

**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.
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CULLEN, Cliff	Turtle Mountain	P.C.
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GRAYDON, Cliff	Emerson	P.C.
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HOWARD, Jennifer	Fort Rouge	N.D.P.
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JENNISSSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
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LAMOUREUX, Kevin	Inkster	Lib.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
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WHITEHEAD, Frank	The Pas	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 6, 2009

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

**Mr. Speaker:** Please be seated.

## ROUTINE PROCEEDINGS

## INTRODUCTION OF BILLS

**Bill 233—The Legal Profession Amendment Act**

**Mr. Cliff Graydon (Emerson):** I move, seconded by the member for Brandon West (Mr. Borotsik), that Bill No. 233, The Legal Profession Amendment Act; Loi modifiant la Loi sur la profession d'avocat, be read a first time.

**Mr. Speaker:** It's been moved by the honourable member for Emerson, seconded by the honourable member for Brandon West, that Bill No. 233, The Legal Profession Amendment Act, be now read a first time.

The honourable member for Emerson, do you have a comment?

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

**Bill 234—The Public Interest Disclosure (Whistleblower Protection) Amendment Act**

**Mr. David Faurshou (Portage la Prairie):** I move, seconded by the honourable member for Brandon West, that Bill No. 234, The Public Interest Disclosure (Whistleblower Protection) Amendment Act, be now read a first time.

*Motion presented.*

**Mr. Faurshou:** It gives me great pleasure to introduce this bill as it pertains to an expansion of the criteria of the current legislation allowing for members, duly elected to this Chamber, to be also included in the whistle-blower legislation and to be able to receive concerns from the civil service in—as it pertains to government operations.

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

**Mr. Speaker:** Order, please. Order, please.

Did the honourable member for Inkster—was rising to introduce a bill?

**Mr. Kevin Lamoureux (Inkster):** No.

**Mr. Speaker:** Okay, sorry.

## PETITIONS

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

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

These are the reasons for this petition.

Many seniors from the Morden and Winkler area are currently patients in 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 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.

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 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 construction and expansion of long-term care facilities in the region.

This is signed by Mary Elen Neufeld, Kay Doell, Anne Wiebe 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.

### **Traffic Signal Installation—PTH 15 and Highway 206**

**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 August 2008, the Minister of Transportation (Mr. Lemieux) stated that traffic volumes at the intersection of PTH 15 and Highway 206 in Dugald exceed those needed to warrant the installation of traffic signals.

Every school day, up to a thousand students travel through this intersection in Dugald where the lack of traffic signals puts their safety at risk.

Thousands of vehicles travel daily through this intersection in Dugald where the lack of traffic signals puts at risk the safety of these citizens.

In 2008, there was a 300 percent increase in accidents at this intersection.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate installation of traffic signals at the intersection of PTH 15 and Highway 206 in Dugald.

To request that the Minister of Transportation recognize the value of the lives and well-being of the students and citizens of Manitoba.

Signed by Alex Kennedy, Carol Ann O'Grady, Betty Johnson and many, many other Manitobans.

### **Parkland Regional Health Authority— Ambulance Station**

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The communities of Eddystone, Bacon Ridge and Ebb and Flow First Nation rely on emergency medical services personnel based in Ste. Rose, which is about 45 minutes away.

These communities represent about 2,500 people. Other communities of similar size within the region are equipped with at least one ambulance, but this area is not. As a result, residents must be transported in private vehicles to the nearest

hospital if they cannot wait for emergency personnel to arrive.

There are qualified first responders living in these communities who want to serve the region but need an ambulance to do so.

A centrally located ambulance and ambulance station in this area would be able to provide better and more responsive emergency services to these communities.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider working with the Parkland Regional Health Authority to provide a centrally located ambulance and station in the area of Eddystone, Bacon Ridge and Ebb and Flow First Nation.

This petition is signed by Patrick Desjarlais, Margaret Campbell, Andre Roulette and many, many other fine Manitobans.

### **Midwifery Services—Interlake Region**

**Mrs. Leanne Rowat (Minnedosa):** I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition.

Residents of the Interlake Regional Health Authority do not have access to midwifery services.

Midwives provide high quality, cost-effective care to childbearing women through their pregnancy, birth and the post-partum period.

Women in the Interlake should have access to midwifery care.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider working with the Interlake Regional Health Authority to provide midwifery services to women in this health region.

This petition's signed by Cora Lee Taylor, David Yurkiw, Leslie Russell and many, many others.

### **Whiteshell Provincial Park—Lagoons**

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

These are the reasons for this petition:

Manitoba's provincial parks were established to protect our natural resources and the environment for future generations.

In July 2009 the lagoons in the vicinity of Dorothy Lake and Otter Falls in the Whiteshell Provincial Park overflowed, creating concerns that untreated sewage made its way into the Winnipeg River system and ultimately into Lake Winnipeg.

In addition, emergency discharges had to be undertaken at lagoons in the Whiteshell Provincial Park four times in 2005, once in 2007 and once in April of 2009.

Concerned stakeholders in the Whiteshell Provincial Park have repeatedly asked the provincial government to develop plans to address the shortcomings with the park's lagoons and to ensure the government's—and to ensure the environment is protected, but the plans have not materialized.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Conservation (Mr. Struthers) to consider acknowledging that more timely action should have been taken to address the shortcomings with the lagoons in the Whiteshell Provincial Park in order to protect the environment.

To request the Minister of Conservation to consider immediately developing both short- and long-term strategies to address the shortcomings with lagoons in the Whiteshell Provincial Park and to consider implementing them as soon as possible.

And, Mr. Speaker, this was signed by Aaron Jenina, Bob Caithness, Jacqueline Hiebert and many, many others.

\* (13:40)

#### **Community Police Offices**

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

The background to this petition is as follows:

In the 2007 provincial election, the NDP clearly stated that making communities safer was a priority.

The NDP government did nothing to prevent the McPhillips Street Community Police Office and other offices from closing.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Premier of Manitoba (Mr. Doer) to consider the important role community police offices can play in making our communities safer.

Mr. Speaker, this is signed by S. Artuz, F. Artuz and E. Cabalera and many other fine Manitobans.

Thank you, Mr. Speaker.

#### **TABLING OF REPORTS**

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** I'd like to table the Social Services Appeal Board Annual Report, '08-09.

**Hon. Diane McGifford (Minister of Advanced Education and Literacy):** Mr. Speaker, I am pleased to table the following reports: Manitoba Advanced Education and Literacy Annual Report, 2008-2009; Brandon University Annual Financial Report for the year ended March 31st, 2009; Collège universitaire de Saint-Boniface Financial Statements for the year ended March 31st, 2009. Thanks.

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** Mr. Speaker, I'm pleased to table the following reports: the Industrial Technology Centre 2008-2009 Annual Report; and the MERLIN 2008-2009 Annual Report. Thank you.

#### **ORAL QUESTIONS**

##### **Manitoba Hydro Debt Equity Ratio**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, ratepayers in Manitoba have seen their Hydro bills go up by 8 percent over the last two years. And the government, in its communications with Manitobans, has been saying that the debt equity ratio at Manitoba Hydro is 75-25. This is a key measurement of the risk to seniors and other Manitoba ratepayers as they look at projections about where their bills are going to go in the future.

Mr. Speaker: Can the Premier confirm that Hydro was advised months ago that the 75-25 number that they've been making public was based on a miscalculation?

**Hon. Gary Doer (Premier):** Well, Mr. Speaker, the material is before the Public Utilities Board, but I want to point out that the rate increases in the 1990s were 20 percent—

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

**Mr. Doer:** –20 percent–

**Mr. Speaker:** Order.

**Mr. Doer:** –in the 1990s. Manitoba Hydro–  
[interjection]

**Mr. Speaker:** Order.

**Mr. Doer:** –increased in this last decade; it's 13 percent in terms of Hydro rate increases.

I noticed that in last year, hydro rates increased the second lowest in Canada of any rate increases. It was–Québec was only–the only province lower.

And, Mr. Speaker, I also note that the Hydro has the lowest rates in North America now for customers. So, in terms of the members opposite, the projection, it was 86 percent in 1999, and it's much lower today.

**Mr. McFadyen:** Well, Mr. Speaker, the Premier is backing away from the numbers that his minister has been–has been bragging about to Manitobans now for months.

And his reference to rate increases, I would just go back to what the Public Utilities Board says in their report. It says that following a decade of no rate increases, in 2004 the board provided the utility a 5 percent across-the-board increase. That was 2004. Over the last two years it's gone up by 8 percent. They have set in place a ticking time bomb in terms of increased rates into the future because of their risky financial practices and mismanagement at Hydro caused by political interference.

And now they're trying to conceal from Manitobans the reports provided by their experts which show that the debt equity calculations are based on a miscalculation, and that its Hydro minister has been misinforming Manitobans about the risk to Manitoba Hydro ratepayers.

**Mr. Doer:** Well, Mr. Speaker, the fourth quarter–the fourth quarter report, the final report for the '08-09 year, as I recall it, the press release indicated that (a) the company had made some \$250 million, and (b) that the debt equity ratio had been reduced.

