrastructure and patient volumes to support a cataract surgery program, however, residents of the region strongly disagree.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health to consider rethinking her refusal to allow an ophthalmologist to practise in Swan River and to consider working with the community to provide this service without further delay.

And this is signed by Andrew Watkins, Gordon Alford, Garry Anderson and many, many more.

**Long-Term Care Facilities—Lac du Bonnet**

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for the petition:

Many seniors from the Lac du Bonnet area are currently patients in the Pinawa Hospital while they wait for placement in the Lac du Bonnet personal care home.

There are presently few or no beds available for these seniors in the Lac du Bonnet personal care home.

These seniors have lived, worked and raised their families in the Lac du Bonnet area for most of their lives. They receive care and support from their family and friends who live in the community, and they will lose this support if they are forced to move to distant communities to access personal care home beds.

These seniors and their families should not be required to bear the consequences of the provincial government's failure to ensure that there are adequate personal care home beds in the region.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to ensure that patients who are awaiting placement in a personal care home are not moved to distant communities.

To urge the Minister of Health to consider working with the RHA and the community to speed up construction and expansion of long-term care facilities in Lac du Bonnet.

Signed by Carol Beaudry, Susan Taillieu, Ted Ahlgren and many others.

#### **Seven Oaks Hospital—Emergency Services**

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

The background to this petition is as follows:

The current Premier (Mr. Doer) and NDP government are reducing emergency services at the Seven Oaks Hospital.

On October 6, 1995, the NDP introduced a matter of urgent public importance that stated that "the ordinary business of the House to be set aside to discuss a matter of urgent public importance, namely the threat to the health-care system posed by this government's plans to limit emergency services in the city of Winnipeg community hospitals."

On December 6, 1995, when the PC government suggested it was going to be reducing emergency services at the Seven Oaks Hospital, the NDP leader then asked Premier Gary Filmon to "reverse the horrible decisions of his government and his Minister of Health and reopen our community-based emergency wards."

The NDP gave Manitobans the impression that they supported Seven Oaks Hospital having full emergency services seven days a week, 24 hours a day

We petition the Legislative Assembly of Manitoba as follows:

To request that the Premier of Manitoba consider how important it is to have the Seven Oaks Hospital provide full emergency services seven days a week, 24 hours a day.

Mr. Speaker, this is signed by Z. Novoselnik, L. Rosko, D. Winstanley and many, many other fine Manitobans.

Thank you, Mr. Speaker.

#### **PTH 15**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition.

In 2004, the Province of Manitoba made a public commitment to the people of Springfield to twin PTH 15 and the floodway bridge on PTH 15, but then in 2006, the twinning was cancelled.

Injuries resulting from collisions on PTH 15 continue to rise and have doubled from 2007 to 2008.

In August 2008, the Minister of Transportation (Mr. Lemieux) stated that preliminary analysis of current and future traffic demands indicate that local twinning will be required.

The current plan to replace the floodway bridge on PTH 15 does not include twinning and, therefore, does not fulfil the current nor future traffic demands cited by the Minister of Transportation.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate twinning of the PTH 15 floodway bridge for the safety of the citizens of Manitoba.

Signed by B. Johnas, G. Jeffery, S. Finkel and many, many other Manitobans.

## COMMITTEE REPORTS

### Standing Committee on Social and Economic Development Fourth Report

**Mr. Daryl Reid (Chairperson):** I wish to present the Fourth Report of the Standing Committee on Social and Economic Development.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Social and Economic Development—

**Mr. Speaker:** Dispense?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

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

#### Meetings

*Your Committee met on Monday, September 21, 2009 at 6:00 p.m. in Room 255 of the Legislative Building.*

#### Matters under Consideration

- *Bill (No. 4) – The Community Revitalization Tax Increment Financing Act/Loi sur le financement fiscal de la revitalisation urbaine*
- *Bill (No. 9) – The Social Work Profession Act/Loi sur la profession de travailleur social*

#### Committee Membership

- Ms. BLADY
- Mr. BRIESE
- Mr. CALDWELL
- Mr. DERKACH
- Hon. Ms. IRVIN-ROSS
- Ms. KORZENIOWSKI (Vice-Chairperson)
- Mr. LEMIEUX
- Mrs. MITCHELSON
- Mr. REID (Chairperson)
- Mrs. ROWAT
- Hon. Ms. WOWCHUK

#### Public Presentations

*Your Committee heard the following five presentations on Bill (No. 4) – The Community Revitalization Tax Increment Financing Act/Loi sur le financement fiscal de la revitalisation urbaine:*

*Stefano Grande, Downtown BIZ*

*Loretta Martin, Centre Venture Development Corporation*

*Bruce Alexander, Manitoba School Boards Association*

*Lorne Weiss, Manitoba Real Estate Association*

*Peter Squire, Winnipeg Realtors*

*Your Committee heard the following 22 presentations on Bill (No. 9) – The Social Work Profession Act/Loi sur la profession de travailleur social:*

*Liz Carlson, Private Citizen*

*Bert Crocker, Private Citizen*

*Harvy Frankel, Dean, University of Manitoba Faculty of Social Work*

*Leona Schroeder, Manitoba Association of Social Workers*

*Tom Simms, Private Citizen*

*Michael Hart, Aboriginal Social Workers Society in Manitoba*

*Karyn Delichte, Private Citizen*

*Sherrill Hershberg, Private Citizen*

*Chris Enns, Private Citizen*

*David Alper, Private Citizen*

*Darlene MacDonald, Canadian Association of Social Workers*

*Joy Eidse, Private Citizen*

*Diane Roussin, MamaWiw Chiitata Centre*

*Glenda Peebles, MASW-MIRSW Aboriginal Interest Group*

*Jill Brody, Private Citizen*

*Dr. Donald Burke, President, William and Catherine Booth College*

*Oleksandr Kondrasho, Private Citizen*

*Greg McVicker, Private Citizen*

*Elsie Flette, First Nations Southern Manitoba Child and Family Services Authority*

*Neta Friesen, Private Citizen*

*John Chudzik, Private Citizen*

*Shauna MacKinnon, Private Citizen*

### **Written Submissions**

*Your Committee received the following written submission on **Bill (No. 4)** – The Community Revitalization Tax Increment Financing Act/Loi sur le financement fiscal de la revitalisation urbaine:*

*Doug Dobrowolski, President, Association of Manitoba Municipalities*

*Your Committee received the following ten written submissions on **Bill (No. 9)** – The Social Work Profession Act/Loi sur la profession de travailleur social:*

*Bonnie Bryant, Private Citizen*

*Laura Crookshanks, Western Manitoba Liaison Group, MASW/MIRSW*

*Neta Friesen (by leave), Private Citizen*

*Heather Kirkham, On behalf of the social workers who are Community Mental Health Workers in the Assiniboine Regional Health Authority*

*Keith Mander, Private Citizen*

*Veronica Marsmen, Canadian Association of Social Workers*

*Marie McKie, Social Work Health Interest Group*

*Leona Schroeder (by leave), Private Citizen*

*Vicki Verge, Manitoba Children's Issues and Interest Group*

*Erika Wiebe, Private Citizen*

### **Bills Considered and Reported**

- **Bill (No. 4)** – The Community Revitalization Tax Increment Financing Act/Loi sur le financement fiscal de la revitalisation urbaine

*Your Committee agreed to report this Bill without amendment.*

- **Bill (No. 9)** – The Social Work Profession Act/Loi sur la profession de travailleur social  
*Your Committee agreed to report this Bill, with the following amendment, on division:*

*THAT Clause 10(1)(a) of the Bill be amended by striking out "or" at the end of subclause (ii), adding "or" at the end of subclause (iii) and adding the following after subclause (iii):*

*(iv) meets the requirements for registration set out in the regulations respecting applicants who are already certified by a regulatory body governing the profession of social work in another Canadian jurisdiction;*

**Mr. Reid:** Mr. Speaker, I move, seconded by the honourable member for St. James (Ms. Korzeniowski), that the report of the committee be received.

**Motion agreed to.**

### **TABLING OF REPORTS**

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** Mr. Speaker, I'd like to table the 2008-2009 Annual Report for the Companies Office.

### **Introduction of Guests**

**Mr. Speaker:** Order. Prior to Oral Questions, I'd like to draw the attention of honourable members to the Speaker's Gallery, where we have with us today, we have Dr. Scott Piroth from the Department of Political Science at Bowling Green State University in Ohio.

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

### **ORAL QUESTIONS**

#### **Breast Cancer Screening Government Funding**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, according to the Canadian cancer statistics for 2009, Manitoba has the second-highest mortality rates in Canada for breast cancer; 220 women died last year in Manitoba of breast cancer.

\* (13:40)

So it's troubling to see that, in Manitoba, only 53 percent of Manitoba women at risk of breast cancer participate in the Breast Cancer Screening

Program, which is far below the national average of 70 percent.

Last year, the Manitoba division of the Canadian Cancer Society said they couldn't screen any more women in Manitoba because this government wasn't funding them to screen anymore women.

So can the Premier (Mr. Doer) please tell us why they would be underfunding the cancer—the breast cancer screening program in Manitoba?

**Hon. Theresa Oswald (Minister of Health):** Mr. Speaker, I thank the member for the opportunity to put some facts on the record and let her know, and all members of the House know, that we continue to make very significant investments in screening for all cancers. We make investments on the screening of breast cancer. We, of course, were the second to announce in Canada and first on the ground in a colorectal cancer screening program for which I have, on a number of occasions, offered credit to the member opposite. You know, we worked together with one of her constituents on that issue.

We added additional screens to the breast cancer program and, indeed, we've amended the protocol concerning the upper age limit for women to get those screens. We're continuing to work with CancerCare Manitoba in screening, treating and, indeed, preventing cancer.

#### Wait Times

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, it was the Manitoba division of the Canadian Cancer Society in a letter to me last year that indicated that current funding only allows for 50 percent of women to be screened.

Mr. Speaker, last year a report was also released by the Canadian Breast Cancer Network saying that Manitoba women are forced to wait longer than most Canadian provinces to find out if they have breast cancer. So not only are women forced to wait for results, they're also forced to wait for diagnostic mammograms.

And we have the most recent FIPPA from August of this year that says St. Boniface has 110 patients waiting seven weeks for a diagnostic mammogram, and Health Sciences Centre has 150 patients waiting four and a half weeks.

So can the Premier tell us why Manitoba women are forced to wait so long to find out if they have breast cancer in Manitoba?

**Hon. Theresa Oswald (Minister of Health):** And again, Mr. Speaker, to correct the record, I can remind the member that in June of 2008, we invested \$982,000 to expand our breast cancer screening program by 10,000 scans a year, which allows us to screen 70 percent of the targeted population. We also know that this target, which is set by the experts at the Canadian Advocacy Coalition of Canada, was also significantly noted by them that Stats Canada mentioned that we have passed with 71 percent of target women being screened, which, you know, surpasses that.

We still think that that's not enough. That's why we continue to screen, and I might make mention to the member opposite that when it comes to cancer treatment, we've come a long ways from the dark days of the '90s.

**Mr. Speaker:** Order.

#### Request for Rapid Diagnostic Program

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, it's in CancerCare's own documents that they've only done 53 percent of women being screened in Manitoba.

Mr. Speaker, waiting for a mammogram and waiting for mammogram results is a very frightening and very, very stressful experience, but there is a solution. In Toronto there is a hospital that has set up a breast cancer rapid diagnostic centre where women can get their diagnosis that very same day. In fact, they've decreased waits from 37 days, and in one case it went down to three hours.

I would like to ask the Premier (Mr. Doer) today if he would consider working towards having a breast cancer rapid screening program here and a rapid diagnostic program here in Manitoba.

**Hon. Theresa Oswald (Minister of Health):** Mr. Speaker, I can certainly inform the member that we have protocols in Manitoba that involve medical experts doing the diagnosis and triage for medical testing and medical screening, and the further tests that individuals have to go through when there are suspicious screens that need to be further investigated.

I can also assure all members of this House and Manitobans that we're working with CancerCare Manitoba on the issue of rapid testing and its appropriateness.

I can also remind members that, arguably, the most stress that an individual goes through, that is—that is awaiting treatment. That's why in the nation Manitoba is No. 1 when it comes to radiation therapy, a long way from people waiting dangerously long—six weeks under the members opposite watch.

I can also let the member opposite know we continue to invest in screening.

**Mr. Speaker:** Order.

#### **Tembec Employees Employment Insurance Payout Request**

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, nearly 300 people are out of work in and around Powerview-Pine Falls because of the lockout imposed upon them by Tembec. The employees have endured 12 weeks of layoffs without pay since January, and now, because of the lockout, they're trying to feed their families, pay their mortgages and pay their taxes with strike pay of \$120 a week. Families are suffering and are not eligible for employment insurance during lockouts.

I ask the Minister of Labour: Will she join us in asking the federal government for employment insurance for these employees during the lockout?

**Hon. Nancy Allan (Minister of Labour and Immigration):** As the member knows, last week we appointed a mediator to the labour dispute in Powerview-Pine Falls, and Michael Werier is a very credible labour lawyer and arbitrator who is working with both sides in regards to resolving this very, very serious labour dispute. He is meeting with them right now, Mr. Speaker, and we're hoping that we can get that resolved so that we can get the company and the employees back to work and the company back online.

#### **Tembec Lockout Government Involvement**

**Mr. Gerald Hawranik (Lac du Bonnet):** All of northeastern Manitoba is suffering due to the lockout. Families are having difficulty paying their mortgages, their rent and their taxes. They have concerns about the long-term sustainability of this mill and, of course, their jobs. In order to compete with other newsprint producers, the cost of

producing newsprint at this mill must be reduced. In 2002, the Minister of Finance increased taxes on propane across the province. Tembec is a high consumer of propane, and this added tax increased the cost of producing newsprint in this—in this—in this mill.

Mr. Speaker, I ask the Minister of Labour: Will she demand that the tax on propane be reduced to lower the cost of producing newsprint at Powerview-Pine Falls, or is she content to just continue to collect the tax and watch Tembec possibly close the mill and throw nearly 300 employees out of their jobs?

**Hon. Nancy Allan (Minister of Labour and Immigration):** Mr. Speaker, last week we had an opportunity to debate this issue in the House through a MUPI, and I put on the public record the concern that we have in regards to the challenges that the forest industry has had in this province, and not just our province, but all across Canada and North America. And I made it very clear that this has been a very, very important issue for this government, and we have done certain initiatives—training initiatives—and worked on this file, very, very—very, very important file for us.

So we will continue to work on the whole effect that it is having on the forest industry and workers that are affected by that.

**Mr. Hawranik:** Mr. Speaker, just last year, legislation was passed which banned logging in provincial parks. The government negotiated a deal with Tembec with respect to this legislation, and as a result, Tembec was paid almost \$2 million. Less than a year later Tembec locks out its employees, threatening to close the mill if it can't get what it wants.

Mr. Speaker, I ask the Minister of Labour or even the Minister of Conservation (Mr. Struthers): Why did they fail to demand that the mill remain open for the long term before giving the cheque to Tembec?

**Hon. Gary Doer (Premier):** Well, Mr. Speaker, we have—I have met personally with the company, so have our ministers, over the last 15 months. The issue of fibre in the provincial parks was negotiated appropriately and acceptably to the company. The issue of the black—the black liquor subsidy that is going on in United States is a matter that Canada has raised with the United States—



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

**Mr. Speaker:** Order.

**Mr. Doer:** –and it is affecting a number of other plants in Canada. The issue of capacity and the decline in newspaper sales is affecting the situation in Canada, the over-production.

We've been fortunate so far in the last three years when plants have been closing all over the country to have kept all our plants open. We're gonna continue to work with Tembec to keep this plant open. We recognize that a mediator is crucial to resolving this dispute.

**Mr. Speaker:** Order.

\* (13:50)

### **Budget–First Quarter Report Funding Shortfall**

**Mr. Rick Borotsik (Brandon West):** I'd like to direct my question to the new Minister of Finance. In reviewing the first-quarter financials, it's easy to see that comparables from last year's actuals to this year's actuals shows a startling decrease of \$318 million in revenue. At the same time, expenses have increased by \$77 million. I think the new Minister of Finance should understand the agricultural saying, the chickens have come home to roost.

What strategy will she employ to fund the shortfall? Borrow more money perhaps?

**Hon. Rosann Wowchuk (Minister of Finance):** Mr. Speaker, I'm very pleased that the critic for Finance has finally, finally asked a question of financial issues as well.

The member knows full well that in first-quarter reports, quite often there is a—it is an estimate of what the real numbers are. We know that this government has made significant investments in order to stimulate the economy. But we also know that this government has been able to make significant—put money back into the rainy day fund when the members opposite and his leaders said we were going to drain that fund.

**Mr. Speaker:** Order. Order. I haven't recognized the honourable member. I just want to remind members that during question period all electronic devices should be shut off.

**Mr. Borotsik:** Mr. Speaker, I'm a little concerned because the third—first-quarter financials are not an

estimate; they're actual comparisons between actuals and actuals. So they're not an estimate. And it gets worse. The shaky financial position of the province includes record high debt, reduced revenues, a dangerous dependency on equalization and expenses out of control. Add to that a Finance Minister who's jumped ship, a Deputy Finance Minister who's jumped ship and a Premier who doesn't want to go down with the ship.

The Finance Department is sandbagging expenses and is expected to issue a special warrant. Will the Finance Minister please tell us how much that special warrant will be and where she will find the money?

**Ms. Wowchuk:** Mr. Speaker, the member opposite shouldn't worry about our people jumping ship. He should think about the way they sunk the ship. The member opposite knows full well there was a—there was an unexpected flood. And governments have to deal with unexpected events. When we were preparing the budget, H1N1 was not the kind of factor that it is now. A government has to be a responsibility to be prepared for those. I would—I would assume from the comments the member opposite is making, he doesn't want the government to deal with the flooding situation or to deal with H1N1. We won't take his advice; we've taken a special warrant out so that we can deal with those issues that are very important to Manitobans.

**Mr. Borotsik:** Mr. Speaker, the new Finance Minister does not instil confidence certainly in her ability to manage finances. We know—

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

**Mr. Speaker:** Order

**Mr. Borotsik:** –that there are extraordinary costs with H1N1. We know that there's extraordinary costs of spring flooding, but now the Department of Finance is saying there are unbudgeted costs for child welfare, services for persons with disabilities, and incarceration. These are areas that should be budgeted for. Using these services as an excuse for overexpenditure is a bit of a stretch. The first-quarter financials show the government has put in place—

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

**Mr. Speaker:** Order.

**Mr. Borotsik :** –and I quote, Mr. Speaker, "in year expenditure management initiatives."

Could the minister please tell me exactly what this in year expenditure management initiatives are?

**Ms. Wowchuk:** Well, you know, Mr. Speaker, I just—the member talks about credibility of what they said last year. They said last year we would expend the physical—the rainy day fund. What did we do? We were able to put more money in *[inaudible]* We were able to balance the budget and put money into the rainy day fund. There's more money in the rainy day fund than members opposite ever had.

**An Honourable Member:** Four times more.

**Ms. Wowchuk:** Four times more than what they did, Mr. Speaker. This government is addressing the emergencies that arise before us such as H1N1—

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

**Mr. Speaker:** Order.

**Ms. Wowchuk:** –the flooding situation, and this government will continue to address the issues that are important to Manitobans, whether it be child welfare, whether it be safety of communities, or whether it be issues for the farming communities, this government will be there to address it.

#### **Western Economic Partnership Agreement Premier's Absence**

**Mr. Blaine Pedersen (Carman):** Mr. Speaker, on September 11th the governments of British Columbia, Alberta, Saskatchewan held a joint Cabinet meeting to discuss pension coverage, the environment, crime and trade.

The three premiers signed two deals, one on carbon capture, the other a Western Economic Partnership Agreement. Now, my question was: Was the Premier too preoccupied with the NDP leadership contest to attend, or was the Premier simply not invited to be part of a Western Economic Partnership Agreement?

**Hon. Gary Doer (Premier):** Mr. Speaker, we've always been interested in attending meetings in the national interest. We attend meetings with our—we attended meetings with all premiers a couple of weeks ago. We attended meetings in western Canada a few months ago, and we will continue to work on behalf of Manitobans.

I would point out, Mr. Speaker, that this—the latest numbers on retail sale, retail sales in Canada indicate that Manitoba is leading western Canada. We're flat in terms of retail sales. Our friends, unfortunately, to the west of us, have a major decline—*[interjection]*

**Mr. Speaker:** Order.

**Mr. Doer:** –in retail sales and, you know, we'll just keep on trucking, Mr. Speaker.

#### **Provincial Partnerships Manitoba's Involvement**

**Mr. Blaine Pedersen (Carman):** I'll take that as a no that they weren't invited, then.

As a western—*[interjection]* Now, as the western premiers were having a joint meeting, the premiers of Québec and Ontario were also holding a joint meeting on the environment and trade and working together to grow the economy, attract business, investment and create jobs. So we're not a player in western Canada; we're not a player in eastern Canada. This government is so preoccupied with the leadership race we are being left behind by the economic powerhouses of Canada. We've become the economic tailpipe of the economic engines in Canada. So who is left to partner with?

**Hon. Gary Doer (Premier):** You know, it may not provide—in terms of actual numbers of growth—any solace, but we are the economic powerhouse of Canada.

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

**Mr. Speaker:** Order. Order. Order. Order. Order.

**Mr. Pedersen:** Thank you, Mr. Speaker. I did need some time to recover from that whopper, so—British Columbia, Alberta, Saskatchewan have signed an economic partnership agreement. Ontario and Québec are working together to attract business, investment and create jobs. The best this government can come up with is when the member from Minto becomes Premier, he will go to Ottawa and plead poverty to leverage more on equalization and transfer payments for Manitoba.

Is this Manitoba's action plan? Is their idea of a partnership with other provinces is to ask the other provinces for more equalization and transfer payments?

**Mr. Doer:** Mr. Speaker, I'll send the member the latest Royal Bank predictions that say the only province in Canada to have positive economic

growth in 2009 was gonna be Manitoba. And instead of being negative nabobs on the other side, one would think that they would stand up with us and be proud of the Manitoba farmers, the Manitoba workers, they would be proud of Manitoba—

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

**Mr. Speaker:** Order. Let's have some decorum.

Order. Members might not like the questions and the answers, but there is no reason to be shouting. Let's have some decorum here. The honourable First Minister has the floor.

**Mr. Doer:** Yes, Mr. Speaker, may I repeat my answer.

The Royal Bank last week predicted that only one province would have positive economic growth. We want to thank the hardworking men and women that get up every day, go to their work, go to work on behalf of their companies, their families, their communities. We want to thank those farmers that are going 24/7 a day, a week, Mr. Speaker, to get the crop off before the frost comes. We want to thank those entrepreneurs with their creativity and their ingenuity. We want to thank all the people of Manitoba that are part of a positive story in this province.

\* (14:00)

#### **St. Joseph Wind Farm Status of Project**

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I want to refer today to a Manitoba government news release. It's dated November 24th, 2008. And the news release says that Manitoba Hydro board accepts the RFP proposal for a 300-megawatt wind farm at St. Joseph. And the news release goes on to say that construction is expected to start in 2009 and, as course, subject to regulatory approvals and the execution of a power purchase agreement.

Mr. Speaker, I'd like to ask the Minister responsible for Manitoba Hydro if, in fact, the regulatory approvals are in place and, second of all, if there's a power purchase agreement in place?

**Hon. Rosann Wowchuk (Minister charged with the administration of The Manitoba Hydro Act):** Mr. Speaker, St. Joseph's wind farm was a very important announcement that the member opposite refers to. The member opposite should also recognize and fully realize that there is a global recession and that has resulted in delays in this

particular project. In this particular service, companies—[interjection] I kind of find it quite shocking that members opposite have a hard time giving praises to Manitobans, and they're so gleeful. Members opposite are so gleeful when there is a company that wants to invest in Manitoba and is facing difficult economic times. You would—this is very, very sad. People want to invest, people want to move ahead with wind farms. They have run into financial problems—

**Mr. Speaker:** Order.

#### **Wind Energy Projects Progress**

**Mr. Cliff Cullen (Turtle Mountain):** Well, Mr. Speaker, it's pretty clear the government likes to manage things by press release. Now let me give the minister some statistics here.

In fact, in Canada, we've had over 800 megawatts of wind energy added in Canada this year. In the United States, over 4,000 megawatts have been added the first six months of this year.

Now, here we have in Manitoba not one single turbine has been added since 2006. Now it appears that the deal in St. Joseph has gone south along with a lot other wind energy companies, Mr. Speaker.

Mr. Speaker, we're gonna to ask the minister: What is her backup position to this and, of course, what is the drop-dead date of moving the next project forward in terms of financial assistance from the federal government?

**Hon. Rosann Wowchuk (Minister charged with the administration of The Manitoba Hydro Act):** Mr. Speaker, the members opposite said the same thing about St. Leon. They were out there saying that this project wasn't going to succeed, that there wasn't going to be any wind farms, but I would remind them to look at their record when they were in government. They never developed any hydro-electricity. They never even considered wind power.

Mr. Speaker, we have developed, with Hydro and the company, St. Leon. There is wind energy being produced, and I can assure the member that St. Joseph's wind farm is being delayed, but there is every intention for it to proceed.

**Mr. Cullen:** Well, Mr. Speaker, the minister should be reminded. We started this process over two and a

half years ago, and we're no further ahead today than we were two and a half years ago.

Now, Mr. Speaker, we know that there's a number of communities interested in community wind development or wind energy projects across the province. And I will table for the House a letter signed by Mr. Brennan from Manitoba Hydro. This letter goes back and dated December 5th, 2007, and Mr. Brennan says: Manitoba Hydro is currently preparing to request proposals for small, community owned energy projects and expects to issue the details in the near future.

Mr. Speaker, we are almost two years from that particular date. Nothing's come forward. Where are you on this issue in terms of community energy development?

**Ms. Wowchuk:** You know, Mr. Speaker, the member doesn't want to recognize that there are some challenges in the energy field right now.

Mr. Speaker, but you know, the members opposite said we wouldn't build St. Leon. The members opposite didn't want to develop any hydro. The members opposite mothballed any energy project that there was.

Mr. Speaker, we are moving forward, and I want the members opposite to recognize the importance of green energy and our commitment to develop it, and we will continue. We work with the company on St. Leon, we will continue to work with St. Joseph's, and the members opposite shouldn't be so gleeful that this might fail. This project will go ahead, and Manitoba Hydro will continue to work with St. Joseph.

### **Russell Hospital Dialysis Unit Construction**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I have a question for the Premier (Mr. Doer) today as he approaches the last days of office as Premier. I want to see whether the Premier is good for his word.

Last March, while visiting in the Russell hospital, Mr. Speaker, I noticed a large area adjacent to the hospital cleared of snow cover. And when I asked the administration in the hospital what was going on, they advised me that this was in preparation for the dialysis unit that was promised so many times by this government and was finally

going to happen. I was reassured that the project would go ahead when, in the budget speech, the project was singled out as one that was going to proceed this year.

Mr. Speaker, I want to ask the Premier: The snow has gone, spring has come and gone, summer has come and gone, and we have no sign of construction yet. I want to ask the Premier whether or not he will fulfil the commitment to the people of Russell that he made on the dialysis unit for the area.

**Hon. Theresa Oswald (Minister of Health):** As I've spoken to the member opposite, the answer's yes, dialysis in Russell is going ahead.

**Mr. Derkach:** Well, Mr. Speaker, we have heard this for the last 10 years, that the project is going to be going ahead.

Many people who have been suffering from dialysis—from sugar diabetes, have gone without receiving the treatment that they needed right at home. So, Mr. Speaker, this is a promise that was made by the Premier, promise made in a Throne Speech, a promise repeated in a Budget Address, a promise made when he addressed the people in the area.

And so I address the question to him, whether or not his word is good and whether or not, before he leaves his office, we will at least see the beginning of the construction for a dialysis unit where snow had been cleared in preparation for this way back in the spring.

**Hon. Gary Doer (Premier):** Mr. Speaker, we have doubled the number of dialysis spots. We're also investing money in preventing diabetes. It is both—we also have trained more people and allocated more operating expenses. As the minister has indicated, this project is proceeding.

**Mr. Derkach:** Well, Mr. Speaker, it's always nice to say we are committed to the project, but when no evidence of construction is there, year after year after year, one becomes sceptical about the intentions of the government.

And so, Mr. Speaker, I go once again to the Premier, and I ask him whether or not he can reassure the people in the Russell area that this project will be started at least this year so that the people who are suffering from diabetes—we have at least four reserves surrounding the community of

Russell, who need—whose people, whose residents, need that service.

I wanna ask the Premier whether his promise is good to the people of that area.

**Mr. Doer:** Yes, the money's in the capital budget, and it will proceed.

### **Winnipeg Waste Treatment Elevated Costs**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, right now at the Winnipeg Convention Centre, at a major meeting of the Western Canadian Water Conference, Nick Szoke and a number of his eminent colleagues are presenting their award-winning work, showing that removal of nitrogen as well as phosphorus from the city of Winnipeg sewage will carry an extra cost of more than \$700 million.

My question to the Deputy Premier (Ms. Wowchuk): Was the Deputy Premier aware that removal of nitrogen as well as phosphorus, as the government is requiring, will cost Manitobans more than \$700 million extra?

**Hon. Stan Struthers (Minister of Conservation):** Well, Mr. Speaker, sometimes it sounds a little bit more like an auction mart over there when the member gets up and starts inflating all his figures all over the place. He's not accurate with his number, and we're acting on the advice that the Clean Environment has given us, that we're being very serious about making—doing action following out of those recommendations. So, I think that's the responsible thing to do.

**Mr. Gerrard:** Mr. Speaker, this eminent scoop of scientists have presented a poster showing very clearly that the extra costs of removing nitrogen as well as phosphorus, is more than \$700 million.

Quite frankly, the NDP have not given proper consideration to scientific studies that continue to show that removing nitrogen may in fact harm Lake Winnipeg by increasing the amount of cyanobacteria. This extra \$700 million is an NDP boondoggle, and the minister and the Premier and the Deputy Premier and the whole Cabinet, should be ashamed of themselves.

\* (14:10)

I ask the minister: When is he going to come to his senses and realize that this extra expenditure of more than \$700 million is complete folly?

**Hon. Gary Doer (Premier):** We had engineering studies that costed out the cost of nitrogen, phosphorus and ammonia. The member opposite neglects to mention ammonia as part of the issues dealing with the treatment plants.

Number two, Mr. Speaker, this matter went—*[interjection]* this matter went to the Clean Environment Commission. I believe it was chaired by Mr. Terry Duguid and it had a number of other scientists about five years ago. Mr. Dogurd—Duguid ruled on Portage—the Portage potato plant, on the Brandon Maple Leaf plant and on the Winnipeg sewage treatment plants that nitrogen, phosphorus and ammonia all had to be part of the solution for rivers and lakes and water.

This is the same conclusion that the city of Regina had come to. Now I recognize there's controversy about it. Not all scientists agree. That's why we have an independent Clean Environment Commission that came to the same conclusion as Mr. Duguid, Mr. Speaker.

### **Child Poverty Children's Use of Food Banks**

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, I want to talk about and ask a question for the Premier who's the Ambassador-designate in terms of his legacy.

This is, indeed, a Premier that'll go down in history as the Premier that received the most increases from transfer payments from Ottawa, Mr. Speaker. But one of the things that really intrigues me is the member from Wolseley brought in a resolution talking about how this government is combatting poverty in the city of Winnipeg. And the question I would put to the American Ambassador-designate is, here's what we're seeing—

**Mr. Speaker:** Order. Order. Order. Order. In this House, when members are addressing other members, it's members by their constituency and ministers by the portfolios that they hold. So the honourable member withdraw that comment please.

**Mr. Lamoureux:** I withdraw it, Mr. Speaker, and my question—

**Mr. Speaker:** The honourable member for Inkster please continue.

**Mr. Lamoureux:** Yes, Mr. Speaker, my question is for the Premier. When he has his backbenchers applauding their actions on fighting poverty, there's a startling stat that I think is very important for us to look at in terms of the Premier's legacy. Lets talk about Winnipeg Harvest. Over 18,000 children each month require emergency food from Winnipeg Harvest. Ten years ago that number was 5,512.

Mr. Speaker, if this government or this Premier has done such a good job, how have they tripled the demand for Winnipeg Harvest? Why do we have so many thousands of children every month requiring emergency food at Winnipeg Harvest while at the same time this government glows about us being an economic powerhouse? Has he forgotten the children of this province?

**Hon. Gary Doer (Premier):** Mr. Speaker, anybody requiring use of his food bank in any community is regrettable and I would point out that the child poverty rate in the last 10 years has gone down 40 percent.

I would also point out that individuals living—*[interjection]* individuals living, single parents living with children, Mr. Speaker, the poverty rate's gone down 56 percent. Obviously it's not eliminated, so it's still a challenge for the government. And I want to thank the member from Inkster for his ongoing class and grace in this Chamber.

#### **HudBay Minerals Announcement**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, despite difficult times internationally and nationally for the mining sector, mining still continues to do very well here in Manitoba. Today HudBay Minerals made a very exciting announcement regarding major copper, gold intersections at its Lawlor deposit near Snow Lake in the Flin Flon greenstone belt.