I believe that's in the press release issued by one Mr. Brennan. The last time I looked, Mr. Brennan is an accountant and the CEO of Hydro and a person that has credibility, both through the former administration and through our administration.

**Mr. McFadyen:** Mr. Speaker, the internal experts who felt the need to use the whistle-blower act to

provide information that they felt was essential for Manitobans to be aware of have detailed in their reports the fact that Hydro has been grossly mismanaged, that there're massive risks to Manitoba Hydro ratepayers–rates have already gone up by 8 percent–and that they're concealing from Manitobans the massive financial risks that they are taking, the lack of care that they have put into managing Manitoba Hydro, and the rates are going to go up unless it's brought under control.

I want to ask the Premier: Will they disclose today to the public those reports prepared by the internal experts so that ratepayers can have a true picture of the risky policies being pursued by his minister for Manitoba Hydro, Mr. Speaker.

**Mr. Doer:** Well, Mr. Speaker, we tabled in the Legislative committee the risk of the transmission routing system. In fact, many people hadn't read the report months after the report had been tabled. It points out that there's risks–the company provides risk reports to the PUB, and it also says that if we–this report further goes on to say that there's major risks if a cause célèbre is developed against environmentally unfriendly routes. It will be a major risk to the corporation in terms of export energy markets which also constitute up to 50 percent of the sales in Manitoba Hydro.

Mr. Speaker, the risk–the risk has been identified since 1992. If you look at the Farlinger report in 1992, it was never made public by the members opposite. This report was made public. The risk says if Manitoba Hydro is not allowed to build a converter station, it puts at risk everybody in Manitoba–in Winnipeg, rather, in the south end of the province.

That's why we're proceeding. It is expensive but it reduces risk in terms of reliability of the whole system in Manitoba, Mr. Speaker.

### **Influenza Vaccination Locations Impact on Seniors**

**Mrs. Bonnie Mitchelson (River East):** Seniors in my constituency and throughout Manitoba are confused about this government's plans to administer the seasonal flu shot. Since seniors are now the first priority for the seasonal shot, I asked the minister last week if her department would be revising its plan to hold flu shot clinics in only 12 locations in Winnipeg. The minister replied, and I quote: ". . . we will amend the mass vaccination plan."

But it's reported today that there is no change to the regional health authority's seasonal flu shot clinic locations.

Manitoba seniors are frustrated with the conflicting messages that they're getting from the government. Can the Minister of Health provide some clarity to Manitobans and to seniors today?

**Hon. Theresa Oswald (Minister of Health):** I thank the member for the question. Indeed the plan has been amended. What was reported in the paper today was that the 12 clinics that were originally planned will go ahead. That is true.

In addition to that, as released by the Winnipeg Regional Health Authority yesterday, long-term care and personal care home facilities will be included, plus in-house clinics at seniors' residences where appropriate, plus targeted outreach populations, plus arranging transportation for those that have difficulty getting to the clinics, plus increased shots done by home care more than ever done before, plus a phone number for people to call if they're confused, plus, of course, the availability of shots through their family doctors.

**Mrs. Mitchelson:** But seniors in River East constituency will have to transfer buses twice to get to the one clinic out in our community, where there were 12 to 16 clinics last year in the community, community based, Mr. Speaker.

It's more than an inconvenience and for some it may be impossible. Can the Minister of Health explain, if seniors are a priority to her government, why is she making them go to the flu shot rather than bringing the flu shot to them?

\*(13:50)

**Ms. Oswald:** The member is simply incorrect. As I said, there will be additional clinics added once the protocol was amended as a result of the study that is coming out of B.C. So there will be seniors residences where clinics will be done in-house, and that information will be provided in the normal ways. Plus, there will be shots provided in addition through home care. Plus, for those that have difficulty with transportation and don't wish to take two buses, there will be transportation arranged by the Winnipeg Regional Health Authority.

**Mrs. Mitchelson:** Well, Mr. Speaker, maybe the minister should talk to the regional health authority because seniors in River East constituency are being told that the regional health authority isn't going to

make any arrangements for transportation, but if the seniors want, they can organize or charter a bus themselves, at a cost of \$6 per person, to get their flu shot.

Mr. Speaker, would the minister not use a little bit of common sense and look at the locations where the flu shots have been held before and ensure that seniors can get the flu shots where they live rather than having to travel the distance that she's requiring them to travel this year for that flu shot?

**Ms. Oswald:** On the subject of common sense, I can inform the member that the most important thing that we can be doing is providing clear and true information to the seniors in our province.

I'll say to the member again, that there will be additional in-house clinics as appropriate in addition to the 12 clinics that were planned, in addition to transportation, in addition to additional home care shots, and if seniors are confused in any way, they can call Health Links and have their questions answered.

I would say to the member this is a very unique year as we roll out the seasonal flu vaccine in preparation for H1N1. Across the globe, health systems are amending their plans. I would suggest to the member opposite that she should acknowledge that plans need to be amended this year as well.

#### **Whiteshell Provincial Park Lagoon Overflow**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, we received video from the Whiteshell area showing the lagoon in the vicinity of—vicinity of Dorothy Lake was overcapacity in late July. Overflowing sewage from that lagoon made its way to the public beach at Dorothy Lake, where people were swimming and fishing, unbeknownst to the people who were using the facilities.

Mr. Speaker, the government has been warned of the overflowing lagoons in this area for years, yet they have chosen to do nothing about it. Why have they so badly mismanaged this issue?

**Hon. Stan Struthers (Minister of Conservation):** Well, Mr. Speaker, I've indicated to the member before that, when we did a routine inspection of this area, we found this and we moved quickly to make sure that it was stopped.

And then I want to remind the member opposite as well, that even before, we were taking care of capacity problems at this exact location she's talking

about, to make sure we could minimize and prevent the kind of catastrophes that she likes to talk about in this House.

We've also spent \$11.2 million in building our capacity, five and a half—more than five and a half million of that in the Whiteshell alone, Mr. Speaker.

**Mrs. Stefanson:** I guess it's the NDP way: spend more, get less, Mr. Speaker.

This lagoon in this area has been overflowing, and lagoons in and around the area have been overflowing since 2005. They have been aware of it. The government has been aware of it, yet they have done nothing.

Doug Petrick, a concerned cottage-owner in the area said, and I quote: Following that incident a number of us met with the conservation officials, and we were assured this very serious problem—and again, this is in 2005, Mr. Speaker—that this very serious problem would be addressed.

Well, it's four years later and lagoon capacity and discharges are still an issue. One must ask who let things get out of control like this? It's ridiculous that park users are being exposed to sewage and they don't even realize it.

Mr. Speaker, what has the government done to address this very important environmental hazard? What does he have to say to the people in the area?

**Mr. Struthers:** Well, Mr. Speaker, the Tory way has been to spend nothing and complain a lot. I mean, they did—the truth is, they did nothing in this area to help this situation except say yes to more and more development without a plan in place.

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

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

**Mr. Struthers:** Mr. Speaker, we can point to \$11.2 million that were spent on building lagoon capacity—building lagoon capacity. And at the same time, we have had the courage to say no to some developments that would put more pressure on that lagoon capacity. So we're doing what we can to make it a good situation. People opposite should take a look at their record and see they did zip for this situation.

**Mrs. Stefanson:** Mr. Speaker, this government has been in power for 10 years. These lagoons have been overflowing—

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

**Mrs. Stefanson:** Well, only the NDP governments—only the NDP government would cheer themselves for overflowing lagoons that are taking place in Manitoba right now. I think that's despicable and so do the people in the Whiteshell and people all across Manitoba that are dealing with overflowing lagoons as a result of this government's inaction. Shame on them.

Mr. Speaker, this government has been aware of the spills from lagoons in our parks for years and they haven't come up with a meaningful action plan to address the issue.

Mr. Speaker, we have been petitioning this government for some time now in the Legislature to come up with both a short-term and a long-term action plan. I'd like to know what that action plan is and when they will implement it.

**Mr. Struthers:** Mr. Speaker, she—the member said—the member uses the word "despicable." They haven't voted in favour of a single water protection regulation that we brought forward from day one. Not one. Not one—not one time can they point to one single thing that they pointed—that they can point to in favour of protecting Manitoba's water or protecting the human health that depends on that water. I'll stand up with our record anytime, any day. We put \$11.2 million into capacity—to build capacity on sewage lagoons, \$5.6 million of that in the—in the Whiteshell, which the member seems to be all of a sudden worried about.

I'll stand up to that record any time compared to theirs.

#### **On-Site Waste-Water Management Systems Regulation Changes**

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, spending money and not getting results isn't working. The Minister of Conservation has put in place new regulations for on-site waste-water management systems that prohibit the use of sewage ejectors systems province-wide. We all recognize the importance of protecting the environment, especially in areas deemed to be sensitive, but many questions have been raised about the science on which these regulatory changes are based. The government doesn't want to talk about it.

Mr. Speaker, will the Minister of Conservation table in this House the scientific reports that he used as a basis on the ban on sewage ejector systems?