Can the Minister of Science, Technology, Energy and Mines update the House on this very, very positive announcement?

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** Mr. Speaker, and this is yet another private sector investment in this province which will be a multimillion-dollar, private sector investment.

It's multiyear. It's multimillion dollars. It can create hundreds of jobs and I quote the president of HudBay. He said, the Lawlor project is a focus and we will continue to advance it to a production

decision, the highest priority. And he said, as the Lawlor deposit could be of significant financial benefit to Hudson Bay and support substantial long-term activity in the Snow Lake area, it'll create hundreds of jobs. It'll create lots of wealth, and I'm pleased that we have another economic positive announcement. It supports the investment in Bucko Lake in Wabowden. It invests good exploration, and it creates more and more wealth and jobs here in Manitoba.

#### **Raw Sewage Dumping West St. Paul**

**Mr. Ron Schuler (Springfield):** We learned today that raw sewage is being dumped into the Red River in West St. Paul. How is it, Mr. Speaker, that the Minister of Conservation (Mr. Struthers) and, for that matter, the member for Gimli (Mr. Bjornson), how could they allow this to go on for such a long time?

**Hon. Stan Struthers (Minister of Conservation):** Mr. Speaker, that's exactly why we have hired people to go and search out these kinds of things that are happening. That's exactly how this came—*[interjection]* That's exactly—*[interjection]*

Members opposite may not be interested in protecting water in Manitoba, but we take that very seriously over here. We have people that work with homeowners to make sure that we can get a handle on those sorts of things that happen from time to time. We are putting in place a framework, a regulatory framework that will be very helpful in doing that. So we need to keep up with our efforts to make sure that we can keep on top of this and work with homeowners to stop this from happening.

#### **Bethesda Hospital Operating Rooms Upgrade**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, the Bethesda Hospital in Steinbach is recognized as the regional hospital for southeastern Manitoba. The operating rooms at Bethesda Hospital were built in the 1960s and simply can't handle the capacity in the operating slate that is required by the growing region. There are a number of wait lists that are growing for colonoscopies, endoscopies. The regional health authority has made this the No. 1 priority of the hospital, and residents have made it a No. 1 priority. I wonder if the Minister of Health can indicate whether or not it's her priority to get the operating rooms upgraded and expanded at Bethesda Hospital.

**Hon. Theresa Oswald (Minister of Health):** Of course, the member opposite and I had the privilege of being in Steinbach not that long ago to celebrate the reconstruction of the emergency room at Bethesda Hospital. I can let the member opposite know that, in contrast to decisions that were made by members opposite a decade or so ago, during the time of economic recession, we've made a commitment not to freeze health capital construction as they did. In addition, you know, we're not choosing to fire nurses and cut medical school spaces either, as a point of interest, but we're not freezing health capital.

We were in Winkler announcing our intention to go forward with the personal care home. We're speaking with the RHAs on their capital project. We're moving forward with health capital.

**Mr. Speaker:** Order.

**Mr. Goertzen:** Actually, Mr. Speaker, it was two years ago that the Premier (Mr. Doer) promised to expand the ER at Bethesda and it's been in at least two budgets and one throne speech, and there still isn't a shovel in the ground, but we are hopeful that at some point in the next year they might actually start building—three years after the announcement.

The operating rooms, however, are continuing to be a problem at Bethesda as the region grows and as the wait list grows as a result. These operating rooms were built in the 1960s and doctors have identified it as a safety issue. The Bethesda Foundation recognizes that this government won't build it without private capital and they say that they're at the table. They'll put their private money forward but they want the government to put forward a commitment that they're going to expand those operating rooms. They simply want the commitment that it's a priority and that it's going to happen. The expansion on the operating rooms will go into play so that region can get those wait lists down and people can get service that they need.

**Ms. Oswald:** Well, yes, we are in discussions in partnership with the regional health authority, with the community, just as we are in a number of communities, whether it's going forward with a personal care home in Morden-Winkler, whether it's working on expanding equipment in the Parkland Regional Health Authority, whether we're working on expanding dialysis in Russell, any number of capital projects going forward.

I might inquire, Mr. Speaker, I believe it was the Finance critic just moments ago that was complaining about how much money we were spending.

**Mr. Goertzen:** On a new question, Mr. Speaker.

**Mr. Speaker:** The member for Steinbach on a new question.

### Crime Rate Increase

**Mr. Kelvin Goertzen (Steinbach):** I find myself in the unusual circumstance of being in agreement with the member for Thompson (Mr. Ashton). The member for Thompson, the would-be Premier, one of the leadership candidates, came out last week and he said that, under the NDP government, crime has been skyrocketing in the province of Manitoba. It was only a day after—only a day after the Attorney General said that crime was going down. The member for Thompson said he was going to have a crime strategy because crime was skyrocketing under the NDP government.

\* (14:20)

I want to know if the Minister of Justice will agree with his Cabinet colleague. Will he agree with his Cabinet colleague, who he has sat with for 10 years, that under his watch under this government, crime has skyrocketed in the province, Mr. Speaker.

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, as the member would know, we met last week with the ministers of Justice of all of the western provinces and jointly agreed to a number of recommendations, and I'm very pleased—[interjection]

I know the member has a fetish with our leadership campaign. The member was going to run—was going to run federally. He still has a chance. He can run in our campaign, but I'll tell you something, Mr. Speaker, when it comes to dealing with Justice matters in Manitoba, you can talk to the police, you can talk to the population, you can talk to the police about how many—200 additional police officers in Manitoba. You can talk to the western ministers about our safe communities program, and Manitobans know that we're working every day to try to make communities safer. We're working with them.

But the member wants to drive in from Steinbach—

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

**Mr. Chomiak:** —with his hand on the horn—with his hand on the horn—but I want him to know we've been in Steinbach on many occasions to expand many health-care facilities, and we'll continue to do that.

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

## MEMBERS' STATEMENTS

### Manitoba Baseball Hall of Fame

**Mr. Peter Dyck (Pembina):** Mr. Speaker, on September 16th, my wife, Irene, and I, along with the member for Arthur-Virden (Mr. Maguire) and his wife were pleased to attend the Manitoba Baseball Hall of Fame's Wine and Cheese Celebration in Morden. The event was held to recognize the many Manitobans who donated funding towards the organization's recent expansion project.

The Manitoba Baseball Hall of Fame and Museum was able to raise over \$53,000 over the past 24 months through fundraising events to go towards its expansion. A number of renovation projects were completed during this expansion, including an upgrade to the walls and floors, the installation of the new office, and the electrical, mechanical, and specialized lighting work. The expansion project has also allowed for the purchase and the installation of used and rehabilitated floor display cases, picture wall cases, wall mountings, and a security monitoring system. A total of 125 individuals and 10 businesses generously contributed funding toward the expansion.

The Manitoba Baseball Hall of Fame and Museum was established as a non-profit charitable organization in 1997, and it continues to serve many purposes. This organization is responsible for the recognition of players, builders, umpires, media and teams who have made substantial impacts in contributions to baseball in Manitoba. It also collects, preserves and displays memorabilia related to baseball history in Manitoba and encourages the development of baseball by recording the history and achievements of people involved with the sport. The hall of fame also arranges induction ceremonies to recognize those individuals and teams in Manitoba who have demonstrated greatness in baseball.

Joe Wiwchar and his group of volunteers have been instrumental in putting all of this together.

Mr. Speaker, as the member for Pembina, I am very pleased that the Manitoba Baseball Hall of Fame and Museum was able to complete their expansion project which will allow for the preservation of many more memories of Manitobans in baseball.

I would also like to thank everyone who has donated funds towards this important expansion, as it is because of their generosity that this project has become a reality. Thank you.

### Western Manitoba Cancer Centre

**Mr. Drew Caldwell (Brandon East):** Mr. Speaker, the recent sod turning for the Western Manitoba Cancer Centre in Brandon continues an ongoing journey towards building universal public health-care excellence in our province.

The CancerCare treatment centre will offer the dynamic health-care infrastructure needed to ensure optimal care for all patients. The inclusion of the linear accelerator will make Brandon the first community outside of Winnipeg to provide radiation therapy. The centre will also encompass chemotherapy units, supportive care areas, an out-patient clinic and volunteer space. Cutting-edge information technology will connect Brandon's staff to CancerCare Manitoba in Winnipeg, facilitating increased communication and ensuring the sharing of resources and medical expertise.

The commencement of construction on the CancerCare treatment centre continues a decade of consistent health-care investment in Brandon by our government. More than \$100 million has been invested during this time, the largest such investment in the history of the community, and our commitment is to continue working hard to build health-care excellence in Brandon. Though remarkable in its own right, the Western Manitoba Cancer Centre joins a growing list of progressive health-care projects and initiatives which have been undertaken in Brandon. Working together with the community, caring staff, dedicated volunteers and engaged citizens, we have started our—we started our work with the development of the \$50-million Brandon Regional Health Centre. State-of-the-art surgical suites and neonatal units were at the centre of this renewal while additional new CT scanners and Westman's first MRI suite were added to enhance medical diagnostics.

The downtown Health Access Centre now provides expanded citizen access to health and social



services. Our ambulance fleet has been replaced, and the entire community benefits from this investment. At Brandon University, the health studies complex was built to provide for the training of health care professionals now and for future needs.

The Westman Laboratory is presently undergoing a multimillion redevelopment. Indeed, all of this work has virtually transformed the Brandon Regional Health Centre campus. We have work to do, Mr. Speaker, in the continued building of health care excellence throughout the province, but together we are making a positive difference in Brandon and in Manitoba.

#### Sylvia McMechan

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, today I want to use this private members' statement to offer my sincere congratulations to Sylvia McMechan. It's a sad truth in our country that for one reason or another some people never have the chance to receive a high school diploma. There are many reasons for this. For Sylvia McMechan of Deloraine, it was the failing health of her mother that forced her to leave school in grade 11. But now, 72 years later, Sylvia has defied expectations by completing her high school education just shy of her 90th birthday.

Mrs. McMechan truly deserves the highest praise we can offer for her unrelenting pursuit of her goals and for demonstrating that being elderly is truly no boundary to what may be accomplished if you set your mind to it. Sylvia was honoured for her achievement by her fellow classmates at the Turtle Mountain Adult Education Centre 2009 graduation ceremony held earlier this summer by being named class valedictorian. She has received congratulations from Prime Minister Harper and the Governor General of Canada, Michaëlle Jean. However, I am sure the most rewarding of praise had to be the supportive outpouring she had received from her own family of whom every member attended her graduation, some from as far away as Calgary and Ottawa.

Sylvia still works faithfully at her job at Hasselfield Drugs which she started in 1962. As well, she is involved in the St. Andrews Anglican Church. The way she looks at it, it's quote, better to wear out than to rust out—rest out, Mr. Speaker. End quote. And as for Sylvia's plans for the future, like any high school grad, she's looking at taking university courses.

As the Member of the Legislative Assembly for Arthur-Virden, I would like to offer my congratulations and wish Ms. Sylvia McMechan all the best in whatever future endeavour she tackles but particularly on achieving her high school graduation in her 90th year.

#### Irvin Head

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, today I would like to share with this House the accomplishment of my friend, Irvin Head. Irvin is from Cranberry Portage where he manages Northern Buffalo Sculptures, his own art gallery. He has been sculpting for almost 10 years using stone, antler and various kinds of woods. He was also a key player in constructing the world's largest teepee which is located in Cranberry Portage.

Irvin will be part of a contingent of Aboriginal artists showcasing their work at the upcoming Olympic Winter Games in Vancouver. Irvin leads a group of 10 artists in the creation of a sculpture exhibit for an Olympic venue. The piece entitled *Grand Entry* is made up of nine large ravens, each designed by an individual artist but physically created by all of them in collaboration. The process involved a great degree of sharing and learning amongst the artists, and through their close working relationship, the group became like a family. Their experience has also bridged the gap between northern and southern Aboriginal artists.

Irvin will also be displaying two of his own original works. *Spirit Path* is a table-top sculpture of an elderly woman walking down a path, leaving a trail of animals behind her. Carved from a piece of African wonderstone, it embodies the different teachings each animal represents. His second entry, *White Bear*, is a polar bear representing northern Manitoba.

Mr. Speaker, this is the opportunity of a lifetime for an artist and it is well deserved. Irvin's creativity and talent are a tribute to the artistic traditions of northern Manitoba. I know all members will join me in expressing our collective pride in Irvin Head's major achievement on the world stage. Thank you.

\*(14:30)

#### Winifred Paktong

**Mr. Kevin Lamoureux (Inkster):** On April the 21st, 2009, the Manitoba Legislature unanimously passed a resolution recognizing the 100th anniversary of the Chinese settlement in Manitoba. I

want to make reference to Winnie, Mr. Speaker, in the second whereas it stated that, WHEREAS Winnie—Winifred Paktong, the first Chinese female born in Canada, who is named after her hometown of Winnipeg, is still alive and will be celebrating her 97th birthday on May the 30th, 2009.

Mr. Speaker, I had the privilege to be able to actually take Winnie and her son out for lunch just to make a note of the special year and, in fact, this very special person that Winnie is. And I was provided a *Happy Birthday Winnie* program in which I thought I would just relay a couple of the sentiments from that particular program.

And it starts, and it reads, and I quote, "Winnie, like the famous storybook character was named after the city of Winnipeg, Manitoba. She was born at home on May the 30th, 1912, to Joe Mar, from Mar Yach [*phonetic*] and his wife. We only know her mother's surname was Chu [*phonetic*]. She had an older brother named Roy. When Winnie was nearly two, her younger brother, George [*phonetic*], was born. Tragically, her mother died after giving birth to George.

Family friends John and Elizabeth Campbell, looked after Winnie for two years after their mother's death. Mr. Campbell was in charge of food supplies at the hospital. Joe Mar's family in China then sent him a new wife. Her last name was Deer [*phonetic*]. Together they had five more children: Francis [*phonetic*], Lily [*phonetic*], Alice [*phonetic*], Freddy [*phonetic*] and Mary [*phonetic*]. They all lived in a house on Emily Street beside the Winnipeg General Hospital where Joe worked as a chef. Winnie, being the eldest daughter, left school after the eighth grade to help out at home. She did most of the cooking and washing for the family. Her step-mother was not physically strong.

Mr. Speaker, she did leave Winnipeg for a while, or Canada, but returned in 1956. And again, I'll go to a direct quote: "Winnie and the children sailed on the *President Cleveland* from Hong Kong to San Francisco, docking on March 8th, 1956. The girls were seasick during the two-week trip. Francis, Beatrice [*phonetic*] and Fay [*phonetic*] visited the family aboard the ship in port. From San Francisco they travelled by train to Winnipeg via Vancouver. The rail trip took two weeks. This was the first—*[interjection]*

**Mr. Speaker:** Order.

**Mr. Lamoureux:** —time the children had seen snow. Maylee [*phonetic*] took them to the Salvation Army to get winter coats."

If I could have leave just to one final quote, Mr. Speaker?

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

**Some Honourable Members:** Leave.

**Mr. Speaker:** Leave has been granted.

**Mr. Lamoureux:** Mr. Speaker, it's to quote—it's to quote Winnie's son, and it goes, I quote, "When we were in Hong Kong, our father wanted to take the family to China to live with him there. However, our mother said no, she would take the children to Canada. I am so grateful she brought us back to Winnipeg, her hometown, where she was born."

Mr. Speaker, it was an absolutely delightful occasion for me to have lunch with Winnie, and I wish her and the family the very best going into the future.

Thank you, Mr. Speaker, and members of the Legislature for giving me the leave. Thank you.

#### MATTER OF URGENT PUBLIC IMPORTANCE

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the member for Inkster (Mr. Lamoureux), under rule 36(1), the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely, the increasing problems with soil erosion due to high water levels on Lake Winnipeg and the loss of land for property owners and the increasing threat to provincial highways.

**Mr. Speaker:** Before recognizing the honourable member for River Heights, I believe I should remind all members that under rule 36(2) the mover of a motion on a matter of urgent public importance and one member from the other parties in the House, is allowed not more than 10 minutes to explain the urgency of debating the matter immediately.

As stated in *Beauchesne's* citation 390, urgency in this context means the urgency of immediate debate, not of the subject matter of the motion. In their remarks, members should focus exclusively on whether or not there is urgency of debate and whether or not the ordinary opportunities for debate will enable the House to consider the matter early

enough to ensure that the public interest will not suffer.

**Mr. Gerrard:** Mr. Speaker, I raise this as a matter of urgent public importance. I will discuss, first of all, why this is the first available opportunity, and it is the first available opportunity because we've had other MUIPs, matters of urgent public importance, to deal with every day of this session so far, and so this is the first available opportunity. It, of course, says something about the large numbers of urgent matters which the NDP are leaving on the table and not addressing properly.