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

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

**Hon. Stan Struthers (Minister of Conservation):**  
To begin with—to begin with—

**Mr. Speaker:** Order. Order. Let's have a little decorum. Order. Let's have a little decorum. Order. The honourable Minister of Conservation has the floor.

**Mr. Struthers:** Thank you, Mr. Speaker. I suggest they pick a—pick a story and stick to it. Well, it—it's quite a—it's quite a—it's quite a—it's quite a position to defend sewage ejectors, which puts raw sewage out on the land. This isn't—this isn't—this isn't pixie dust coming out of the end of these sewage ejectors. This is raw sewage.

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

**Mr. Speaker:** Order. Order. Order. Order. Let's have some decorum here. Order. Order. The honourable minister to continue.

**Mr. Struthers:** We're dealing with a human health issue here with raw sewage, not pixie dust, that the member from Ste. Rose himself in this House told us all that he has a sewage ejector and it sprays into his spruce trees, and it probably doesn't do any harm to anybody. Probably's not good enough, Mr. Speaker, we need to get to tough on water regulations in this province.

**Mr. Briese:** Mr. Speaker, it's interesting that this minister's argument started out environment, environment, environment on this one. And then that wasn't working, so it's changed to health issue, health issue, health issue. Saskatchewan and Alberta mandate ejector systems, yet Manitoba has banned them outright—

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

**Mr. Speaker:** Order.

**Mr. Briese:** —an approach the Association of Manitoba Municipalities calls heavy-handed. The Minister of Conservation received many oral and written submissions about the impact of the regulations from individual property owners, planning districts and municipalities, yet their comments were discounted by this government.

Why has the minister, once again, ignored what the people of Manitoba are saying to him? Why does he continue to develop policies based on politics, not science?

\* (14:00)

**Mr. Struthers:** Mr. Speaker, when the member for—when the member for Ste. Rose—*[interjection]* When the member from Ste. Rose speculates that it probably wouldn't do any harm to anybody having raw sewage spread out on the back of his yard, I don't think that's based on much science either.

**An Honourable Member:** Probably not.

**Mr. Struthers:** It's probably not based on science.

Mr. Speaker, this is part of a comprehensive plan that this government has to deal with both the environment and human health, to deal with protection of water and to protect people who may come into contact with organisms that do exist in human sewage. We can't take this lightly. We gotta be serious about protecting people.

**Mr. Speaker:** The honourable member—

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

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

The honourable member for Ste. Rose, on a new question?

**An Honourable Member:** The same.

**Mr. Speaker:** On a new—that's his third—second supplementary question? Okay, on your second supplementary question.

**Mr. Briese:** Mr. Speaker, planning districts and municipalities have substantial knowledge about sewage handling systems, yet the minister has ignored their advice. They will have to come up with larger lagoons and waste-water systems to deal with new waste they will receive due to these regulatory changes.

Association of Manitoba Municipalities president, Doug Dobrowolski, said, and I quote: To implement new rules that will cost the ratepayers a great deal of money with no apparent environmental benefit is unnecessary and unfair. End quote.

Mr. Speaker, with overflowing municipal lagoons discharging into waterways, will the Minister of Conservation now concede that he enacted a policy without fully understanding the ramifications to property owners, to municipalities and to the environment?

**Mr. Struthers:** Well, Mr. Speaker, the people of Manitoba know that it's not good enough to probably

not—infect the environment with raw sewage. I think we should know that here.

Mr. Speaker, the Clean Environment—the CEC—*[interjection]* The CEC obviously thinks that this is a problem. The CEC understands that we gotta treat human sewage, you know, in a very careful manner. The history of this, for the Conservatives, is that they've ignored Clean Environment Commission recommendations back to the '90s right through to today. They're consistent in speaking against the Clean Environment Commission—*[interjection]*

**Mr. Speaker:** Order.

**Mr. Struthers:** —and I think they should—they should take a good hard look at this, look at it from the angle of not just the environment but human health, and I think if they used some common sense they'll come to our thinking on this as well.

#### **Bovine Tuberculosis Surveillance Government Strategy**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I'm asking this question on behalf of many livestock producers on the west side of the province around Riding Mountain.

Mr. Speaker, as a cattle producer, I know first-hand the financial and the management difficulties and the impact of bovine tuberculosis on Manitoba livestock producers. Producers' herds have been subjected to repeated testing, our costs have increased, the return for producers in Manitoba is at least a 3 cent differential, costing about \$7 million to our economy.

Mr. Speaker, I want to ask the Minister of Conservation what strategy he has in place this year to be able to deal with the increased tuberculosis cases that we have on the west side of the province, especially in white-tailed deer?

**Hon. Stan Struthers (Minister of Conservation):** Well, Mr. Speaker, the plan needs to include the federal government because of Parks Canada. It needs to—*[interjection]* And it needs to include the provincial government with Agriculture and Conservation. It needs to include the biosphere group that has been working with us, I think pretty successfully, to come up with some good rules that have been helpful.

We need to continue to work with these people, all these groups, to make sure, including the cattle producers, which both the Minister of Agriculture

(Ms. Wowchuk) and I have met with. Mr. Speaker, we need to have the co-operation of hunters in the area to turn in the necks and the heads of animals that they've shot so that we can continue to monitor and to continue to know—*[interjection]*

Well I thought—I really did think—

**Mr. Speaker:** Order.

**Mr. Struthers:** I really did think that members opposite were interested in finding out the answer to a serious question, Mr. Speaker.

So we need to continue to work in co-operation with that TB task force working on this.

**Mr. Speaker:** Order.

**Mr. Derkach:** Well, Mr. Speaker, obviously the minister hasn't been very well briefed on this issue. There are 42 elk now that have been identified with tuberculosis in Manitoba. There are over 10 white-tailed deer that have been identified, and the problem with deer is that they move very quickly up and down our river valleys, and they can spread this disease to other herds across the province. The federal government has come out with a plan to try to eradicate this disease within the Riding Mountain provincial park. However, elk and deer travel beyond the boundaries of the park.

And I want to ask this minister what strategy he has in place—not monitoring, not watching from the sidelines—but active strategy this minister has in place to be able to eradicate this disease either in two or three or five years, or whenever. What strategy can he put on the table today to Manitoba cattle producers that will give them some assurance that he is acting on this terrible disease that can be actually transferred to humans?

**Mr. Struthers:** I'm glad—I'm glad from one—I'm glad from one question to the next they finally got it about protecting humans, Mr. Speaker.

The—we have been working—we have been working alongside all of our partners in this—with this complex issue, including the federal government, including the Minister of Agriculture and I. We have participated in the—in the collaring and the monitoring of deer and elk, which is an important part of this whole process so that we know what kind of decisions we can make. We have participated in exactly what the member has talked about.

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

**Mr. Speaker:** Order. Order. What's the point of asking questions if everybody's just trying to out shout the person that's trying to give an answer? Let's have some decorum here. We have guests in the gallery. We have the viewing public, and I need to be able to hear the questions and answers in case there's a breach of a rule. I'm asking the co-operation here. The honourable minister has the floor.

**Mr. Struthers:** And we have participated, along with our partners, in bringing down the numbers of elk and deer within that hotspot in the Sugar Loaf area of the—of the Riding Mountain—of the Riding Mountain area, where we have collared elk, where we know where the disease exists, because we can't just make up, as the members would have us do, we just can't make up these things, we have to have the data that leads us to good decisions. We're going to do that, Mr. Speaker, we're going to do in co-operation with the federal folks that we've been working with, and we'll get a hold of this—

**Mr. Speaker:** Order.

**Mr. Derkach:** Well, Mr. Speaker, like I said, this minister hasn't been very well briefed on this issue, because the majority of elk who are infected are, indeed, on the west and the south side of the province, not the Sugar Loaf area. And maybe the minister needs to educate himself as to where the disease is and to put a strategy together to try to eradicate this disease. The Manitoba cattle producers have approached him repeatedly to try to get a strategy from him and a plan on how he's going to eradicate this disease.

The federal government has a plan. This minister does not. It's time that he got on with it and developed a strategy to try to eradicate this disease before it spreads to other herds in this province that are not near the Riding Mountain.

**Mr. Struthers:** Well, Mr. Speaker, the member opposite is just wrong. We've been working together with all of the partners in this: the federal government, the cattle producers, the Wildlife Federation, the municipalities that go all around that Riding Mountain area. We have identified exactly where the problem is. He can call it whatever part of the Riding Mountains he likes. There is a hotspot that we have to deal with, and we have been co-operating with all others to make sure that we reduce that number so that there's fewer—so there's fewer elk and deer coming into contact with people's cattle outside of the Riding Mountain area. That may not be good enough for members opposite, but it's

the right thing to do, and it's based on—based on science and data.

### **Red River Floodway Bridge Costs**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, Manitobans deserve accountability in spending of all projects done by the provincial government. With a multibillion dollar infrastructure shortfall, every dollar must be spent as wisely as possible.

Through Freedom of Information, I've learned that many of the floodway bridges came in grossly over budget. Take the Trans-Canada Highway bridge, Mr. Speaker, as an example. In 2003, it was estimated to cost \$14.4 million to replace it. The final cost was \$42.2 million. That's triple.

Can the Minister of Infrastructure explain why this project came in so far over the original estimate? How can they possibly be so far off the mark?

\* (14:10)

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** We're certainly pleased to be following the CEC recommendations with regard to not going deeper into the channel, Mr. Speaker, and widening the channel as opposed to affecting ground water. And based on that, the conceptual drawings were initially looked at—were looked at—the channel that would be much deeper as opposed to wider. So if you go wider in the channel, you have to put in new bridges and higher bridges.

So, Mr. Speaker, with regard to the first bridges, they were just conceptual in design. The reality is we put in new bridges to address the widening of the channel and the channel excavation, and had what has taken place, just to let everyone know, the floodway is on time and on budget, which we're very proud of.

**Mr. Maguire:** Mr. Speaker, it looks like another example of spend more, get less. We all agree that the floodway expansion is extremely valuable, but we have questions about the final costs. It wasn't just one bridge that was over budget, it was many. Highway 59 south bridge is estimated at 16.9 million, came in at 22.1. The Redditt railway bridge was estimated at 6.3 but cost 20 million. The Sprague railway bridge was estimated at 13, and came in at 25 million. What was originally estimated to cost \$50 million ended up at 109.

How can the minister, with any credibility at all, now say that these projects were on budget?

**Mr. Lemieux:** Mr. Speaker, obviously, my critic, the member opposite, doesn't get it. When you're building a channel much wider, you have to have a wider bridge, a longer bridge and a higher bridge. Do you know members opposite don't care what the CEC have to say, but the government on this side of the House take whatever they say to be truly important. They said, don't affect the ground water; make sure the channel is much wider.

So, indeed, what we've done, even though, Mr. Speaker, the costs on concrete, the costs on steel, the costs on asphalt has all gone up, the overall cost, with regard to the floodway expansion, is on time and on budget.

**Mr. Maguire:** It certainly sounds like incompetence or poor planning in the beginning to me, Mr. Speaker. The infrastructure put the Manitoba Floodway Authority in charge of these important projects which have come in significantly over budget. Now the minister is trying to amend the Floodway Authority legislation so they can oversee construction of the valuable east-side road on Lake Winnipeg. One has to question why the minister is deflecting his responsibility for overseeing major infrastructure projects such as the floodway expansion and the east-side road to a separate entity outside of his department.

Can the Minister of Infrastructure assure Manitoba taxpayers that the much-needed east-side road project won't end up in the same type of skyrocketing costs that these floodway bridges did, Mr. Speaker?

**Mr. Lemieux:** Well, Mr. Speaker, the member opposite is one that shouldn't be raising the east-side road or anything to do with northern Manitoba. Right in his own backyard, the last election when the member opposite was asked, along with the Leader of the Opposition (Mr. McFadyen), what is your plan, you know, for highway? Oh, we'll just do the same as the NDP but we'll take all the money out of northern Manitoba and put it to southern Manitoba. Shame, and if you leave bridge building up to the member from Virden-Arthur-Virden, he'd build half a bridge and people would be falling off the end, just like their—just like their status did in the polls, and as what happened in the 2007 election.

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

### **Devils Lake Water Levels Government Strategy**

**Hon. Jon Gerrard (River Heights):** To the Premier, in the last year, Devils Lake rose more than three feet. If increases like this occurred each year in the next three to six years, the water levels would reach 1,458 feet and water from Devils and Stump Lake will go directly into the Sheyenne River. The outlet channel from Stump Lake has a soft silt bottom susceptible to erosion, and as the lake rises and the water flows, you'll get a big increase in the flow. In short, there'll be an ecological disaster as the up-to-12,000 cubic feet per second of Stump and Devils Lake water flow into the Sheyenne and the Red River and then into Lake Winnipeg.

I ask the Premier: What is his plan to prevent this potential disaster?

**Hon. Gary Doer (Premier):** Mr. Speaker, the member would know that about a thousand years ago that water did flow through Devils Lake to—through the Stump Lake into the Sheyenne and into the Red River.

There have been periods of time, I would point out, that Devils Lake has—there was projections five years ago similar to what the member opposite was using—or pre-2003—and then, of course, the lake went down dramatically with the drought conditions in 2003. This is a fluctuating situation.

In the Devils Lake, I would point out in the 1990s, Governor Schafer did propose to build an inlet from the Missouri River to Devils Lake 'cause the water was so low. You know, now the state of North Dakota built an outlet because the water is too high. We're certainly aware of it, and we've discussed it with United States.

**Mr. Gerrard:** Mr. Speaker, Sunday, while I was at Devils Lake to see the situation and talk with Joe Belford to check it out, I confirmed that, under the projections, if you take the average from '93 to the present, that in a maximum of six years, we will have an overflow of Stump and Devils Lake. It's a serious situation.

It's interesting that one of the first issues the Premier dealt with was Devils Lake, but it's also now one of the last he must deal with.

The plans of the Premier, in spite of lots of rhetoric, have not produced a stable, long-term solution for Devils Lake. Instead, as you can see, we're sitting on a potential disaster.

Why have the Premier's actions not been more effective in giving us a stable long-term situation for Devils Lake?

**Mr. Doer:** The first issue we had to deal with was a \$650-million expenditure appropriation to transfer water from the Missouri River directly to the Red River under the North Dakota state water act, and we opposed that and that hasn't happened.

Secondly, Mr. Speaker, in the dealing with Devils Lake, there was both a proposal for low water to build an inlet to Devils Lake from the Missouri River and then an outlet when the water was too high. That, too, would represent a transfer of foreign species biota from the Missouri River into Devils Lake and out to the Sheyenne River.

I want to applaud former Ambassador McKenna for negotiating, along with us and North Dakota, the prohibition of an inlet from the Missouri River to Devils Lake. That doesn't get a lot of media but that it was our biggest risk was materials in the Missouri River.

I'd also caution the member—the mayor from Leaf Rapids—just caution the member in terms of his questions and his extreme approach in the House in terms of lambasting the provincial government. He was shocked by the extreme approach the member—the Liberal leader takes in this House. I would ask this member not to take such extreme rhetoric to this House instead of dealing constructively with these issues, Mr. Speaker.

#### **Food Banks Client Increase**

**Mr. Kevin Lamoureux (Inkster):** Three more sleeps and the Premier'll be gone.

One of the things that this Premier has demonstrated over his 10-year legacy here is that no premier in the history of our province has increased the annual spending of this—of governing in the province of Manitoba as this Premier has done. And I want to pose one question that really kind of mystifies me, and I think really mystifies a number of people.

Ten years ago, the emergency food bank at Winnipeg Harvest would serve approximately 5,500 children a month. Today, it's in excess of 18,000 people, Mr. Speaker, children, that require emergency food a month—18,000. That's almost four times the amount given when the Premier first took office.

The question that I have for the Premier, and likely my last question to the Premier is: Can he explain to me why the number of children requiring food banks, since he has become the Premier, has almost quadrupled?

**Hon. Gary Doer (Premier):** I want to thank the member for his class and dignity in the questions that he brings to the House on an ongoing basis.

I know his biggest priority in the House is where he was sitting, and I won't go any further on that point, Mr. Speaker.

I would note, in terms of spending, that they brought a bowl of fudge to the scrum before the 2007 election and then, after the election, they voted for the budget. That's the kind of inconsistency that we see from members opposite.

\* (14:20)

The child poverty rate has gone down 40 percent since we were elected. The people living in poverty, single parents poverty rate's gone down 57 percent. Any child living in poverty, any child needing a food bank, any single parent needing support of a food bank is not acceptable to any member of this House, and we have to continue.

It's—obviously, anybody living in poverty is unacceptable, and we'll continue to try to move that number down and the number of children down requiring those resources, Mr. Speaker.

#### **StreetReach Program Funding**

**Mr. Doug Martindale (Burrows):** Mr. Speaker, there are children in some of our communities who, sadly, are being exploited and abused by adult sexual predators. Our government has increased resources to protect and assist sexually exploited youth.

Now we have raised our response to a whole new level. We're providing more resources to cut down on the predators and provide assistance to the sexually exploited youth.

Can the Minister of Family Services and Housing give us more details about StreetReach which was announced today?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Well, I'm just pleased to confirm to the House that StreetReach was formally launched today, Mr. Speaker. It's an important part of what's called Tracia's Trust, our two-year plan to enhance the interventions for youth on the street that

are being sexually exploited but, as well, to go after those curb-crawling creeps, I would call them, who are the predators that undermine the well-being and lives of these youth.

But, Mr. Speaker, I just want to say a great thank you to the 22 organizations that have come together, irrespective of their individual mandates, for the greater good of the vulnerable children that I know they want to serve. This will mean 25 workers co-ordinated now in the streets of Winnipeg. These will be lifeguards on the streets of this city.

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

## MEMBERS' STATEMENTS

### CKX Television

**Mr. Rick Borotsik (Brandon West):** Mr. Speaker, it's with a heavy heart that I rise in the House today to inform the House of the demise of a great broadcaster in the city of Brandon. On Friday, October the 2nd, CKX television faded to black after 55 years of exceptional service to Brandon and southwestern Manitoba.