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

But, that being said, the reason why this is urgent and needs to be discussed now is that there has been severe erosion in a number of areas along Lake Winnipeg. There is the threat of storms this fall. I can point out, for example, an area near Sagkeeng, where one storm earlier this year, there was erosion of a significant bank of probably about eight feet high back 42 feet in one storm. It shows you the power of Lake Winnipeg.

I can—also was visiting an area near Riverton, an area where the NDP government a number of years ago had put up a dike, and here the waters of Lake Winnipeg had basically cut through the dike just like butter and it was practically gone. And the construction of that dike clearly was not adequate to the task of stopping Lake Winnipeg, and clearly there are major problems not only there but in a number of other areas around Lake Winnipeg, and preparing for storms this fall, there is an urgency of action.

On—along Highway 11, the area near Sagkeeng, the area is not far from this provincial highway which is an important provincial road. And, as a result, the provincial road is threatened. The erosion has happened. This is not the first time in this particular area. Indeed, I would point to the fact, and this is one of the other reasons why this is urgent, is that although this has been brought forward in this Legislature in fact numerous times, the government has done absolutely nothing, and the erosion continues at this extraordinary pace.

I give you an example. In October of 2007, I raised this matter, and I asked the Minister of Aboriginal and Northern Affairs about the severe erosion problems 'cause they were occurring in Sagkeeng near the entry of the Winnipeg River into Lake Winnipeg. And in that year, this was, I was

reporting in 2007, there was one storm where there had been 15 metres of bank eroded in a single night and a home—which had been so far back in the 1980s from the river that you could stand by it and not even see the river—was destroyed because this—just underneath the water the erosion occurred, and it just excavated, essentially, under the home. And so it was devastating to the home and, of course, the occupants who, luckily, weren't in the home at the time that the erosion, severe erosion event occurred.

*Mr. Speaker in the Chair*

Now, when I asked at that point the Minister of Aboriginal and Northern Affairs, he said he would not answer my question because, and I quote: "The lead department is the Department of Conservation." So I was not about to give up, and shortly thereafter I asked the Minister of Conservation, and he in his turn said—

**An Honourable Member:** Who's that?

**Mr. Gerrard:** The Minister of Conservation said, and I quote: "I don't want to get involved in the tennis match back and forth between the Minister of Aboriginal and Northern Affairs and my colleague from River Heights." He said, "I'm not the lead minister." He refused to answer my question.

So I asked then the Minister of Conservation: Who is responsible? And he suggested that I ask the Minister responsible for Hydro because there's a belief that this is a Hydro issue. All right. So then I went to the Minister responsible for Hydro who was also at that time the Minister of Finance, and I asked him, and he said: Oh, no, it's not my responsibility.

And this is the problem of trying to get accountability from this government, and this is why this is an urgent matter because it's very, very difficult, on numerous occasions, to get accountability.

So I finally asked the Minister of Water Stewardship, and, after some consultations, with their officials in Estimates, she said, yes, it was her responsibility. And so I asked her what she was doing about the severe erosion, and she said, and I quote, I have not been to Sagkeeng. I have not received any communication from the Sagkeeng people.

Now, sadly, that was about as far as it got. That was two years ago, and I was there this fall, and, in precisely the same place near where Murray Courchene lives, this bank, in one storm this year,

had eroded back a further 42 feet, and it's getting closer and closer to Murray Courchene's home and to Provincial Highway 11.

\*(14:40)

And so it is clearly a matter of urgent public importance which is not being attended to at the moment by this government, which has been very neglectful with regard to this problem of erosion. And so it is imperative that we have this debate and discussion today, and we get some answers from this government which has been very reluctant to speak on this issue and to be forthcoming with any solutions to a very important issue for Manitobans.

**Mr. Gerald Hawranik (Lac du Bonnet):** I would indicate that we, that I, support the debate of this matter of urgent public importance introduced by the member for River Heights (Mr. Gerrard). In fact, had he not introduced the matter of urgent public importance today, I think I probably would have done so myself. But, so it is a very, very important debate that has to take place here in this Legislature, Mr. Speaker.

I can confirm that what the member for River Heights says, the Sagkeeng First Nation is, in fact, within the constituency of Lac du Bonnet, and I can confirm that erosion is an issue on Lake Winnipeg as it is in the Lac du Bonnet constituency.

There's a reason for that, Mr. Speaker. The Winnipeg River traverses across Lac du Bonnet constituency all the way from the Ontario border right through to the constituency of Lac du Bonnet, right through to Lake Winnipeg. And during that distance, there are no less than six Manitoba Hydro generating stations within that distance.

And, as we all know, hydro-electric dams control both the height and the flow of water through them and, of course, height and flow of water contributes to erosion issues. When you have a fast-flowing river, you have more erosion. When you have a high volume of water going through the river, you have more erosion. The simple fact of the matter is, is that Manitoba Hydro, through its hydro-electric power dams, in fact, affect erosion within the constituency. And that goes as well with respect to water that goes through the last hydro-electric dam before it enters Lake Winnipeg and that's the Powerview-Pine Falls hydro-electric generating station. That, in itself, is the last dam. It doesn't necessarily affect—it does affect the water levels within Lake Winnipeg, and, of course, the higher the

levels within Lake Winnipeg, likely the more erosion there will be, the more wave action there will be, and so on. And if there's a great deal of rainfall, particularly in Ontario and throughout the constituency of Lac du Bonnet, that adds to the flow of water within the Winnipeg River. And, of course, if there's a high volume of water within the Winnipeg River, more water's let through the power dams to ensure that it controls the levels between the dams.

I can tell you, Mr. Speaker, that with respect to Provincial Trunk Highway No. 11, yes, there is an area within Sagkeeng First Nation that is being eroded severely. It's near Provincial Trunk Highway No. 11, and three years ago I brought this to the attention of Manitoba Hydro. And Manitoba Hydro did riprap an area along the Winnipeg River, along Provincial Trunk Highway No. 11, as I indicated that they should do.

But there is an area now that is unprotected and I can confirm, as well, that needs riprapping to ensure that the provincial trunk highway itself is not threatened. It's an important highway that connects Powerview-Pine Falls with Provincial Trunk Highway 59.

Manitoba Hydro, though, had corrected most of the problem. There still is an issue there and I've been after Manitoba Hydro as well with respect to that, and I would hope that they would correct that problem.

I know that Manitoba Hydro has increased their budget for riprap over the last few years after I've urged them to do so, and I believe that they almost doubled the budget. However, the problem is, is that it takes a lot of money to riprap, particularly over the last three or four years as the cost of riprap has increased substantially. And I would suggest that even though the budget may have almost doubled, the amount of work that's being done by Manitoba Hydro to riprap and protect the shorelines, the number of feet of shoreline that's protected every year, has not increased because of the increased costs.

There are many residents within Powerview-Pine Falls below the dam, the Powerview dam, have complained about erosion issues there. And I've advocated for each and every one of them to Manitoba Hydro. And the Town of Powerview-Pine Falls owns some land within, of course, its corporate boundaries, and it has some river land that is very, very valuable near the ball diamonds between the town of Powerview and Pine Falls. And they own a

shoreline there and a piece of property that's very valuable, but it's currently being eroded. I've been advocating on their behalf, to Manitoba Hydro as well, for riprap and shoreline protection in that area.

And we've heard today in question period, and I asked the question about the mill and the difficulties it's going through—the Tembec mill—and the fact that there is some need for action there because of the fact that there is a possibility that Tembec will close that mill, as it has in other communities across the country. We hope that doesn't happen. I want to make sure that the Minister of Labour (Ms. Allan) and the Minister of Conservation (Mr. Struthers) are aware of the fact that there is a danger of that and there needs to be steps to be taken to ensure the viability and the sustainability of that mill and those jobs in that region.

This particular piece of land that I'm speaking about in terms of—that's owned by the town of Powerview and Pine Falls, it's valuable land. It's land that's needed for economic development. That area needs economic development more so than many of the other regions and areas within the constituency of Lac du Bonnet. It's undergoing rapid change, particularly with respect to the mill in Pine Falls, and it's needed for economic development to ensure that the town grows and jobs are created with it.

The answer I get, downstream from the Powerview-Pine Falls hydro dam, from Manitoba Hydro is less than satisfactory, Mr. Speaker. We've had some improvements to the shoreline of the Winnipeg River in the Sagkeeng First Nation. We've had minimal improvements and hardly any improvements downstream of the hydro dam. And the excuse by Manitoba Hydro, as I indicated earlier, is less than satisfactory. The excuse they use is that it's normal erosion, that Manitoba Hydro is not responsible for that erosion.

I don't understand how they could take that position, Mr. Speaker. How could they take that position when they control the levels of Lake Winnipeg, and if the Lake Winnipeg levels are increased and we have a north wind in Lake Winnipeg, it creates six-, seven-, eight-foot waves coming in against the shoreline at Traverse Bay, as well as Sagkeeng First Nation and well into the Winnipeg River. And if you control the lake levels, certainly, you are responsible for erosion as it occurs within that area.

Secondly, Manitoba Hydro controls the flow of water through the Powerview-Pine Falls

hydro-electric dam. And if there's a great deal of water coming through from Ontario or that has fallen within the constituency and enters Lake Winnipeg or the Winnipeg River, then those levels need to be siphoned off and reduced between the power dams.

And as we proceed from an easterly to a westerly direction, what happens is that the flow of water has to continue all the way through the Powerview dam. And when you control lake levels of the reservoirs between dams, and a lot of water is entering from the east, you have to continue to allow the flow of water through the Powerview-Pine Falls dam at an increased rate. And that increased rate and volume of water is what's causing the erosion, Mr. Speaker. A lot of those banks are clay banks. They're easily—they're easily eroded, and when you have Manitoba Hydro controlling the flow of water through every one of those dams, including the last one, I don't understand how Manitoba Hydro could ever take the position that they're not responsible for erosion from water coming through the Powerview-Pine Falls dam. And they've been putting up road blocks—Manitoba Hydro has been putting up road blocks in terms of my efforts to protect that shoreline downstream of the dam.

And, in my view, Mr. Speaker, it's not arguable by Manitoba Hydro and shouldn't be arguable by Manitoba Hydro that they are not responsible. The people downstream from Powerview-Pine Falls are certainly not responsible for the erosion that's taking place there. Manitoba Hydro is, because of the control of the water and the flow of water through the dams, and I would ask, then, that we support the debate of this matter of urgent public importance because it's important for all Manitobans, as well as it's important for the constituents of Lac du Bonnet, including the town of Powerview and Pine Falls. Thank you.

\*(14:50)

**Hon. Dave Chomiak (Government House Leader):** Well, Mr. Speaker, as has been the case for the last four or five days, it's clear, both from the arguments put forward by the members opposite—and I might say the member for River Heights' (Mr. Gerrard) factual discourse back and—that he was attempting to put on the record was not helpful for the argument, and I don't believe accurate at all. Having said all that, it's clear that, on the rules, this is clearly not a matter of urgent public importance.

It is of importance, Mr. Speaker, but we've now seen our fifth or sixth matter in a row, and, again, as

occurred the other days, matters not even raised in question period are put forward as MUIs. We all know that it's not a matter of urgent of public importance according to the rules of this House, but, because—I think it's important that accurate facts be put on the record. I believe that there's unanimous consent of this House to, notwithstanding your judgment, to have leave to have each—a member of the third party, a member of the opposition and a member of the government, speak for five minutes to this matter and then we can proceed with the ordinary business of the House.

Thank you, Mr. Speaker.

**Mr. Speaker:** I thank the honourable members for their advice to the Chair whether the motion proposed by the honourable member for River Heights should be debated today. The notice required by rule 36(1) was provided under our rules and practices, the subject matter requiring urgent consideration must be so pressing that the public interest will suffer if the matter is not given immediate attention. There must also be no other reasonable opportunities to raise the matter. I have listened very carefully to the arguments put forward, however, I was not persuaded that the ordinary business of the House should be set aside to deal with this issue today. Although this is an issue that some members may have a concern about, I do not believe that the public interest will be harmed if the business of the House is not set aside to debate the motion today.

Additionally, I would like to note that other avenues exist for members to raise this issue, including question period, members' statements and grievances. Therefore, with the greatest of respect, I must rule that this matter does not meet the criteria set by our rules and precedents, and I rule the motion out of order as a matter of urgent public importance, however, despite the procedural shortcomings, there does appear to be a willingness to debate the issue.

I shall then put the question to the House. Shall the debate proceed with one member from the government, one member from the official opposition and one independent member speak for no more than five minutes? Is that agreed? *[Agreed]* Five minutes each, yeah. Okay. Okay that's been agreed to.

Okay, so we shall start the debate.

**Hon. Christine Melnick (Minister of Water Stewardship):** It's always important to talk about

water in the House. Certainly, this spring we know that we had a very, very serious issue with the floods. So I'd like to start my comments today by thanking all those who worked so hard on the flood. The thousands of volunteers who came out day after day. Many people gave their vacation time to help their friends and neighbours and complete strangers whom they never knew. So thank you very much to the civil servants who also worked very hard on that.

As a result of what occurred this spring, we know that there are high water levels throughout the province. We know that there are high water levels in areas who rarely, if ever, have experienced such high water levels. We are monitoring those levels throughout the province. I know there's area of concern raised by the member of Lac du Bonnet along the Winnipeg River. The member from River Heights has talked about Lake Winnipeg and other areas.

If we look at the Lake Winnipeg water levels, we know that Manitoba Hydro has been operating at maximum capacity since November of 2008. That means they are drawing water to the maximum that they can, Mr. Speaker. This is a move by Manitoba Hydro to try to work with the levels that we've been dealing with for the last number of months. Just to put it into perspective, this is more than double what would've been released under natural conditions, and, as we know that the Assiniboine River, the Red and the Winnipeg River, all eventually make their way into Lake Winnipeg.

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

The draw by Hydro is significant, and the double capacity draw is particularly significant at this time. Without the sort of draw that Manitoba Hydro is making out of the northern portion of Lake Winnipeg, the natural level would have been at about 718. That means it would have been a full three feet or more higher if Manitoba Hydro was not drawing at the capacity that they are. Seven eighteen would be close to the highest-ever recorded level which was set in 1974, which members may know is actually before the regulation of the draw by Manitoba Hydro of water out of Lake Winnipeg would have occurred.

So these numbers are very, very significant when we talk about shoreline, when we talk about shoreline protection, when we talk about erosion, when we talk about dike protection. We would be dealing with at least three feet higher on Lake Winnipeg, and, of course, when the euphemism is

intended, that would have spilled over into the other waterways of Manitoba as well.

In the fall of 2005, there were extremely high water levels again being experienced on Lake Winnipeg and accompanied by that were extreme winds which resulted in the need to provide urgent flood protection measures and the Province of Manitoba was there to respond. It was the former Minister of Water Stewardship who was responding at that time. We had many municipalities responding by declaring local states of emergency and this meant, Mr. Deputy Speaker, that we could go in and take emergency measures to help these folks. What did they request of us? They requested that the Province construct flood protection based on the emergencies that they were experiencing. Under those unusual circumstances, the Province agreed to construct emergency dikes to protect properties from imminent flooding. We knew that flooding was imminent without the protection that we were providing.

We have the expectation that individuals and municipalities would assume ownerships of those dikes, Mr. Speaker. And we have worked with the communities at that level ever since then. So they would accept the responsibility for ongoing maintenance and erosion protection so that the dikes would continue to be protective in instances where they were necessary.

And we saw this past summer, I believe it was in the month of July, we saw two such storms. The Province was there with sandbags, with tubes, with all the technical expertise that we can offer, Mr. Speaker, and we continue to offer that.

We are looking towards the fall. We know it's late September to mid-October that there can be severe fall storms. We are communicating with the municipalities that we will be there to work with them, to provide, again, sandbags. To provide, again, the technical expertise to work with our partners around the southern basin. To work with our partners to make sure that the shorelines are being as well protected as we can, Mr. Speaker.

**The Acting Speaker (Mr. Reid):** Order, please. The honourable member's time has expired.

**Mr. Cliff Cullen (Turtle Mountain):** I appreciate the opportunity to weigh in on this very important issue. Certainly any time we talk about—have an opportunity to talk about water in the House, it's certainly an important point of discussion. I certainly

want to applaud the member for River Heights (Mr. Gerrard) for bringing forward this particular issue today.

And, as the Minister of Water Stewardship (Ms. Melnick) did point out, we certainly had a lot of moisture around this particular spring in terms of the runoff from snow melt and whatnot. And we also had, obviously, in certain areas, quite an abundance of precipitation, which has certainly complicated some of the factors around the rivers and the lakes of the province of Manitoba.

Let me first begin by saying I think water is one of our most important resources that we have here in the province of Manitoba. And it's certainly imperative that we, as Manitobans, and we, as legislators, make sure that we protect that valuable resource. And it's also very important that we manage that particular resource adequately and not just on a day-to-day basis. But I think we—it's incumbent upon us to look to the future because we are, from time to time, and we're going to down the road, be facing situations of drought across the province of Manitoba. And, quite frankly, we can't be competitive and we can't develop our economy if we don't have water as part of the natural ingredients for the processes.

So it's important that the minister be aware of—her department has to take a lead role in how we're going to manage this resource into the future.

\* (15:00)

Mr. Acting Speaker, I had an opportunity to be in Hecla this summer in mid-July and certainly witnessed first-hand the lake-level of Lake Winnipeg, and it certainly was causing quite a number of concerns around the lake there, especially when you have the high water in conjunction with high, strong, northerly winds. They really cause a lot of erosion. And I remember going there a couple of years ago when we had the same situation develop, and had a tour around the south basin of the lake and looking at some of the erosion-control mechanisms and procedures that were taking place at that time, and it was certainly easy to see what kind of erosion, what kind of damage the lake could do.

Mr. Acting Speaker, it's important if we recognize that, you know, Lake Winnipeg isn't the only tributary that has suffered severe erosion this year. In fact, I just received a letter yesterday on behalf of the constituents of Rock Lake. And that particular lake, in which is a lake in the middle of the

Pembina River, and that particular lake had the—recorded the highest level water ever recorded in Rock Lake this particular year. Now, as you could be well aware, once you have those high water levels in the lake, the natural vegetation doesn't protect the ground from erosion, so there was significant erosion around that particular lake this year and I certainly will be forwarding this correspondence on to the Minister of Water Stewardship because there's a grave concern there.

How do we deal with this particular issue if we're going to be continuing to have these ongoing high-water situations? And it doesn't just happen in the spring; sometimes it happens, and as it did a few years ago, in July when we had a high level of precipitation at that time. So we do have to have a look, a serious look, at how we're going to handle the erosion problem. We also have to have a serious look at how we're going to manage the water resource in terms of dams or levees or those sort of things going forward, and it's very important to Manitoba.

Because we had this significant erosion issue and high water this year, I brought it to the attention of the Minister of Infrastructure and Transportation (Mr. Lemieux), and I know the minister has formed a group, a working group, that's supposed to be looking at issues around those high water volumes, and I hope that that particular working group is making some headway and actively consulting with communities and with municipalities and with conservation districts in that area.

With that, I thank you very much for the opportunity to weigh in on the discussion today.

**Mr. Gerrard:** Mr. Speaker, I rise to put a few comments on the record about this major problem with erosion on Lake Winnipeg. And, clearly, when you look at the extent to which erosion can occur and has occurred in the area around Sagkeeng, that it's extraordinary, the extent to which this has and is occurring.

As I was pointing out in 2007 when I was there, the house of Murray Courchene and his family was so far, at one point, from the river that, you know, you couldn't even see the river. And then, by 2007, his home had been eroded. It was sitting on a bank about eight to 10 feet above the river and the lake, because it's right at the mouth, and it's affected by the lake as well as what's happening in the river. In fact, it's probably primarily affected by what's happening in the lake. And what had happened then was that in one night a distance approximately from

the Speaker to where I stand now was eroded in one storm. And that was a huge distance to have erosion—and it's not a small bank, it's quite a significant bank—and so I had raised that issue back in 2007. And when I was there this year, once again, because nothing had been done at all to protect the bank, because the government had been missing in action and had just not followed up the questions and the issues raised. Once again, there was a distance approximately the length from the Speaker to myself which had been eroded. And, in this case, you know, the remains of the house were sitting out in the lake instead of on the bank, and it is—it is amazing because it's getting closer and closer to Highway 11 and, clearly, now—in fact, after 2007 when I raised it was the time to act and protect that bank. But it still has not been protected and it is still continuing to erode, and with the water levels and potential storms this fall, there may be more erosion of a same or similar distance again, bringing things ever closer to the highway.

Now, this is why it is urgent that there be action and not just talk, that the minister responsible make sure that she works closely with people at Sagkeeng and with Manitoba Hydro to get a solution to this very significant problem because, if she doesn't, then the minister of highways will maybe even have to rebuild that stretch of Highway 11.

So there is a huge problem. It needs attention. It is not just this area; it is a variety of areas. Interestingly enough, one of the problems with the dikes in an area that I saw where there was some erosion was that a culvert put through the dike was too small, and it backed up water and flooded people behind the dike instead of protecting them. So there are, in fact, multiple problems with that dike as it was put up, and perhaps the minister would do well to go back and have a look at the dike and make sure that the problems don't continue and continue and continue.

It is clearly a matter of urgent public importance. It is one that in 2007 many ministers dodged and there was nothing done. It is time that something be done and that action be taken.

**The Acting Speaker (Mr. Reid):** As previously agreed, that will conclude the business on the MUPI.

#### GRIEVANCES

**Mr. Blaine Pedersen (Carman):** Mr. Deputy Speaker, and I have the opportunity to present a grievance to the House and the—I received an e-mail



from a Manitoban just outside of my constituency, but it had to do with the park that's located in my constituency, Stephenfield Lake park, a very beautiful campground enjoyed by many people over the summer and, with its reservoir there, it provides some water sports for campers and as well as some hiking and general recreation for campers.

But this particular letter, that e-mail that was sent to me was also sent to the Minister of Conservation (Mr. Struthers), and it's in regards to this past weekend. As we are all aware, we had some of the nicest weather of all summer after a really poor summer for camping. This past weekend was perhaps the nicest weather of all summer in terms of camping. This family does camp at Stephenfield park quite often because it's central for their family to meet there and to camp. However, this past weekend, the campground was closed, and after doing some inquiring, they were able to find that the campground had been closed due to cutback on funding.

So the obvious question is, when the Minister of Conservation cancelled park passes this spring, and obviously gave up some revenue on that, would it not make sense to at least make sure you have funding to keep the park open into the fall like they have done in the past? It's rather false economy if you are going to offer free passes all summer and then close the park early because you've run out of money.

\* (15:10)

So, again, we just really wonder why. I know there's been—there's been some people who have enjoyed the free park passes over the summer, but there's also been a lot of people that have told me over the summer that they don't mind paying the park passes if, in turn, it will turn around. And during the summer what the comments was, was at least keep—put that money back into the parks in terms of renewing, upgrading the campgrounds. And now, as we hear in this case, they've actually had to cut back on the actual camp being open, or the park being open because of a lack of funding.

*Mr. Speaker in the Chair*

So it's very short-sighted on the part of this government. We would certainly—I know there was a commitment for two years, I believe, to have free park passes, but I really believe this minister should go back and revisit this if in fact this is going to be the norm now that they're going to cut back on

services. They're not going to be able to provide upgrades to the park.

We already know that there's serious sewage problems in the Whiteshell Provincial Park. Again, there was an article a while ago in one of the papers about, if they had perhaps used part of this money to help upgrade the lagoon facilities there instead of offering free park passes, that would have been perhaps just a way of increasing the total budget to do these necessary upgrades.

There's no doubt that camping is very popular in Manitoba. So, if you're going to provide that service, then take the initiative and do the best you can on this.

Also, in my constituency, and we've had in Question Period the last—I believe it was yesterday, about Manitoba Housing and the violence and the living conditions within some of the residences here in Winnipeg. But we also have Manitoba Housing out in—out in the rural areas, and in one of the towns, in particular, that I was in the Manitoba Housing, I was asked to come and look at this Manitoba Housing unit by the—by the renter about just the terrible conditions in which this—the two houses that I was in—the terrible condition that these two houses are in today.

And it's—this is not from the tenants abusing the place. The one family, the couple has a young—four young children, and she's trying very hard to make ends meet on this. It's difficult raising a family with four young children, and yet they're doing their very best to look after this house.

But the house is in—is in such poor condition, the hydro bill is \$550 a month based on a year-round basis, on an average. So it's astronomical in the wintertime. The insulation is very poor to non-existent. The windows are—need some upgrading, and yet she has asked the supervisor who looks at this house when this house is going to be upgraded, and all she can—all she can get out of that from the supervisor is that, yeah, sometime in the future it may be looked at.

But she is faced—this one particular couple is faced with the—with a possibility of having to move out of there because they can't cover the cost of living, particularly the hydro bill. The rent, I believe, is \$450 a month. She's not complaining about that. She's quite happy to pay that rent, but in return she's asking that, as a tenant, as Manitoba Housing, as the tenant, they upgrade the house, put some insulation

in the—in the attic, upgrade the windows. They have a great deal of icing on the windows during the winter. You can see the stains on the—on the sills around the windows, and we know that with icing, you're going to get moisture, and you're going to get mould. So it can be proactive on this.

Manitoba Housing needs to be proactive and look at this house, at both these houses, and upgrade them before mould becomes an issue in there, and then it's health, and then we've got young children in this—in this one house and you're allowing, as the owner of this house, you're allowing this to become a health issue down the road here. And we really need to be, as the landowner, as the landowner of this house, you really need to become much more proactive in looking after these.

Today's question period was certainly an interesting experience, Mr. Speaker, that the Premier (Mr. Doer), when asked about why they weren't at joint meetings being held in British Columbia, Alberta and Saskatchewan—and they're signing deals, economic partnership agreements there. Manitoba's not included, and Ontario and Québec is meeting at the same time, and they're working on joint strategies, and here's Manitoba sitting in the middle and being left out on their own.

And to think that, that the Premier has the gall to stand up and say that Manitoba is the economic powerhouse of Canada, when 40—[*interjection*] That's what the Premier said. He said we were the economic powerhouse of Canada, and at the same time 40 percent of our revenue is coming from Ottawa. I think that if that's your idea of a powerhouse, you're in deep trouble here, and we know we're in deep trouble in Manitoba.

There's lots of—Manitoba has the highest debt. It has more debt than Saskatchewan, Alberta and British Columbia combined. They—this government does not like to hear that, but it is true that we do have more debt than the three western provinces combined, and I can see when they go to have an economic summit in the west, they wouldn't invite the poor cousin to come along because it's going to drag them back. So I can see why those provinces don't even want Manitoba there. So we're looking forward to, as the new Premier is decided here in three weeks or so, what their, what their strategy is.

We know the member from Minto, when he becomes president, or prime minister, pardon me—[*interjection*]-well, I'm used to thinking ambassador. So, you know, like if it's a little slip, then I just

think—well, it's, I'm wondering how the ambassador's going to keep the reins on from Washington to run this House. But, I guess, you know, with the electronic age, I'm sure it will be easy enough to do.

The member from Minto has, has put on public record that he is going to go to Ottawa as Premier. He's going to go to Ottawa and beg poverty—to claim more in transfer and, and equalization payments. If that's the plan, if that's the plan that this government has—thank you, Mr. Speaker.

## ORDERS OF THE DAY

(Continued)

### GOVERNMENT BUSINESS

#### House Business

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, just prior to orders of the day, pursuant to rule 31(8), I'm announcing that the private member's resolution to be considered on Tuesday, September 29th, will be put forward by the honourable Member for Selkirk (Mr. Dewar). The title of the resolution is Friendship Centres.

**Mr. Speaker:** Okay. Pursuant to rule 31(8), it's been announced that the private member's resolution to be considered next Tuesday will be one put forward by the honourable Member for Selkirk. The title of the resolution is Friendship Centres—or Manitoba Friendship Centres? Which is it?

**An Honourable Member:** Manitoba Friendship Centres.

**Mr. Speaker:** The Government House Leader.

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

**Mr. Speaker:** You mean Manitoba Government House Leaders? I mean Manitoba Friendship Centres?

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

**Mr. Speaker:** Okay, so that will be the title of the resolution. The title of the resolution is Manitoba Friendship Centres.

**Mr. Chomiak:** Mr. Speaker, thank you for clarifying the matter.

Just on House business, I'd like to call debate for second reading of Bill No. 35, and report stage, Mr. Speaker, of Bill No. 16.

**Mr. Speaker:** Okay. The order of business for this afternoon will be, we'll resume debate on second reading on Bill No. 35, and then we'll conclude, if

they have concluded. Then we'll go to report stage amendment on Bill No. 16.

### DEBATE ON SECOND READINGS

#### **Bill 35—The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended)**

**Mr. Speaker:** So right now, I'm going to be calling, resume debate on second reading on Bill No. 35, The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended), standing in the name of the honourable member for River East (Mrs. Mitchelson).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable member for River East?

**Some Honourable Members:** No.

**Mr. Speaker:** No, that's been denied.

Do we have any speaker?

\* (15:20)

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I do have a few things I'd like to put on the record before Bill 35 goes to committee.

I do believe that the Legislature should be very cautious with Bill 35 because of the consequence of ultimately passing it, and it will be interesting to see what happens in committee. In fact, I would have loved to have seen more participation by a number of the different stakeholders to express their concerns and views on it.

It is a very significant bill. The way in which we define our democratic institutions and ultimately see people getting elected should be of concern for each and every one of us. If, for example, you're of the opinion that you want to see more party politics in city hall, I suspect that this particular bill will help facilitate that. Is that a good thing or is that a bad thing? Ultimately, Mr. Speaker, I suspect if I canvassed my constituents thoroughly on this issue, you would find that most people would like to see less party politics at the city hall level. Yet there is no-one should not make any mistake: there will be more party politics in city hall or in rural municipalities as a direct result of passing this legislation.

It does, I believe, warrant having a discussion that goes beyond this Legislature. We should have a

good understanding in terms of what it is that Manitobans would like to see, ultimately.

You see, there's a big difference in terms of bringing in legislation that puts in limitations on the way in which provincial or federal politicians raise money because it's political parties that have the ability, they have an infrastructure—some more than others—but they do have the potential to generate the money that's necessary in order to run elections.

*Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair*

The same principles that operate elections for political parties and—at the provincial level and the federal election do not apply for the city level. And when you start saying that it has to be individuals, it has to be—you can't even donate—there's a cap that's put into—in terms of your own personal campaign and how much you can contribute to your campaign in a civic election. That will have a dramatic impact. I, for one, would suggest to you that I would find it very difficult, personally, to have raised the money necessary in order to compete in a civic election had this legislation been put into effect 15 years ago or so, Mr. Speaker. Individuals, the grass-roots people, or Manitobans are going to find it that much more difficult in order to get elected.

And if you were doing it in such a way in which you were putting everyone on an equal playing field, well that would—that would be different. Then I would be more inclined to be optimistic about the passage of this bill. But, in reality, what you're doing is going to afford individuals that can tap in to, let's say, organized labour and use the resources that organized labour might have to offer. Well, what is the counter to organized labour, Mr.—Madam Deputy Speaker? And, you know, many within the Chamber might see that that's not a problem. Well, if you believe that to be the case, I would ask that you demonstrate very clearly in committee how the average person living in Winnipeg or in rural Manitoba is going to actually be able to put their name forward and feel confident that they can actually raise the money that's necessary in order to put up a campaign.

And I'm not looking for platitudes. I'm not looking for someone, well, if you're—if you're good enough, the people will give you—give you the money and you won't have a problem in terms of raising that money. If you are going to come forward and you are going to put forward arguments of that nature, I'll suggest to you I would be very much

interested in knowing how many MLAs inside this Chamber have actually gone out and solicited private donations from individuals and received it. I'd love to know, and there—and no doubt there are—there are a few. There are a few that do have the ability, but I'll suggest to you that 75 percent of the NDP MLAs, as an example, do not have the ability to be able to go out and privately raise enough money for their own personal campaign if they were running in a civic election, Madam Deputy Speaker.

And all you need to do is look at—look at election returns. You will see within the New Democratic caucus that you will put zero transfer—where is, where is the money actually coming from?

And, well, you know, I think that you got to be very careful. You know, it's not as, it's not as easy for anyone in the province of Manitoba to say, I want to run in the next civic election, and now they have to go out and generate 50, \$60,000. Where are they gonna get the 50, \$60,000 from? If you believe that those individuals have the ability to generate that kind of money in order to get their name put on the ballot and put forward a credible campaign, you're wrong; you're wrong. That is not going to be the case.

I would of liked to have seen legislation that provides a more equitable way of dealing with elections for city council, for the mayor, for rural municipalities. I don't know to what degree—and I look to the government to provide us—to what degree has this government gone out and consulted with Manitobans and incumbents and past candidates that have actually ran in civic elections? Do they have an appreciation or an understanding of the difficulties that are there today? Are there ideas that could be incorporated?

I don't want to defend the status quo. I believe that there is a need to change the status, the status quo, but this government has not demonstrated that it has done its background work in terms of being able to say that democracy will be better served by incorporating this legislation.