Western Manitoba Broadcasters launched its first broadcast of CKX television in western Manitoba on January the 28th, 1955. The television station remained locally owned for nearly half a century by John Craig and his family.

Mr. Speaker, I was raised on CKX programming. I remember at the tender age of five going to the neighbours to watch *Lassie* and *Black Beauty* come to me through the wonder of television. I watched CKX progress through the years, providing Westman with entertainment, giving local artists the showcase for their talents and supplying the community with vital information through its local news, weathers and sports broadcast.

Mr. Speaker, CKX gave me the opportunity to watch the Brandon Wheat Kings blaze their way through the WHL and the Brandon Bobcats win national titles. I watched political winners and losers during election time, and I watched the grand opening of the Killarney Shamrock Centre. I watched how the livestock industry was doing during a drought in Melita.

But no more, Mr. Speaker. On October the 2nd, 2009, the Westman community lost a friend. I, along with countless of others, watched the final broadcast. That final broadcast was produced and delivered with the same professionalism as countless other

broadcasts that were produced and delivered over the past 55 years.

I would like to say thank you to the dedicated staff of CKX, past and present, but, finally, all I would like to say is good-bye to an old friend. Thank you, Mr. Speaker.

### Sisters in Spirit Vigil

**Mr. Frank Whitehead (The Pas):** Mr. Speaker, on Sunday, October 4, 2009, the fourth annual Sisters in Spirit vigil was held in The Forks. More than 300 people attended this gathering that was held by the Mother of Red Nations Women's Council of Manitoba.

Sisters in Spirit vigils are held every year in numerous locations across the country to honour the lives of missing and murdered Aboriginal women and girls. These vigils are also a time to draw greater attention to the issue of violence against women and to demand action.

A statement made by—at the vigil by the Mother of Red Nations Women's Council and Native Women's Association of Canada thanked families and friends for their courage and strength, recognized positive initiatives and called for action in addressing root causes such as racial violence and the socio-economic gap between Aboriginal and non-Aboriginal people.

Mr. Speaker, Aboriginal women face disproportionate levels of violence no matter where they live in Canada. Sadly, in the last two decades approximately 75 Aboriginal women and girls in Manitoba have gone missing or have been found murdered. The Manitoba government has made some important strides in beginning to address this problem, such as recently—as a recently struck police task force comprised of experienced investigators whose duty it is to examine 30 unsolved cases and an action group that has been established to co-ordinate government and community work on the issues and help to direct the Province's policies to aid vulnerable and exploited women. This government is committed to continue working with all sectors of society to bring an end to violence against Aboriginal women.

Mr. Speaker, I would like to thank the countless individuals who dedicate their professional and professional lives to the protection of Aboriginal women and girls. Their efforts are crucial in finding solutions and stopping this violence. Thank you.

### **Pembina Threshermen's Reunion**

**Mr. Peter Dyck (Pembina):** Residents and visitors to the Pembina Valley were very pleased to attend another successful Pembina Threshermen's Reunion this summer. The Pembina Threshermen's Museum hosted their 41st annual reunion and threshing days on September the 11th and 12th at the museum, which is located between Morden and Winkler.

The goal of the Pembina Threshermen's Reunion is to bring to life the farming and harvesting practices from the past. As always, this was achieved through a number of activities and presentations over the course of the weekend. Demonstrations took place daily, including steam threshing, horse ploughing, corn grinding, rope making and flour milling.

The Manitoba Wheelwrights Association was on hand for this year's wheel-making project, the restoration of wheels on one of the museum's buggies. Many of these practices are no longer seen on a daily basis. However, it's still important to teach our children and grandchildren of the challenges that farmers were faced with before modern technology was developed. Of course, even today's farmers—today's farmer is forced to struggle with many challenges each year.

A big part of the reunion is sharing stories with neighbours and remembering times of the past. The Valley Harvest Maids helped make this possible by serving traditional Mennonite meals for lunch and dinner to this year's guests. One of the most popular events of the weekend was a parade of the vintage tractors and farm machinery, which took place on both September the 11th and the 12th. The parade features 32 of the museum's tractors and several privately owned pieces of farm machinery.

Mr. Speaker, as the MLA for Pembina, I would like to congratulate the Pembina Valley museum for hosting their 41st successful reunion and threshing days. This is a very important event to the community of Pembina Valley as it is a way for residents to remember how this land was shaped. I was glad to see that so many people decided to take part in this year's events, and I look forward to seeing everyone out again next year. And a special thank you to Lois Dudgeon who organized the event. Thank you.

### **Robert and Bernice Hay**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, I would like to recognize two very special people in

the community of Cranberry Portage, Robert and Bernice Hay. These humble and spiritual people deserve to be acknowledged for the positive influence they have had on countless youth.

I first met Robert when we worked together at Frontier Collegiate where he was the director of physical education for four years. Following that, he became a counsellor at the school's residence. This residence is home to youth from surrounding communities who leave their families to receive their education from Frontier Collegiate.

For 30 years Robert worked with Aboriginal, Métis, Ojibway, Cree and other First Nations' youth to see them through their struggles and encourage them in their endeavours, a truly rewarding and challenging role. He finished his career working with a team of social workers, mental health workers and school staff, and as the first point of contact with the students, he was an essential support for those students. During this time, he received an award recognizing his dedication as a counsellor.

Bernice also worked at Frontier Collegiate as an education assistant for a number of years. In addition, she is the head of the kids club in their church. As leader of this program, Bernice creates a welcoming environment for children to learn about the Bible, to sing and to do crafts. Both Robert and Bernice are leaders in their church.

Robert and Bernice have not only positively contributed to the lives of youth through their work but have also acted as extended family. The door to the Hay home was always open, and friends and students were welcome for dinner anytime or to just drop by for a chat.

Mr. Speaker, the Hays, as committed Christians, are ardent believers in providing servant leadership and genuinely look past stereotypes to understand a person's experience and struggles. Our world would be a better place if more people strove to understand the individuals behind the stories as they do, and I wish to thank Robert and Bernice for the good work they have done and continue to do. Thank you.

\* (14:30)

### **Philippines Flooding**

**Mr. Kevin Lamoureux (Inkster):** As members are fully aware that on September the 26 a tropical storm hit the Philippines and dumped more than a month's rain within a 12-hour time frame. This caused, amongst other things, massive flooding, killing and

destroying the lives of hundreds, and it ultimately resulted in hundreds of thousands of other people being displaced.

Manitoba's Filipino community quickly responded in many different ways, Mr. Speaker. We saw things such as prayer services, boxes of clothes being packed, fundraising drives from radio stations such as CKGF. Individuals participated in the best way that they could through providing contributions, through increasing remittances to their family and loved ones. Manitoba's Filipino community is estimated somewhere in the neighbourhood of 60,000 in the province of Manitoba, and it's safe to say that even outside of the Filipino community, this flood and disaster has had an impact virtually on all Manitobans as a direct result in terms of the Filipino hospitality and the way in which the Filipino community is spread throughout Manitoba's society.

I stand today just to offer my congratulations in terms of recognizing the valuable efforts that all Manitobans, and in particular members of the Filipino community, coming to the forefront and providing, in many different forms, whether it's cash or prayers or boxes of clothes, to help the victims of those individuals that were in the disaster areas in the Philippines. Thank you, Mr. Speaker.

## ORDERS OF THE DAY

(Continued)

### GOVERNMENT BUSINESS

#### House Business

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I wonder if you could call for concurrence and third readings Bills No. 9, No. 26 and No. 4.

**Mr. Speaker:** Okay, orders of the day, we will deal concurrence and third reading with bills in this order: Bill 9, 26 and 4.

### CONCURRENCE AND THIRD READINGS

#### Bill 9—The Social Work Profession Act

**Mr. Speaker:** Okay, I'm going to call concurrence and third reading of Bill No. 9, The Social Work Profession Act.

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Finance (Ms. Wowchuk), that Bill No. 9, The Social Work Profession Act; Loi sur la profession de travailler social, as amended and reported from the Standing Committee on Social and

Economic Development, be concurred in and be now for a third time and passed.

**Mr. Speaker:** It's been moved by the honourable Attorney General, seconded by the honourable Minister for Finance, that Bill No. 9, The Social Work Profession Act, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

**Hon. Rosann Wowchuk (Minister of Finance):** Mr. Speaker, I would like to begin by, first of all, thanking all of those people who came to committee to make their presentations heard. I'd like to also thank the executive of the Manitoba Association of Social Workers and Manitoba Institute of Registered Social Workers for their input into this bill, for the Child and Family Services authorities who have also had input into this bill, as well as two of my colleagues here in the Legislature, the Minister of Healthy Living (Ms. Irvin-Ross) and the MLA for St. James (Ms. Korzeniowski), were very active in having this bill developed, and I commend and thank all those people.

Mr. Speaker, when we look at this bill, there has been a length of time that we have been working on this, because the bill was first introduced in December of '08, and a press release was issued at that time to let everybody know what was—what was happening. And I know the members opposite have been, in the last—ever since committee have been—have been raising a few questions about this. But it's quite interesting that, when we introduced the bill, the opposition only asked the one question on May 11th, and in second reading, the only thing that they were concerned about in second reading was why Finance was sponsoring the legislation, not Family Services.