I can tell you right now that there will be fewer people running in future elections and putting up strong campaigns. You might be able to get candidates that will be able to put up, and I suspect you will see that; you will see a number of candidates that will be able to put up campaigns in which they'll be able to spend two or three or \$4,000, and that will be, I would suggest to you, a good portion of the candidates. But, if you read the

legislation, from what I understand, even as a candidate I, if I was a candidate in a civic election, I cannot donate. I have a limited amount of money in which I would be able to donate to my own campaign because of the legislation and, you know—*[interjection]*

Well, I've, I have dealt with and, you know, I would be interesting to see how many members of the NDP caucus have actually dealt with the financing of campaigns, whether it's at the provincial election or the civic election. And I suspect the member from Assiniboia, 'cause I know he's quite involved, might have done that, but I would be surprised to the degree—I would be surprised if most MLAs, NDP MLAs have done that, Madam Deputy Speaker. But think of the consequence of this legislation.

I'll suggest to you the legislation, as proposed, without being able to get into a good, thorough debate on the legislation, as it is proposed, is not going to be good for democracy in the province of Manitoba and, ultimately, it will have to change.

I don't believe, and I look to the government to say that the municipalities in the city of Winnipeg are the driving force behind this legislation. I don't believe that they are, Madam Deputy Speaker. You know, has any incumbent in the province of Manitoba or candidate in the province of Manitoba that ran in a civic election come forward and said that we need this legislation? Has there been any candidate that is saying that this is the type of legislation that is absolutely essential in order to make democracy better in the province of Manitoba?

I'll suggest to you that I could find more people that would raise concerns about this legislation than this government could be able to show that say that it's legislation that has to, has to pass or, in the long run, it's in the best interest of democracy in our province.

I don't believe that the government really, or the government members really understand the impact of this legislation, that you have a minister that brings it forward, and it sure sounds good. You know, it sounds good. No corporate donations, no union donations and we're putting in caps. It sure sounds good, but I'll tell you—and as they all applaud. Well, you know, are they trying to say that that is, that that is going to make, in itself, is gonna make democracy better inside the province of Manitoba? I would argue that, you know, that this bill is going to ultimately cause more damage to democracy in the

province of Manitoba, and I will wait and see, in terms of the committee, and see what sort of things come out of the committee stage.

\* (15:30)

I look to the government to show some leadership, and answer some of the questions, or at least invite the opportunity. This is one bill in which I would welcome the opportunity to sit down with the government and see if, in fact, it can be changed so the democracy would, in fact, be better.

Right on the surface, I'm not—I'm not happy with this bill. You know, I will reserve final judgment till we see what takes place in committee, Madam Deputy Speaker, but I think that the government really needs to understand what impact this is going to have. And if you think this is going to get more candidates running in the next election, or make it a more level playing field, I'm not convinced of it. And I'm involved in a very great—in a significant way, in talking about elections, whether it's federal, provincial or municipal, with a great number of what I would classify as wannabe candidates.

I have witnessed individuals that have lost RRSPs, pension issues, all sorts of money that has fallen, debts that have been incurred. I've seen, you know, the negative side of financing for campaigns, and I don't believe that the government is really given that very much attention. And without further comment, I'll leave it at that, Madam Deputy Speaker, but I would suggest that the government really needs to look at what it's doing to democracy in the province of Manitoba.

**Mrs. Heather Stefanson (Tuxedo):** Well, Madam Deputy Speaker, and I am pleased to rise and put a few words on the record with respect to Bill 35, the municipal conflict of interest and campaign finance act. And I know the member of Inkster has brought forward a number of concerns that he and his party have with respect to this legislation, and one of the issues that he mentioned today was, in fact, the lack of consultation when it comes to this piece of legislation.

And, in fact, I tend to sound a little bit like a broken record in this House, and I apologize for that, Madam Deputy Speaker, but unfortunately, it's incumbent upon me to represent my constituents and my community, and let them know that, in fact, you know, when this government is not—does not consult people properly in the public with respect to legislation that they bring forward in this Legislature,

it's incumbent upon me to come forward, and to challenge them on that, to ensure that as many people are consulted and, especially stakeholders are consulted with respect to legislation.

But there are so many pieces of legislation over the last nine years that I've been here, Madam Deputy Speaker, that I have spoken about in this—in this House, and there is a common theme that comes through, and a common thread that comes through most of these pieces of legislation. And the unfortunate thing is that the common thread is that of lack of consultation for stakeholders in the community and, indeed, for Manitobans in general.

Now I know members opposite will say that, yes, you can come forward, and Manitobans have the ability to come forward at committee stage, and to express their interest and express their views on the public record, Madam Deputy Speaker, but I think it's unfortunate that if this government had taken a proactive approach, a more proactive approach in this Legislature, that they would, that they would see that there is actually merit in consulting people prior to having them come and react to legislation at the Manitoba Legislature.

And I think what's unfortunate is that here we have a piece of legislation before us where I don't believe that there was a lot of consultation done, and I think it's unfortunate, once again, Madam Deputy Speaker, that this government sort of puts the cart before the horse, as opposed to actually going out and consulting with municipal stakeholders, who will have—who will be impacted by this legislation, getting their views and understanding of how it will affect them. But, unfortunately, that's not the way of this government. They believe that they are a government that knows best, that knows better than the people of Manitoba. They don't need to consult people out there because they believe that, again, that they know best and it doesn't really matter what people say and so that's just very unfortunate.

This bill includes amendments to three different pieces of legislation. One component of the bill focusses on election campaign finance rules for all municipalities, and it deals with matters such as donations to candidates for unions and for corporations. It sets limits on contributions to candidates and requires the reporting and public disclosure of candidate contributions and expenses as currently required in the city of Winnipeg and extending the requirement to all Manitoba municipalities.

A second component of this legislation deals with municipal statements of assets and interest, which are currently prohibited from being publicly disclosed, and Bill 35 would require these statements be made publicly available. A third component, Madam Deputy Speaker, of this legislation, will require all Manitoba municipalities, including the City of Winnipeg, to develop and to implement a code of conduct for all employees in the City as well as the Province.

Madam Deputy Speaker, I think we can all agree that Manitobans expect accountability from their elected officials as well as from employees of the municipal governments when it comes to potential conflicts of interest. This bill does offer increased transparency with respect to municipal officials' conduct, and taxpayers certainly, I believe, want assurances that their dollars are being used properly. So, from that standpoint, we're all for accountability when it comes to government. We're all for making sure that elected officials, members of the government, are held accountable for their conduct, et cetera.

So, that, we don't really have a problem with, and as a matter of fact, we believe that most Manitobans believe that more accountability within government is a good thing. But what we find ironic, Madam Deputy Speaker, is that this NDP government introduced legislation dealing with increased accountability and transparency for municipal councillors at the same time that they were trying to duck and cover from a debate over their own electoral conduct. So we on this side of the House find it rather ironic at the timing of this legislation when they're looking at one level of government to be transparent and accountable at the same time as they're ducking and hiding from situations that have arisen from the past in terms of their electoral conduct.

Perhaps members across the way need a bit of a refresher on rebate-gate. After the 1999 election, the NDP filed 57 audited election returns, known as form 922, and 13 of these returns, Madam Deputy Speaker, were falsified. The NDP central campaign changed the returns originally prepared by the official agents to reclassify non-reimbursable donations in kinds, expenses related to services provided by union members, to eligible election expenses in an attempt to seek reimbursement from the government, and this resulted in Elections Manitoba, in 1999, reimbursing the NDP party for some \$76,000 to which it was not entitled.

As had been their practice in previous elections, the provincial NDP utilized election workers, assigned workers provided by labour organizations, in their 1999 election campaign. During this campaign, union workers were assigned to the following 13 constituency campaigns: The Maples, St. Vital, Riel, Fort Garry, Gimli, Springfield, St. James, The Pas, Burrows, Lakeside, Rossmere, St. Boniface, and Southdale.

\* (15:40)

Madam Deputy Speaker, the central NDP campaign provided the official agents of the constituency campaigns with the amounts of the salaries of these assigned workers and advised these campaigns to include these amounts in the respective form 922, post election report, to Elections Manitoba, but to be careful to claim it as a donation-in-kind expense.

You see, Madam Deputy Speaker, donations-in-kind expenses do not qualify as reimbursable expenses, which attract 50 percent cost-sharing from Elections Manitoba under The Elections Finances Act.

So it's no surprise that the central NDP campaign wrote cheques to the appropriate unions to cover the salaries of the assigned workers and received a cheque back from these unions in the form of a donation to precisely offset the cheque from the NDP. The result was that the assigned workers did not cost the NDP campaign any money at all.

After review of these 13 returns, Elections Manitoba requested that the NDP repay the \$76,000. Yet, despite the fact that the NDP had falsified the form 922s, there were no charges filed. The revised returns were duly signed and returned to the agents to Elections Manitoba in the year 2003. Well, at the same time, Elections Manitoba saw fit to run out and try and go after some of our candidates, Madam Deputy Speaker, to try and deflect us away from what was really happening with the NDP. With a matter of days of the Elections Manitoba letters going out, the writ was dropped for the 2003 election, with election day set for June 3rd.

Notwithstanding the fact that Elections Manitoba and the NDP were aware of these activities, they failed to disclose them prior to the election. That is not acceptable to us, it's not acceptable to Manitobans, it's why we need accountability to ensure that members opposite are held to account

when it comes to these issues. And the NDP needs to be accountable for this issue.

So, again, we find it ironic that the NDP has introduced this Bill 35, which deals with issues such as campaign financing at the municipal level, when they haven't got their own house in order when it comes to their own electoral expenses. But then again, perhaps this should not be too surprising to you, Madam Deputy Speaker, to the House, to Manitobans, because, after all, the NDP were only too happy to introduce The Elections Finances Amendment Act and to try to put \$1.25 per vote cast for their party in their own coffers.

One has to ask, what are the NDP's priorities, Madam Deputy Speaker? I would say that it doesn't really have to do with Manitobans; what it has to do is ensuring that they line their own pockets first. And, of course, we have a serious problem with that. We believe Manitobans have a problem with that, and we believe that it's time for this government to hold themselves accountable before they, perhaps, look out to other municipalities in Manitoba and other levels of government and start calling on them to become more accountable.

**Madam Deputy Speaker:** Order, please.

**Mrs. Stefanson:** Perhaps they should become—

**Madam Deputy Speaker:** Order, please.

**Mrs. Stefanson:** —accountable themselves. Thank you very much, Madam Deputy Speaker.

**Madam Deputy Speaker:** Before I recognize the next speaker, could I please remind people that the din is rising and it's difficult to hear the speaker. Thank you. I mean the member speaking.

**Mr. Stuart Briese (Ste. Rose):** I am pleased to rise and put a few words on the record on Bill 35, The Municipal Conflict of Interest and Campaign Financing Act.

There are a number of things in here that I have a little difficulty with. There's some things that I think need to be done, and are very good about this bill.

Currently, the municipal statements of assets and interest are prohibited from being publicly disclosed, and they're held by the CAO. They're filled out, they're held by the CAO, and they're not publicly available. This act calls for them to be publicly available. I don't see that as being a huge problem, but the way the act is written right now it calls for

that to happen at the time of the incorporation of the act, and I don't think that should happen. I think that the disclosure should come into effect at—the people that are running in the next election should know that up front when they're running. We're part way through a term right now, and changing the rules part way through a term I don't think is very appropriate.

One of the things I've been hearing from several directions—and I have a letter that Jae Eadie wrote to the minister responsible, and he was very critical of the fact that there wasn't very much public consultation on this bill, and we have been hearing that quite a bit lately. I heard it over and over again last night at the committee hearings on Bill 9, the social work reduction—protection act. Over and over we heard that there was a lack of public consultation, and now we're hearing it on Bill 35, and it seems that this provincial government is getting—they think they're the only ones that know the right thing to do, so they just go ahead and do it and forget about consulting with anyone, and it's starting to tell. People are noticing it.

On the issue of the statements of assets and interests being disclosed, one of the—what the bill calls for is for council, if there is a conflict, for council to deal with it. That seems somewhat problematic for me—to me, because I spent a lot of years on municipal council. I spent a lot of years travelling the province and visiting various municipal councils, and the reality is there are some municipal councils out there, not many, but there are some that are split councils, and when you get a dispute going between two members of the same council, I think having it dealt with at the council table would become virtually impossible. There'll be accusations going back and forth and, remember, these are all friends and neighbours. They all know each other. They sit at that council table. They go to the same coffee shops, and they're supposed to make a decision on a conflict of interest on one of the other members of their council.

I would suggest that there should be some outside arbitrator system that would deal with the—with any of those conflicts that might arise. I think it's—I think the whole issue is going to discourage some people from running for council, both the disclosure of assets and some of the—some of the conflict issues. It's very difficult on a lot of municipalities now to get people to run for council, and it's going to get a lot more difficult with—once this bill is implemented.

I do agree completely with the implementation of code of conduct for all employees. That was driven by what happened in La Broquerie and then the Auditor's report out of La Broquerie. I think probably the government and the minister went out and used a sledgehammer instead of a tack hammer to solve the problem because all it required was a small amendment in The Municipal Act and it would have covered the employees of municipality, in my view. Instead, we got a whole new piece of legislation. And I believe that the people in Manitoba want to see that accountability.

\*(15:50)

So I certainly support the code of conduct for employees. It was there in The Municipal Act, but it was—it wasn't mandatory, and all we needed to change was to make it mandatory that there had to be certain procedures set up and certain codes of practice and certain codes of conduct.

I do believe overall we get excellent work and accountability from our municipal employees and from our municipal councils. It's a very thankless job most of the time, and it—if anybody is doing it for the pay, then they're probably too dumb to do the job. The pay is, it's usually anywhere from \$200 to \$600 a month for municipal councillors, reeves and mayors, and it's a— it's a labour of love actually when you're on municipal council because you're certainly not doing it for the reimbursement that's available.

One of the things that would've helped, I think, in the La Broquerie situation was a little more action to be taken by the department, because they were well aware of it for quite some time previous and had had reports from people of the area. And, even at the present time, we're getting reports from a couple of other municipalities, and, when I first started on council, there were, I believe, six municipal service officers and one or two financial officers, and then there was Roger Dennis, who was over and above all of them, that were all dedicated to municipalities, to helping municipalities with issues that were out there.

We now, I believe, have three municipal service officers and one financial person. So the staffing has been cut considerably, and it shows in some of these things that are happening out there. The staff works hard to cover the things that need to be covered, but they're spread pretty thin simply because of numbers.

I've touched on the lack of consultation. We've also looked at—the City of Winnipeg also has most of

what this legislation is calling for in place. They have—they have election limits. They have—they put in their own legislation, their own—their own by-law a number of years ago, three or four years ago, and I think it was—it's been very effective, and I notice, in this legislation, that it sticks to those same numbers that are already in the Winnipeg legislation. So that shouldn't cause a great deal of difficulty.

There are some concerns in Winnipeg about the ability to raise funds for an election. Most municipalities in Manitoba, that's not an issue. It may be in some of the cities and especially in the city of Winnipeg. But most rural communities, the ability to raise funds is not an issue because they really don't spend anything on their elections as a rule. You don't see signs going up all over the place. You don't see—you might see one or two ads in the paper and that is probably the extent of most of their election financing of their election campaigns.

There are a couple of my colleagues that still want to make some comments on this bill, and I think I'll cut my remarks off here. And thank you very much, Madam Deputy Speaker.

**Mr. Larry Maguire (Arthur-Virden):** It's my privilege, as well, to put a few words on the record in regards to Bill 35, The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended), a bill that has come forward by the former Intergovernmental Affairs Minister, the member from Thompson, brought forward, a few days before the end of the session in the summertime, as a concern by the government to deal with enforcing elections financing, of all things, on another level of government, Madam Deputy Speaker, and that being the municipalities of Manitoba.

I guess there are a few issues that I take exception to in regards to this bill, and I'll state those as we go along here. But I'm very concerned about those. There are a plethora of issues in this bill, Madam Deputy Speaker, that are fine in regards to the election campaign finance rules for municipalities, and, of course, it includes the amendments in other acts as well, being The Municipal Act, the City of Winnipeg Charter, and The Municipal Council Conflict of Interest Act.

And, Madam Deputy Speaker, there are already election expense caps put in place in regards to setting maximums for contributions in elections here in the city of Winnipeg. This bill brings those up to the same level for municipal councils, the other



198 of them, across the province of Manitoba. There is contribution limits to both the candidates, their spouses and others.

So there is also rules here for—needs to be for employees in municipalities as well, and we have to make sure that, as the Auditor General's report pointed out, some changes needed to be made for circumstances like we had in the Public Accounts Committee in regards to the situation that took place some years ago at La Broquerie. We need to—you know, and that came right from the Auditor General. We have no problem with making some changes to those areas, Madam Deputy Speaker, but it's incumbent upon this government to not just talk the talk but also walk the walk, and that's where I have a concern.