So, Mr. Speaker, I would like to clarify that. When you look at—across the country and all other provinces have this legislation, and this legislation is housed in a variety of departments. In one province it is Finance that has the responsibility for it. In other provinces, it is different departments that have it, but what is important is that this kind of change is made, and the social workers of Manitoba have been trying for a long time—been trying for a long time to get legislation that would recognize their profession.

Manitoba has the oldest legislation governing social workers in Canada and right now, unlicensed persons can practise social work without to adhering to standards and practices and ethical requirements

of the registration, and, Mr. Speaker, this legislation will not force—not be enforced until the bill is—gets royal assent, the college is formed, the board appointed and register—registry established and by-laws passed. And once the—once the college will be operating, the government will proclaim the legislation into force.

But I want to say that there is a lot of things that have to be done once the bill is passed, and I want to assure members opposite and the public that government will be there, and we will provide the supports that the college needs during this time of transition, during the time that they are establishing by-laws, Mr. Speaker. But, really, what is important is that the act will require only a person who is certified by the college may hold themselves out as a social worker, because there are many, many, many now who can—who can and do say that they are social workers. But, however, the act does not restrict the practise of social work in Manitoba to registered social workers.

The college will be managed by an elected board with regional representation of registered social workers from across Manitoba, including a student representative and public representation, Mr. Speaker. And the objective of the college—the objectives are the promoting and increasing of professional knowledge; skills of members as social workers; regulating and governing the professional conduct and discipline of all its members, students and professional corporations, consistent with the principles of self-regulation and protecting of public interest, and promoting and fostering in the—in the public a greater awareness of the importance of social work and advancing the professional interest of the members.

And in order to better serve and protect the public, the college will maintain a registry of social workers, students, professional social work corporations and private practitioners. People asked about this, and I want people to be aware that the registration will be available to the public and include the following information to help protect Manitobans: any conditions or limitations on the social worker's practices; the results of any disciplinary proceedings where a social worker's certificate of registration was cancelled or suspension, or have conditions imposed on it, any disciplinary proceedings which the social work was required to pay a fine for. So, Mr. Speaker, those were—that was one of the issues that was raised about—in committee, and the public registry and the

requirements to include public representation on the college board are examples of how the proposed act will protect the public.

You know, Mr. Speaker, there was some concern about how people would be able to get certificates, and an applicant must have either a degree in social work from an accredited post-secondary institute; a degree in another educational program such as psychology, as an example, approved by a college; or a combination of education and/or training, or a combination of work and/or volunteer experience. There will be a three-year period after the act comes into force, during which persons who do not profess the academic credentials may qualify for registration if he or she has recent, or acceptable experience functions in the role of a social worker. A continued—a continuing professional competency program must be established to include reviewing the professional competency of the members, requiring members to participate in programs for ensuring—for ensuring competency, conducting a review of social work practices. As well, a complaints committee will be—would be established consisting of members of the college and public represented to formally review the complaints.

\*(14:40)

So, Mr. Speaker, there was a few issues with regard to who will sit on the board, how Aboriginal people will be included, what the levels of education will be required. There was a question about whether the faculty of the U of M should be on the board. All of those issues will be addressed as the college is putting it together its by-laws.

And I want to assure the members that, as the college is doing those by-laws, we will work closely with them. Those by-laws have to be approved before they can be implemented but this has been coming a long time. We know that social workers have been trying to get this recognition for many years and I'm pleased that we are finally able to work—get to this point. And I want to assure this House that we will work with the college to ensure that there is a smooth transition and implementation of their by-laws after they have been developed.

Thank you very much.

**Mrs. Bonnie Mitchelson (River East):** Comments the minister just put on the record are cold comfort to those that attended committee and spoke and, I mean, her justification and rationalization for

continuing to move this bill forward speaks volumes to the lack of respect for those that presented at committee.

And, Mr. Speaker, I had an opportunity—I don't know whether the minister went out at lunchtime today. I had the opportunity to speak to individuals that were out in the front of the Legislature, that really felt that the presentations that they made at committee fell on deaf ears by this government, that the minister didn't have much of a clue about what was going on, and that she obviously didn't listen to the presentations that were made. Those aren't—those comments aren't me speaking—those comments are—

**An Honourable Member:** Oh, yes, they are, Bonnie. They're you. That's you speaking, Bonnie.

**An Honourable Member:** Maybe you should listen to them up there.

**An Honourable Member:** That's you speaking, Bonnie.

**Mrs. Mitchelson:** Well, I believe some of them are up in the gallery today. And I'm not sure whether the minister took time to go out and speak to them today and listen, or whether she was too busy to hear them out. And some of those that were out there today indicated that they had more of an opportunity to speak to us, as the opposition, than they had the ear of the government or the minister during the 10 years of consultation that this government says that they have done on this bill.

Mr. Speaker, there are many, many unhappy individuals, and when I heard the minister just a moment ago thank the Child and Family Services agencies and the authorities for their input—Elsie Flette was one of those people out at the front of the building this morning who indicated that they had raised concerns with members of the government and they weren't listened to. So for her to stand up and thank Elsie Flette and others speaks volumes.  
*[interjection]*

Well, Mr. Speaker, the Minister of Justice (Mr. Chomiak), the member for Kildonan, says don't personalize this. Elsie Flette was out in front of the Legislature today. She stood at committee and opposed this bill because she indicated there was a lack of consultation. When they were informed about the bill, they had concerns; they went to government ministers and indicated what those concerns were, and those concerns were not listened to by the government.

And I'm not putting words in her mouth, Mr. Speaker, so if the Minister of Justice believes that I'm making this personal, I guess maybe he needs to speak to Elsie Flette and others that made very credible presentations at committee, and they're saying we need our voices heard. We need to be listened to and we haven't been listened to by this government. They do not support the legislation at it—as it exists.

And there isn't anyone that has difficulty with looking at regulation of the social work profession. We've never said that we don't agree with regulation, and maybe that's a revelation to the Minister of Justice, and I have said that many times on the record. So, unfortunately, if he hasn't listened to my comments, it's just like he hasn't listened to people like Elsie Flette and others that have made presentation, Mr. Speaker, so it's a sad day when we have ministers of the Crown that sit in their seats, refuse to meet with individuals that have legitimate concerns, refuse to listen at the committee process when people make presentations.

So it's a sad day in Manitoba, that we're standing here today dealing with a piece of legislation that should be good news for the social work profession. It should be good news but, Mr. Speaker, it is not good news and that's because people that are involved in the social work field feel that their voices have not been heard and, you know, there were some at committee that, you know, were somewhat critical of the Manitoba Association of Social Workers or the Institute of Registered Social Workers, and were saying that it was their fault we had this legislation before us.

Mr. Speaker, we have to point out to all members of our Manitoba society that there isn't any organization that can bring legislation forward in this House. It is the government of the day that brings legislation forward. It is the government of the day, with the endorsement of Cabinet, that brings government legislation forward. So it isn't any one organization's legislation; it is the government's legislation. So, if people's voices haven't been heard, they need to know directly who is responsible for that and it is the government of the day. So let not the profession of social work feel good about anything that this government has done regarding Bill 9 and the implementation of this legislation.

Mr. Speaker, I'm quite frankly, extremely dismayed, extremely dismayed that those whose lives are going to be impacted the most as a result of

this legislation haven't had their voices heard.  
[interjection]

Mr. Speaker, I wonder if you might call the Minister of Justice to order.

**Mr. Speaker:** Yeah, I think let's have a little order, eh. Everyone will have a chance to—chance to have their turn to respond to the bill.

**Mrs. Mitchelson:** I hope, Mr. Speaker, that he will stand up and put his comments on the record, rather than sitting in his seat and making the kinds of comments that he's making because this is too important an issue to have the government not heard.

Mr. Speaker, there are those that have pleaded with this government to go back to the drawing board, to listen, to really listen to the issues that they have raised and to take a little bit more time to get this legislation right. And I know the Minister of Finance (Ms. Wowchuk), who is the sponsor of this bill, says it's been—there's been all kinds of time and all kinds of consultation. Well, I know that there are many, many who don't believe that they were consulted in any way by this government.

\* (14:50)

So, Mr. Speaker, I'm pleading, saying that all of us, all of us would like to see regulation of the social work profession. All of us would like to see it done in a manner that takes into consideration those that are going to be impacted the most by this legislation, and those people have told us that their voices haven't been heard.

So, Mr. Speaker, I move, seconded by the member for Tuxedo (Mrs. Stefanson),

*THAT despite the provisions of the Sessional Order passed on June the 1st, 2009, the motion be amended by deleting all the words after the word "THAT" and substituting the following therefore:*

Bill 9, The Social Work Profession Act, be not now concurred in and read a Third Time, but that it be concurred in and read a Third Time this day six months hence.

**Mr. Speaker:** It's been moved by the honourable member for River East, seconded by the honourable member for Tuxedo,

*THAT despite the provisions of the Sessional Order passed on June 1st, 2009, the motion be amended by deleting all the words after the word "THAT" and substituting the following therefore—dispense?*

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense.