There is one area here that really concerns me, and that is about conflict-of-interest reports or—pardon me, not conflict-of-interest reports, but to deal with the disclosure documents that some of the municipal officials would have to put forward. Let me describe that presently for those people who ran in the municipal election of 2006 they must provide their asset evaluation statements to the CAO of the municipality, which remains in a sealed envelope. And, if someone would come to speak to them in regards to a conflict of interest or a perceived conflict of interest that they feel that individual may have—say, they feel that they haven't pulled themselves out of a debate in a council meeting that they might see a conflict in—then that individual of the public or perhaps maybe even another councillor may go to the CAO and request that the CAO make a ruling in regards to this particular potential conflict. But those items are only available to the CAO, that information, Madam Deputy Speaker, and they are not made available to the public at this particular time. Now the bill will allow those to become public, and we believe that that should be the case come the next election.

One of those opportunities, perhaps, Madam Deputy Speaker, that needs to be looked at as a timing issue, and, certainly, it is in conflict of the previous rules that were in place for the people that ran in 2006. Now it may have been an oversight by the government, and they may bring an amendment forward to deal with this. I'm encouraging them to do so. But I think that, for municipal councillors who ran under one set of rules in '06, they shouldn't have to, you know, now disclose that information prior to the election in 2010. And so I guess that's what I'm saying as regards to a concern that councillors have

raised with me. And there are a whole host of reasons why there may be some issues there that there are conflicts in.

And, of course, a number of the other provisions that are put in place in regards to the proposed election campaign finance rules for municipalities would include banning of union and corporate donations, as we have provincially; allowing only residents of Manitoba to contribute to municipal elections; the caps are there that I pointed out earlier, or contribution limits, as I said, to candidates and spouses.

\* (16:00)

A number of other areas, Madam Deputy Speaker, that are put in place, and I guess want to say that there are some other areas that we think that would provide some sound information to the public in regards to disclosure that the public is demanding. They are demanding accountability on elections, and we certainly feel that it's time to do that. But for a government that's gone through the "rebate-gate" process that this government's gone through, where they had documents from the 1999 election that were put forward in a fraudulent manner on 13 different constituencies in the province of Manitoba, then it's a very, very severe circumstance that they muddled with the Elections Manitoba process back in those areas.

So, Madam Deputy Speaker, I know that there are other members who want to speak to this particular bill, and they may just have to wait a couple of minutes, but I wanted to say that for this government to bring forward a Municipal Conflict of Interest and Campaign Financing Act, it's one of the biggest oxymorons I think that I've ever seen in this Legislature, given the fact that there are 13 constituencies that are faced with this difficult—well, in fact, I guess it wasn't a decision for them because they didn't know about it. It appears as if the only people that knew about the changes in the form 922 in Elections Act for 1999 were the insiders in the NDP campaign from that particular period where they resulted in reimbursing the NDP party \$76,000 that it wasn't entitled to because of the switch in the documents from expenses to donations in kind, and so, well, of course, donations in kind aren't eligible for a 50 percent cost sharing from Elections Manitoba under The Elections Finances Act, but expenses are.

So, Madam Deputy Speaker, I just wanted to say that the member from Tuxedo, if anyone wishes to

check the remarks that she made in *Hansard* today, will be—were definitely bang on in regards to the process that was forthcoming and being dealt with on this, and it's also a circumstance where the government has also changed, you know, they kind of flipped-flopped on this when they brought forward a vote tax of \$1.25 per vote cast for their party in their coffers throughout the next election at other parties, but it's a very grave concern to all of us in our party and, of course, we announced we wouldn't take that \$1.25, and the government has now backed off and changed their mind, as well, although they have fought the idea of a vote-of a—just rescinding that particular bill.

So thanks very much, Madam Deputy Speaker, and I look forward to hearing the remarks of other members of the Legislature. Thank you.

**Madam Deputy Speaker:** The honourable member for Russell—sorry.

**Mr. Leonard Derkach (Russell):** Thank you. I am the member for Russell, Madam Deputy Speaker, and thank you for acknowledging me.

I'm pleased to stand today and to address this bill because, as the former Minister of Rural Development responsible for municipalities, I can tell you that municipalities, by and large, in the province of Manitoba, have been good examples of how to run local government. They have demonstrated over the years that they have a fairly high standard of integrity when it comes to dealing with affairs of the public at a municipal level. But, as is always the case, there's always a problem or two that comes to light and you don't throw the entire barrel of apples out because there's one rotten one. But, if you allow that rotten one to stay there long enough it could contaminate the entire barrel of apples, and that's what could happen here with municipalities if we, in fact, allow situations to go unchecked.

And so, in one respect, this is legislation that doesn't hurt anyone, but certainly does put some accountability on the line with regard to municipal officials who decide to put their name forward. But, at the same time, we have to be careful that we don't go over the line in terms of addressing issues and trying to have municipal councillors disclose more than what is normal, more than what is expected by the public, and perhaps sometimes this goes a little bit too far.

The other thing we gotta be careful, Madam Deputy Speaker, one of the other things we have to be careful about is that we don't discourage people from running for municipal office because of the regulations that we put before them through a bill such as this.

Mr. Speaker—Madam Deputy Speaker, there's nothing wrong with ensuring that there—that we as politicians, at either level, whether it's at the municipal level, the provincial level or the federal level don't allow ourselves to be embroiled in conflicts of interest, and we need to attempt to stay out of those situations as much as possible. And I think then the public will have a higher regard for us as public servants, if you like, who do the work and public representatives who do the work of people on a provincial or a municipal basis.

And, Madam Deputy Speaker, we saw that through the evolution of our election laws, provincially, things have changed. You know, we saw changes to the election—the Manitoba Elections Act with regard to donations coming in from corporations and the limits on donations coming from individuals and that sort of thing. And, unfortunately—many of us tried to abide by the rules; I think our parties tried to abide by the rules, but then there are situations that occur where people try to take advantage of the rules in some way, shape or form, and through the 1990s the NDP, who had a difficult time raising funds, I guess, we saw their party engage in some pretty untoward activities as it relates to Elections Manitoba and raising money.

Madam Deputy Speaker, I remember the 1999, or leading up to the 1999 election campaign, and during that campaign issues were raised that dated back to 1995, in an election campaign of 1995, where, unfortunately for us, in—on our party, some things were done that were not in accordance with the rules and regulations that were established under Elections Manitoba, and the public of Manitoba did, in fact, speak out. They did, in fact, chastise the party appropriately in that they threw us out of office.

Madam Deputy Speaker, that's the way the democratic process works, but at the same time, while that happened, that involved some \$4,000 of private money, but it was the principle that was wrong and that's what people were so offended by. But at the same time that that was going on, we have learned now that the NDP were up to their own little scheme and they had their own little ways of trying to extract more money out of Elections Manitoba

than was due to them, and, unfortunately, this thing was covered up very nicely, whether it was in collusion with members of Elections Manitoba, we don't know at this time.

Madam Deputy Speaker, the question has to be answered as to why it took so long for anybody to understand that this was against all of the rules and regulations of Elections Manitoba. Only one—only one understood how wrong it was, and that was the former Minister of Finance, who is now running for the leadership of the NDP party, who requested that he receive a letter absolving him of any wrongdoing because he understood how wrong it was for them to receive money that was not owing to them from the people of Manitoba.

Now, Madam Deputy Speaker, if someone would say that, oh no, this is all finished and done with because it was all investigated and it was all above board, baloney. It was not above board. The reality is that the NDP got caught with their hand in the cookie jar and this resulted in Elections Manitoba reimbursing the NDP party \$76,000 in one election, more than what they should have. And they were using the unions to do their dirty work.

And today, Madam Deputy Speaker, we have a party that should be embarrassed, probably is embarrassed. We know that the former Minister of Finance is embarrassed by his activity in it, and I'm sure that if he could turn the clock back, he would. And if he were probably stronger at the NDP party meeting and not only demanded a letter, but demanded that there be a clean slate established with regard to how they dealt with Elections Manitoba finances, today we would have a different view of the world and we would have a different respect for people on that side of the House.

\* (16:10)

But, when you find that everyone on that side of the House, or should have known about it, there were members who knew about it, but didn't understand it so they were caught in this dilemma as well and implicated in it. Madam Deputy Speaker, we have to understand that this has to be resolved in one way or another.

Now, Madam Deputy Speaker, if the candidates for leadership on that side of the House think that this is going to be swept under the rug and isn't going to be addressed, they are absolutely wrong because judgment day has to come with regard to how they conducted themselves not only in that election

campaign in 1999, but, indeed, in election campaigns prior to that because this was a common practice by the NDP. They just didn't do it once. They did it several times knowing each time that this was against the finance, or the Elections Manitoba finance rules and they continued to act in this way knowing full well that this was against the law. So how far do we have to go back? Well, I don't know, but I think a public inquiry would probably bring all of this out and would probably have—the person in charge of the inquiry would perhaps direct what needs to happen in order to clear the record.

And, Madam Deputy Speaker, I want to ask, you know, the public of Manitoba, if they had known in 1999 that this is what the NDP were up to in the 1995 election and perhaps even the election of 1990, I think the results of the 1999 election would have been different. I think the results of the 2003 election would have definitely been different, and we are looking forward to an election in the next two years, or perhaps sooner, and I think Manitobans deserve to know the truth about this before that happens.

So 13 returns on the side of the NDP were examined and that ended up in the NDP requesting \$76,000 more to be repaid to them by the taxpayer of Manitoba than what they were entitled to because of the way that they used union workers in the election campaign. Now there's no objection to them using union workers in an election campaign. That's, I mean, that's where they find their strength and, you know, we will find our strength in other areas as well. Not all labourers vote for the NDP. That's for sure, but the union members—or the union hierarchy certainly does.

But the union bosses, Madam Deputy Speaker, had to be a part of this, and so they knew that was wrong, but, nevertheless, they allowed it to go on. And once the—and it was strange because the Premier (Mr. Doer), who prided himself as the ethics commissioner of that party, was bringing forward legislation to amend the Elections Manitoba finances act at the same time he knew full well that he had committed a falsehood. He had actually committed a crime in taking money that was not owed to him.

So after the—way back in 1999, this was known but nothing was done about it until 2003 after the election. Now why did it take so long? Who dragged his heels? Are we sure that there wasn't any influence from the Premier's office and the NDP party who were now the government; on influencing Elections

Manitoba not to bring these matters forward until such time that the 2003 election was over?

Well, Madam Deputy Speaker, lots of questions to be answered by the NDP. We are going to continue to ask that those questions be answered. It isn't acceptable for the NDP not to be held accountable on this. Now we have a process in our Legislature called Public Accounts where we try to ensure that departments of government are held to account for the monies that they spend. And we have tried to take the politics out of that situation and ensure that, in fact, we do the process legitimately and honourably and that's no less that we should ask of the NDP and the government at this stage.

Now I know the Minister of Justice (Mr. Chomiak) gets extremely animated when it comes to asking him questions about this, and he thinks that we're out on some witch hunt. Well, it's no witch hunt. It's a matter of setting the record straight, a matter of coming clean for sins that you've committed as a party.

So, Madam Deputy Speaker, we may try to impose laws on municipalities that we may think are fair to them and we may want to hold them to account, but, at the same time, we have to hold ourselves to account, and the government is bringing in this legislation. They have an obligation to do the more honourable thing, and that's to ensure that they live by the laws that they have brought into this province and they have passed. You can't hold somebody to account. You can't say to municipalities, do as I say, but don't do as I do. That is not kosher. That is not something that we should allow.

*Mr. Speaker in the Chair*

And I look at the Minister of Finance (Mr. Selinger) who has his head down, and I'd have my head down, too, in shame if I were to be a part of a strategy like this. The government needs to be ashamed of its activities as a party in terms of what they have done.

And I look at the member from Elmwood, the new member from Elmwood, who joins the ranks. Now he wasn't implicated in any of this, but he must be embarrassed because I think this man is a gentleman of integrity. I have watched him in the House of Commons, and throughout the years that he was a member of the House of Commons he was always a respected member of the House of Commons, and I think all of us in Manitoba had

some respect for him as a representative of our province in Ottawa. And I don't think—and I don't think that he is a member who would be wanting to associate himself with any activity of this kind. And I'm hoping that within the ranks of the party he has something to say to his colleagues about their conduct in the 1995, 1999 election campaigns.

And I think the record has to be clear. Questions have to be answered, and there's only one way to do that: Call the Committee on Legislative Affairs of the Assembly here to allow for questions to be asked of the chief executive officers of Elections Manitoba, and also—and also—perhaps of government officials who were charged with responsibilities for the party.

And I look at the Minister of Justice and, if I recall correctly, he was also a campaign manager—

**An Honourable Member:** Co-chair.

**Mr. Derkach:** —co-chair of the campaign management team in those years. So he has—are his hands a little dirty in this—in this little game that they played, Madam Deputy Speaker? And so he's got some questions to answer as well.

And I remember well the debate prior to the 1999 election and the results of the Monnin inquiry and, you know, the strange thing was in the Monnin inquiry, you know, we hear oftentimes that the members say that the—Chief Justice Monnin referred to "liars" in the document. But he only named one person in that document, and it happened to be a member of the NDP, and I think his name is Tim Sale. Well, Madam Deputy Speaker, that's on the record.

So, Madam Deputy Speaker, while these individuals on the other side of the House who today occupy the government spaces were pointing fingers at us, they were involved in their own dirty little schemes, bilking Manitobans of thousands of dollars—75,000 in one election. How many more thousands of dollars in the prior election? Money that is lost forever. It can't be recouped. But they use this dirty little scheme to feather their nest and to ensure that they somehow gain power in the province of Manitoba.

Well, Madam Speaker—Mr. Speaker, I regret that, as a legislator, as a legislative member, and I think that Manitobans at least are owed an apology by the NDP party for conducting its affairs in the way that it did. And if the NDP party, the government of the day, has nothing to hide, then they will allow for the calling of the Committee on

Legislative Affairs and for the Chief Electoral Officer of Manitoba to come forward and be questioned about his role in all of this.

Now, not again, Madam Deputy Speaker—

\* (16:20)

**An Honourable Member:** They filibustered.

**Mr. Derkach:** They filibustered the last committee. The member—the member who is the Minister of Justice (Mr. Chomiak) was there. He knows. He was part of that filibuster. He filibustered so that we couldn't get to the questions, and then, after two hours he got tired and shut the committee down.

Now he used the majority of the government, the tyranny of the majority—it was a play, Mr. Speaker. And now he's trying to deflect. We don't want—we don't want Mr. Mulroney there, all we want is the Minister of Justice to answer questions about his role in the 1995 dirty little scheme that he was co-chair of—*[interjection]* Well, we're going to talk about—*[interjection]* He had his inquiry. Mr. Mulroney had his inquiry.

Now the day has come for you, Mr. Minister of Justice. Now stand up, call that inquiry, come forward, explain yourself, explain yourself to Manitobans. Explain what hand you had in the deal that you had struck with Elections Manitoba and the \$76,000 you got beyond what was owing to you from one election campaign, not more, but from one election campaign, \$76,000, and it took you until 2003 to repay it, without interest, without penalty. You're the only party that paid out without interest, without penalty.

I want to remind you that Marni Larkin, Vic Toews had to pay back, not only the money, but they were charged with a penalty. Why was the NDP allowed to pay back the money without penalty? What kind of favouritism have we got going here from the Chief Electoral Officer to the governing party?

A question, a question, not a judgment, a question. Let the judgment come later. I ask the question. And, if you have an answer, Mr. Minister of Justice, then stand up and answer that question or call an inquiry or call—or call the Committee of Legislative Affairs. You have several options that you can do.

Now, Mr. Minister of Justice gets a little bit excited when he's asked the question here in the House, and he starts to display some antics here that

are quite uncommon in the House. But, in a serious matter like this, I say to the Minister of Justice, he has an obligation. Not to us as a party alone, he has an obligation to all Manitobans, to all Manitobans, because all Manitobans contributed to that false request for money. And the NDP knew very well that was not in compliance with the rules of the day. They knew that. But, as long as they could get away with it, they kept silent. But in 2003 it came out.

Now, I wonder whether the would-be leader from Minto, of that NDP party, will be bold enough to bring this out, to bring this out in a public inquiry. Now he wasn't part of that in 1999, but he still associated with that—with that group over there who are guilty of the offence.

Now I know the Minister of Justice (Mr. Chomiak) is a little bit bothered by this, and so he should be. He'd like me to sit down and not say anymore. But, Mr. Speaker, the reality is that all we want is accountability. We're asking for some accountability from the government, from the party and from the members who were involved with it.

So, Mr. Speaker, I thank you for the opportunity to put some of these comments on the record, to call on the government to come clean. I think Manitobans want the government to come clean. I think Manitobans want to hear what the Chief Electoral Officer has to say. I think Manitobans want to hear what the Minister of Justice has to say in his role as co-chair of the campaign.