**Mrs. Mitchelson:** I just want to put a few comments on the record—

**Mr. Speaker:** Order. Order. Order. Order. Order. The honourable member has moved the motion.

**Mrs. Mitchelson:** Can I not speak to the motion? [interjection] Oh, I didn't realize that. Sorry.

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** I welcome this opportunity to speak to the motion of the member for River East. I have two reasons for taking great exception to the comments of the member for River East.

I don't—we all have the ability in this House to state different opinions, and I recognize that. I do remember very early on in our tenure when we brought in legislation respecting nurses, and the member for River East went out to the rally and said, they are ruining nurses. Nurses are wrecked because they brought in this regulation with respect to nurses. The member for River East did that, caused all kinds of inappropriate discussion, and was wrong, Mr. Speaker, and, by playing to the gallery and playing to some voices that had been talked to and we had reconciled with, caused a tremendous amount of discord from putting inaccurate information about the issues, by trying to play politics.

Now, it's perfectly all right to disagree, but what's your alternative? The member says she wants regulation. She was in government. She was the minister responsible, and we saw no legislation. We saw no legislation, Mr. Speaker. And social work, of all areas, is an area that understands compromise. It understands trying to accommodate and trying to deal with as many as possible.

I know that when we brought in this legislation, there were difficulties. There were concerns. There were consultations. I'm not sure you'll get a hundred percent agreement. But, Mr. Speaker, in any matter of this kind, at least you bring forward the issues, you discuss the issues. We will have opportunity before the regulations and the by-laws are in place for more discussion and more issues.

What I take exception with is the member isolating individuals and saying, their voices haven't been heard.

They were at committee. Their voices were heard. Whether or not those particular viewpoints

were concurred in in the final legislation, Mr. Speaker, we can't do it one hundred percent—

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

**Mr. Speaker:** Order. Order. Order. Order. To be fair, I called the honourable minister to order when he was speaking from his seat. And now I'm asking the honourable member for Emerson (Mr. Graydon) to do the same, and all members in the House here, because I want to be fair to all members. So I think the member that has the floor should have the opportunity to speak, and the other members are here to listen to the response, and they—and every member will have the opportunity to put their response on record after. The honourable minister has the floor.

**Mr. Chomiak:** I thank—and I actually don't—I'm trying—actually, I don't want to personalize this either, and I probably shouldn't.

There is so much—the most—some of the most difficult legislation any minister have is professional organizations, and there's so many viewpoints and it's so difficult to try to bring in legislation of this kind. One brings it forward in attempt to satisfy the concerns of the public, which is most important, and the concerns of the organizations. In almost all cases, there's compromise necessary, certainly in the case of social workers who are the most, in my view, flexible. And, you know, anyone who goes into social work deserves a—*[interjection]*—you know, it's an—

**Mr. Speaker:** Order. Order. I ask the co-operation of all honourable members. That includes all members. The honourable minister has the floor. He should be the only one that is speaking at this moment. The honourable minister has the floor.

**Mr. Chomiak:** Anyone that goes into public service, social work, nursing, police, I think they're remarkable people. I've seen the work, remarkable work.

I—this legislation is not perfect. This legislation was brought about as a result of consultations with all organizations and all groups. It's an attempt to bring a first step in a—in an organizational structure that's still open to flexibility and change. The point I was trying to make, and I'm still trying to make, is to withdraw this legislation—and we are in the same position with the police act—to stop now after months and after a year of negotiations and discussions, might put it, again, in the background for another decade, and it's time to move forward.

It's time to move forward in a compromised fashion. It's time to move forward, discuss it again with all the groups and organizations. They'll be represented on the interim council. There'll be a chance to deal with the outstanding issues on their by-laws, but let's not stop the progress that's been made after a score of years of lack of action. Let's move forward in this legislation. We have the ability to move forward in this legislation. There's a number of years before the factors can come into play, but at least we'll have a chance to put in place some form of regulation that will—that will move the profession forward.

To say that all voices weren't listened to at committee would be to contradict the very nature of committee itself. We have committee and public presentations to hear different viewpoints. We not—may not be able to accept all of the different viewpoints and craft legislation to do that. That would be almost literally impossible. What we try to do is accommodate and reflect in the best interests of Manitobans, try to get it right. This kind of legislation is extremely difficult, but to say that we haven't listened or haven't heard, I think, is inaccurate.

I know in my discussions with the minister responsible prior and to the minister responsible since, there's been active participation and discussion, and there will continue to be. So I suggest, and I will indicate that this side of the House is not in favour of the hoist motion brought forward by the member for River East (Mrs. Mitchelson). We'll be voting against it. We'll be moving to proceed to do what we indicated when we first announced the legislation a year ago, had discussions, brought it through the process.

We'll continue to move forward. We'll continue to discuss. It's not perfect, Mr. Speaker, but it's a way forward and to not—and to not go forward now would probably render the profession a severe disservice by having nothing, and I've been in this Legislature for a long time, and I know how difficult it is to get this legislation through and to try to do it. It's a step forward. It's not perfect, but I think the hoist motion would do a disservice to both the province and the profession. Thank you.

**Mr. Speaker:** Prior to recognizing the honourable member for Tuxedo, just wanted to inform the House and for the record, that the motion was in order. The motion—the motion is in order.

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I just wanted to start off by saying that I know the member for River East (Mrs. Mitchelson), I know, wanted to speak on this motion as well, but under our rules, that is not allowed, and so I know that she would have spoken very eloquently on this subject, and I know that this is a very important motion for members on this side of the House, very important motion for those members in Manitoba, those social workers in Manitoba who had been left out of the consultation process with respect to Bill 9.

And we believe that it's extremely important that when they've—when people have been left out of the consultation process, that it is incumbent upon us as opposition to bring these things forward in this Legislature to the best of our ability and utilize the tools that we have before us to be able to ensure that those voices are heard in the Manitoba Legislature. And so that is why the member for River East has introduced this motion. That is why I am in support of this motion.

\* (15:00)

And I know that the member opposite, the Minister of Justice (Mr. Chomiak), mentioned that he said, and I quote, this legislation is not perfect.

Well, no kidding, Mr. Speaker. And that's exactly what people have been saying. That's what they've said at committee. That's what they've said when they were out on the front steps of the Legislature yesterday and today. That's what they have been saying, is that this legislation is flawed, and the reason it's flawed is because members opposite and Cabinet ministers opposite put forward a bill without proper consultation from all stakeholders in the community. And that's what we heard at committee that evening when Bill 9 came forward in the Manitoba Legislature.

And I would suggest that the minister of—the Minister of Justice and members opposite, and the Minister of Finance (Ms. Wowchuk), who introduced this bill and who is responsible for this bill, that they take their own piece of advice, and if they say that this legislation is not perfect, then they support this motion to hoist this bill for six months, so that proper consultation can take place, so that those that came out to committee and took time out of their schedules, up to past midnight, Mr. Speaker, while they took time out of the schedules to come out and let this government know that they were not properly consulted.

But it's unfortunate, Mr. Speaker, that members opposite will not support this motion and have indicated that they will not support this motion because they believe that they know what's best for Manitobans. They don't believe in consultation. We see that with so many other bills that are brought forward in this Manitoba Legislature. And I think it's unfortunate that there are those in the viewing gallery today, that there are those in the past viewing—in the gallery, that they are—that they have to see this kind of debate back and forth, where they really see that there is a lack of consultation when it comes to this government. This is very indicative of the way that this government does and handles pieces of legislation. And I think it's unfortunate that members—that members from the—from the viewing public have to come down here to the Manitoba Legislature to see the kind of government that this government runs, and it's unfortunate.

You know the member—the Minister of Justice also said that we're playing to the gallery, which is absolutely ludicrous, Mr. Speaker. This is about standing up for those social workers in this province whose voices have not been heard by this government. And it's not for their lack of trying, because they have tried time and time again to come and get meetings with the Minister of Finance on this piece of legislation. But, unfortunately, their calls have been denied, and it's unfortunate. But members opposite and ministers, and there are other ministers here who are part of this bill going forward. They were all part of it and agreed to it from Cabinet. They knew about the lack of consultation, in general, out there in the public, and yet they still wanted to ram through this piece of legislation through the Legislature in its flawed condition.

And I think it's extremely unfortunate that things had to come to this, Mr. Speaker, because had they done their—and the Minister of Justice said again from his seat and in his comments earlier, he said that these people were consulted, that they had the opportunity to come out to committee and speak and be heard at committee. Well, had the minister done her homework in the first place, had she properly consulted those in the public who came forward, most of whom spoke at this—at committee that evening, most of whom said they had serious problems with this legislation, yet the minister refused to listen to them and continued on to pass this bill.

But the point is, Mr. Speaker, had they properly consulted these individuals and these organizations

in the first place, we probably wouldn't be sitting here today having this kind of a debate. And I think it's unfortunate that we have to be here, time and time again, with pieces of legislation that members opposite introduce in this Legislature without doing and giving proper consultation and allowing a proper consultative process to occur with respect to bills in this Manitoba Legislature.