When are we going to get an opportunity to hear the answers?

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 35, The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended).

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

We will now move on—honourable Government House Leader.

### House Business

**Hon. Dave Chomiak (Government House Leader):** Yes, Mr. Speaker, I'd like to announce in addition to the bills previously referred, that Bill 35, The Municipal Conflict of Interest and Campaign Financing Act (Various Act Amended), will also be

considered at the September 28th, 2009 meeting of the Standing Committee on Legislative Affairs.

**Mr. Speaker:** It's been announced in addition to the bills previously referred, that Bill 35, The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended), will also be considered at the September 28, 2009 meeting of the Standing Committee on Legislative Affairs.

### REPORT STAGE AMENDMENTS

#### Bill 16—The Police Services Act

**Mr. Speaker:** I will now call Bill No. 16, The Police Services Act, standing in the name—amendment—standing in the name of the honourable—the honourable Attorney General. There's two, and the honourable member for Steinbach (Mr. Goertzen) has one amendment. We'll deal with the first—the first amendment by the honourable Attorney General, amendment no. 1.

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the minister responsible for child and Family Services,

*THAT the Bill be amended in Clause 9(2) by striking out, quote, "other aboriginal person," end of quote, and substituting, quote, "Métis," end of quote—pardon me, "Métis person," end of quote.*

**Mr. Speaker:** It's been moved by the honourable Attorney General, seconded by the honourable Minister for Family Services and Housing (Mr. Mackintosh),

*THAT the Bill be amended in Clause 9(2) by striking out "other aboriginal person," substituting "Métis person".*

**Mr. Chomiak:** Mr. Speaker, I think there was a general agreement at committee that this—that this amendment ought to be—ought to be put in place, and I think—I thank members of the House for their concurrence in this matter.

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, this suggestion came forward from members of the Métis community at the committee hearing that was held after the adjournment of the last session, and I'm pleased to see that the minister's responded to this particular suggestion that came forward from committee.

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

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is the amendment moved by the honourable Attorney General.

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

I now call the second amendment.

**Mr. Chomiak:** Mr. Speaker, I move, seconded by the minister of child and Family Services,

*THAT the Bill be amended by replacing Clause 32(1) with the following:*

Title: **Council to designate chair and vice-chair**

**32(1)** The council must designate one member of the police board as a chair and another member as vice-chair.

**Mr. Speaker:** It's been moved by the honourable Attorney General, seconded by the honourable Minister for Family Services and Housing (Mr. Mackintosh),

*THAT the Bill be amended by replacing Clause 32(1) with the following:*

**Council to designate chair and vice-chair**

**32(1)** The council must designate one member of the police board as chair and another member as vice-chair.

**Mr. Chomiak:** Mr. Speaker, I do appreciate the support of all of the presenters and all of the members of the House who've participated in this bill, and I certainly do recognize—we certainly do recognize that there's been a fair amount of consensus making and problem solving in trying to put in place a modern police act. This particular amendment is a step that attempts to—that attempts to deal with both extremes of the issue and that is to have a governance board that's completely civilian and independent, 100 percent, and on the other hand, to have a municipality council completely be the police board. And this particular amendment is one that permits an effective compromise on those two extremes as we go forward in this bill.

\* (16:30)

I'm putting this forward as a—as an alternative to some of the other issues that have been put forward and raised. It's an attempt to address the perception by many councillors and mayors of losing the ability to have governance of the municipal police force and, at the same time, to recognize the need for a civilian input into governance. And this particular amendment is part of that process.

I will add, just in concluding, with respect to this matter that, like all aspects of the bill, there's a review that will be done of the bill and this effectiveness of it, and hopefully the combination of criteria that we've put in this bill, hopefully we'll have got it right. Almost certainly there'll be at some point some amendment's required because this is a wholly new act, but I'm hopeful that this particular amendment will go some way towards trying to satisfy some of the needs and requirements out there without jeopardizing the—our attempt at being very even-handed and fair in the approach to this particular matter.

Thank you, Mr. Speaker.

**Mr. Goertzen:** Mr. Speaker, a pleasure to speak to the second report stage amendment brought forward by the Attorney General and the Minister of Justice (Mr. Chomiak). This suggestion, I know, came forward both at committee and prior to committee.

I don't have a concern with the substance of the amendment, but we have raised concerns about the application of the police board more generally, Mr. Speaker, and the fact that the police board, under the current proposal of the police act, is prescribed for every municipality regardless of its size.

And we had some very compelling presenters who came forward to committee after the resumption of the last session, who, I think, spoke very passionately and, more specifically, spoke from a perspective of experience about their past experience with police boards in smaller municipalities.

And I recognize and I respect the fact that the Minister of Justice is trying to solve a problem that existed because of a particular incident perhaps, in Manitoba, but, more generally, because of concerns that have happened in other areas. And it's—and it's laudable to bring forward an act that tries to deal with some of those issues.

In fact, our party for some time has been calling for a review of the police act. It's a number of decades old, and it didn't reflect the current reality of policing in Manitoba and didn't reflect the current reality of policing in anywhere in North America. It was one of the oldest police acts, in fact, in Canada, and so it was in great need of updating.

We appreciate the fact that the Department of Justice spent a good deal of time and had consultations on the act, and I think got many things right in the act, and I've said that publicly, and I've said that to the Minister of Justice that a good

number of things—I would say the majority of things in this particular act—they did get right, and there were some contentious issues. There were issues around investigations and how police would conduct investigations into matters of police possible transgressions that might be related to criminal activity.

Those were not easy things to resolve, and I'm sure it wasn't easy to try to put forward a process in place for that and other issues. And I said to the Minister of Justice and to his staff that I believe, by and large, they got it right, and I think it's a good framework to move forward.

But I'm very concerned about the imposition of the mandatory police boards on all municipalities where there haven't been problems and where I don't think problems that currently exist and where a police board actually may cause more problems than currently exist.

But this particular amendment, I know, isn't the one that puts in place a mandatory police force. So we support this amendment, and I believe that the Minister of Justice will be allowing debate on a further amendment that'll come after this amendment has been dealt with by the House. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** And the question before the House is the amendment moved by the honourable Attorney General (Mr. Chomiak).

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

Now we'll call the next amendment.

**Mr. Goertzen:** Mr. Speaker, I appreciate the fact that we're able to debate the amendment that we have to be brought forward.

I understand, in consultations with the Clerk's department and in accordance with our rules that govern this House, that once a clause has been amended, Mr. Speaker, that another amendment can't follow it trying to amend the same clause, which my amendment would have done because it was filed at the same time or shortly after the amendments by the Minister of Justice (Mr. Chomiak). So I'm going to seek leave of the House to have that amendment withdrawn and then proceed to bring forward an amendment that is in accordance with our rules.

**Mr. Speaker:** Is there leave of the House for the honourable member for Steinbach to withdraw his amendment? *[Agreed]*

Leave has been granted, so the amendment is now withdrawn.

**Mr. Goertzen:** That I'm also advised that procedurally I need to ask to get leave of the House to have the new properly or correct amendment distributed to the House.

**Mr. Speaker:** Does the honourable member have leave to bring in a new amendment? *[Agreed]*

Yes, leave has been granted.

**Mr. Goertzen:** Yes, Mr. Speaker, I first of all want to thank the minister and members of the House—

**Mr. Speaker:** Give us a minute just to make sure that the critics and members have a copy of your amendment.

**Mr. Goertzen:** Right, I'm not going to debate the amendment. I simply want to thank the minister and our House Leader for ensuring that this was able to proceed. I'm not entirely sure the rationale for the rules not allowing—

**Mr. Speaker:** Order. Order. Order. Order. Order. Order. You just have to give us a second to make the distribution and you have to move the motion.

**Mr. Goertzen:** Thank you. I'm advised that I need to ask leave to read the proposed amendment.

**Mr. Speaker:** Does the honourable member have leave to move his amendment? *[Agreed]*

Leave has been granted.

\* (16:40)

**Mr. Goertzen:** Mr. Speaker, I move, seconded by the member for Arthur-Virden (Mr. Maguire),

*THAT Bill 16 be amended*

*by replacing Clause 26(1) with the following:*

**Council to establish police board or act as police board**

If a municipality operates a police service, the council of the municipality must either

- (a) establish or maintain a police board in accordance with this Division; or
- (b) act as a police board for the police service in accordance with this Act.

In the case of a municipality with a population of over 200,000, the council must establish and maintain a police board.

*(b) in the part of Clause 29(1) report clause (a), by adding "established by the council" after "the police board";*

*(c) in the part of Clause 30(1) before clause (a), by striking out "The council of a municipality must establish the size of its police board by by-law. The police board" and substituting "A council that establishes a police board must establish the size of the board by by-law. Such a board";*

*(d) in Clause 30(2), by striking out "one member of a police board" and substituting "if a council establishes a police board, one member of the board";*

*(e) in Clause 30(4), by striking out "the police board" and substituting "a police board established by the council of a municipality";*

*(f) in Clause 32(1), by striking out "The council" and substituting "If a council establishes a police board, the council";*

*(g) in Clause 53(4) (e), by adding "in the case of a police board established by one or more councils," before "remove"; and*

*(h) by striking out Clauses 106(2) and (3).*

**Mr. Speaker:** It's been moved by the honourable member for Steinbach, seconded by the honourable member for Arthur-Virden (Mr. Maguire),

*THAT Bill 16 be amended*

*by replacing Clause 26(1)—*

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Goertzen:** I thank the House for the procedural hoops that needed to be jumped through. I understand, in accordance with the rules, that once a section of an act has been amended, that a subsequent amendment can't be made to that section. I'm sure there are good logistical and logical reasons for that rule, though they escape me at this minute, but if somebody with more procedural experience than I will, I'm sure, inform me as to why our rules exist in that fashion.

In this particular amendment, the intention of it is—and it's brought forward largely for discussion



because it needed to be brought forward following our committee debate that we had after the last session. And where a number of presenters from smaller municipalities around the province who operate municipal police forces came forward acknowledging that it was difficult to move from a current structure where the local council was responsible for the police services to one where a separate body, a police board would be involved. And in many of these cases you have a handful of officers, a small number of officers, who are dealing quite well with their local council, and to impose another police board would be problematic.

In fact, the mayor for Brandon has put forward, both to the minister and myself, some of the concerns about having a separate police board and how it might affect their ability to more quickly respond to issues of crime in the city of Brandon. Right now there's a very good relationship between the police chief and Brandon city council. Where there's a challenge in one particular area of the city, perhaps on break and enters, the council can speak to their chief and get a briefing. Not on particular cases, Mr. Speaker, but why it is that there's an overall problem with break and enters in that particular part of the city of Brandon, and they can be response to it by the police if a response is warranted. And so it makes a lot of sense to be able to have that direct relationship in smaller municipalities.

When you reach larger municipalities, of course, the system is quite different. There isn't that same sort of direct contact, and as the system becomes much larger, it makes more sense to have a separate body outside of the council.

I know that the minister, in committee and other places, has expressed concern that if the principle exists, and the principle is proper for a police board, that it needs to be applied universally. But, of course, we know in almost every aspect of law and almost every aspect of legislation, there isn't universal application, that there are many, many examples of where there are exceptions made.

And we were just simply debating The Elections Act and how changes are made to The Elections Act. And we all know from personal electoral experience, that some ridings in our province have a demarcation line of about 20,000 individuals where the electoral officer tries to assign 20,000 people to a riding. But there are other ridings further up north, because of their great size, where they are allowed to go at a smaller number.

And so it isn't a principle of one size fits all. And I can go on with a litany of different examples where there are exceptions made to ensure that something makes sense, Mr. Speaker. One wouldn't suggest that because we have X amount, or, you know, seven or eight primary hospitals in the city of Winnipeg, that we should have seven or eight primary hospitals in a community that has 500 people. I mean, the principle doesn't make sense. You have to adjust to community needs, to community sizes and to the different realities of those communities. And they came forward very clearly. Councils, police chiefs, others who said imposing a police board universally in every municipality who has a municipal police force is going to cause problems.

And while I gave credit, and I still do give credit, to the minister and his department for trying to respond to a problem that came forward and trying to put in place something that would make sense for municipalities, I think that they overreached in this case, and they might, in fact, be doing something that is gonna cause more problems and not less problems.

They're putting in a new system in a place—in many places where there are no problems, and we should be—we should be thankful that in so many municipalities that they have good relationships with their municipal police forces and we shouldn't be looking to change that. I've talked to my colleagues, whether it's the member for Pembina (Mr. Dyck), the member for Minnedosa (Mrs. Rowat), of course, the member for Brandon, many others who have—who have municipal police forces that are operating very, very well with their councils and we're thankful for that. And having a change come forward, I suggest, could be more harmful in the long run, and I think that the minister might regret the day in the future that he's put in this one-size-fits-all approach when, in fact, when you look at policing in the province of Manitoba, it's not a one-size-fits-all.

You know, you could even look at the funding and how police are funded in the province of Manitoba—and I know that's a complex—that's a complex calculation and formula about how we fund police in the province of Manitoba—but if a community is over a certain size, they're then responsible for funding their own police officers, and we have municipalities of a smaller size that get assistance from the Province and they can contract out policing from there. So you have disparities in terms of how communities are funding police officers. And so the minister's argument that you

have to have a one-size-fits-all approach, that everybody—that everybody gets a police board or nobody gets a police board doesn't make sense in the context of Manitoba.

So I'm assuming that the minister wasn't moved by the arguments that came forward at committee from the police officials and from the municipal officials. My hope would have been that he would have had the summer break to review his position and to work out a different solution with the staff, and I would've been more than happy to have met with him to come up with a resolution that would have made sense for everybody and for the communities that have raised concerns. He didn't take that opportunity. He's decided to stick with the position that he has, and I think that in the future they may have to revisit that position if there are problems that come forward again.

So, if the minister wishes to respond, I certainly would be happy to hear his comments, but I think the ultimate response that we were looking for, and that communities were looking for, that municipal police officers were looking for, would have been a flexible approach which this act—this portion of the act—doesn't provide and, I think, disappoints a number of people within law enforcement and in the municipal parts of our province that have municipal police forces.

And so, again, I want to thank the legislative staff for getting this amendment onto the floor, and I hope that the minister, even at this late hour, sees the rationale for changing it and so that we can ensure that the police act, which, I think, by and large, is a good act and, by and large, is gonna make some positive improvements to the province of Manitoba and policing in our province, is made stronger and doesn't have this deficiency and this flaw in it when we pass it in the Legislature.

**Mr. Chomiak:** Mr. Speaker, I thank the member in the House for bringing forward this particular amendment. We have spoken—I thank the member for his positive comments and I note his arguments. We have spoken about this quite frequently. I'd, in fact, even suggested to the member an amendment of some kind to try to straddle the real—the concerns that were brought forward by the presenters at committee.

At the end—at the end, I have to conclude that we're not gonna support this particular amendment

for a lot of reasons. It's not simply one argument that the member pointed out in terms of question of flexibility, et cetera. It's a question of balance. It's a question of more than one municipality. The effect of this particular amendment would be to have essentially one police board in only one community in all of Manitoba. And I think that the amendment that had been previously passed by this House that provides for the flexibility for the existing council to have the chair and the vice-chair on the police board will go some way towards dealing with that particular item.

\* (16:50)

It is true that we have spent a lot of time and energy and thought on how to get this right. This has been one of the more difficult issues. It's not simply related to a instance or any single set of circumstances that have resulted in our choosing to deal with boards the way that we are, there's Canadian precedent. There's different configurations across Manitoba, different sizes, different organizations, et cetera, and it makes some sense to have a civilian or a public input and at the same time maintain some of the existing relationships between the council. I think we've achieved that. To go forward with the amendment as it sits in front of us would be to effectively have only one municipality, have one type of board in Manitoba. That would go against both the spirit and the intent of what we're trying to do overall in the legislation.

So, without getting into a lot of detail, I appreciate that the member has tried to bring in effect the change that had been suggested by some of the presenters at the committee. Unfortunately, I don't think it—I don't think it will meet with the appropriate support from members on this side of the House in regard to the overall aspects and direction of a new modern police act that will take us forward into this century and beyond.

So, with those few words, Mr. Speaker, I thank the member for the amendment, but indicate that 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 moved by the honourable member for Steinbach (Mr. Goertzen).

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

**Some Honourable Members:** Aye.

**Some Honourable Members:** Nay.

**Voice Vote**

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

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

\* \* \*

**Hon. Dave Chomiak (Government House Leader):** I wonder if, given all of the hard work today, that you might call it 5 o'clock.

**Mr. Speaker:** Is it the will of the House to call it 5 o'clock? *[Agreed]*

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 22, 2008

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