The other thing that the Minister of Finance said is that we will work closely with stakeholders. You know, trust us. Well, how can members here in the gallery today, how can those who spoke at committee the other night honestly believe and trust this government to now, suddenly, allow them to be closely consulted and be a part of the process when they were denied that ability in the first place? So I think it's unfortunate. It's, oh, we'll just pass this and, then, oh, we'll deal with the rest in regulation. Everybody will be consulted. Well, I would suggest that, Mr. Speaker, that actions speak louder than words, and if members opposite wanted to do the right thing, they have the choice to do the right thing today, and the right thing would be to support this motion brought by the member for River East (Mrs. Mitchelson) on behalf of so many Manitobans that see that this piece of legislation is very flawed. Thank you very much.

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, you know, I, too, like the other members, sat through a number of hours in terms of listening to what presenters had to say and, not only in terms of listening to the formal part, but you also are afforded the opportunity to listen off the record as there's breaks or you might want to use the washroom facility or something of that nature. And one of the frustrations was this feeling that the government's just not listening. They're not listening to what is being said and, you know, who can blame?

Here we are in third reading on a hoist motion, talking about the bill, and the minister is listening as well right now as she was when she was in committee, Mr. Speaker. You know, the minister did not listen during the committee presentation in the sense that you had numerous presenters and after the presentations were done, we went through the normal process of clause by clause and I think there was one amendment that she had brought in. And I was of the opinion, in listening through the process and following what took place, that, in fact, the minister was assigned that responsibility because the former minister, the Minister of Finance, had introduced the legislation. I don't know to what

degree she was even aware of the legislation prior to taking on the responsibility of ultimately seeing its passage.

One could question in terms of, well, why would the Minister of Finance be the sponsoring minister for the bill, as opposed to the Ministry of Family Services and Housing, because, you see, Mr. Speaker, I would argue that there is a certain rapport or relationship with the Ministry of Family Services with a number of the different social workers and the child agencies that are out there, the different stakeholders, that would have a vested interest in Bill 9 compared to the Ministry of Finance.

So I think it's a legitimate question to ask why it is that you would have the Minister of Finance sponsoring this bill, and then, ultimately, to add insult to injury, why it is that the minister didn't seem to—yes, she was physically present and she was listening to the presentations that were being there—that were being made, but there just didn't seem to be any real response to the presentations. It was almost like we're going through the motions, and I'd like to give a very specific example of what I mean.

You know, one of the flaws that was pointed out in the bill was the fact in terms of the make-up of the board, and that we felt that there should have been some sort of a guarantee in the legislation for Aboriginal representation. And members will recall, that was the amendment in third reading that I, in fact, moved, and it was interesting in listening to the Minister of Justice (Mr. Chomiak) make reference to Bill 16, and if you take a look at Bill 16, it actually does make that reference. The Minister of Justice saw the value of having Aboriginal representation, guaranteeing through legislation, Mr. Speaker, and it was a part—it was a part of Bill 16.

In fact, at the time, the Manitoba Métis Federation, through David Chartrand, acknowledged that it was a good thing, but he also pointed out that it would be good to have Aboriginal being better defined. Why not have it, you know, as a Métis, so you would have a guarantee that there would be Métis representation on the police board?

Well, Mr. Speaker, here we have a different piece of legislation, Bill 9, and when we asked questions of the presenters, I can't recall any presenter saying, no, that we shouldn't be allowing for that to occur. It seemed that the stakeholders from all the different sides seemed to be of the opinion that, yes, it would be a good thing to see.

And that's why I half expected the minister responsible for the bill to acknowledge that fact because there was so many presentations in which there was a comment made reference to the need to make that amendment. And once we finished the public presentations, the minister did not bring forward an amendment to the issue.

\* (15:10)

So we bring it forward in third reading. And, again, the minister ignores the issue, yet we don't quite understand the logic behind ignoring the issue. We have a number of presenters that raised a wide variety of issues and concerns that they had with regards to the bill.

The current Minister of Justice (Mr. Chomiak) indicated in his comments on the hoist motion, that yes, it is—it is a flawed bill. That there—that there is—it's not a perfect bill, it's not a perfect bill, okay.

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

**Mr. Speaker:** Order. Order. Order. Order. I have already called other members to order and, on both sides of the House, and now I'm asking the co-operation of the honourable Minister of Agriculture and Food and Minister of Finance (Ms. Wowchuk). I have called order on all members. So I need—so I'm asking for your full co-operation here.

**Mr. Lamoureux:** And I do believe that the Minister of Justice is correct in his assessment, that it is not a perfect bill and that there is room for improvements on Bill No. 9. But I equally believe, Mr. Speaker, that had the government been listening to some of the presentations in a very genuine fashion, not just listening, but be in a position to actually act on some of those ideas that were being talked about, that, in fact, today we would have a better bill.

I would suggest to you that the Minister of Justice, for example, himself or another minister, that really had a vested interest in doing what's right, would have acknowledged that yes, there is some things that we can do today in order to make the bill—even if we make those bill—whenever you have substantial legislation, quite often a person can stand up and say it is not perfect. But it's better—it's better than nothing. And, Mr. Speaker, I suspect that would be acceptable if, in fact, there was nothing else that was being brought forward at the time to make the bill even that much better.

I believe that the bill could be improved upon. That it would be nice to see some amendments brought forward. That had the government done its—done its homework, Mr. Speaker, that there could have been a number of amendments that, I think, would have went a long way in appeasing a great number of social workers and other stakeholders. And, ultimately, the biggest winner of this would have been the people of Manitoba, in particular, our children because it would have been a—it would have been a better bill.

Suffice to say that the Manitoba Liberal Party does support the need to have The Social Work Profession Act. We do support the need to have it. But, having said that, we do believe that it could be a better bill and maybe the six-month hoist would allow that to take place. And to that end, we see the value of the six-month hoist and, in anticipation, that we would actually have even a better bill. And, you know, to put it off for that six months might do all of us a better service for all Manitobans. Thank you, Mr. Speaker.

**Mr. Speaker:** Question?

**Some Honourable Members:** Question.

**Mr. Speaker:** Is it the pleasure of the House to adopt the amendment?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

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

\* (15:30)

#### Formal Vote

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** A recorded vote, Mr. Speaker.

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

The question before the House is the amendment moved by the honourable member for River East (Mrs. Mitchelson).

### Division

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

#### Yeas

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

#### Nays

*Allan, Altemeyer, Bjornson, Blady, Blaikie, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Lemieux, Mackintosh, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Rondeau, Saran, Selby, Struthers, Swan, Whitehead, Wowchuk.*

**Madam Clerk (Patricia Chaychuk):** Yeas 18, Nays 28.

**Mr. Speaker:** I declare the amendment lost.

\* \* \*

**Mr. Speaker:** We will now continue debating Bill No. 9, The Social Work Profession Act.

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, I'm pleased just to put a few words on the record with respect to Bill 9, The Social Work Profession Act. And I want to thank, firstly, the member for River East (Mrs. Mitchelson) and all of those who came to committee to make presentations on this important piece of legislation.

Mr. Speaker, we have put forward a request to the government to withdraw this bill for further consultation with stakeholders. That request has been refused by the government, and the basis for that request is the fact that what the government is attempting to do, through Bill 9, is to water down or lower standards in connection with an important profession of social work, and we've heard from presenters at committee, a variety of different perspectives and concerns.

Not all of those perspectives and concerns were identical in terms of the challenges and problems that were viewed with the bill, but where presenters were unanimous was in the fact that there had been insufficient consultation with experienced social workers and others who have a stake in providing these important social services here in the province of Manitoba. And we note, Mr. Speaker, through the submission of the experts, that, with this bill,

Manitoba is proposing to move itself out of step with what's happening in other provinces across Canada. And, in particular, we look at standards and requirements in the provinces of Ontario, Alberta, Saskatchewan, British Columbia and New Brunswick, all of which—all of which provinces will have, following the passage of this act, higher entry requirements and standards than what is being pushed through with Bill 9 here in Manitoba.

Mr. Speaker, we have raised in this House, and we have raised in many different contexts, our concerns about the mismanagement of the Child and Family Services system under the watch of this government. And we've seen some of the tragic results that have come as a result of children falling through the cracks as a result of a rushed process of devolution and as a result of a lack of accountability at the level of government when it comes to the oversight of the important work being done within Child and Family Services and in particular, by those who are—who are social workers within that—within that system.

Our concern is that Bill 9 represents a step backwards rather than a step forwards in terms of ensuring that we are doing everything in our power to provide for those vulnerable children, and to ensure that those who are working in this area have the level of training and background that's required to make the extremely important judgments that are made by people every day within this profession. We know, when we look at other examples of other caring professions in our province that somebody with volunteer experience in a hospital is not simply permitted to be registered as a nurse, that somebody with volunteer experience in a classroom is not merely permitted to be registered as a teacher. And in other professions, we see that there is a requirement for meeting a certain level of expertise and education and experience in order to be put in a position of exercising these very important, and in some cases, life-and-death judgments that are required of social workers in Manitoba.

For all of these reasons we are opposed to this bill. We're disappointed that the government has failed to take into consideration the very valuable input of experienced social workers in Manitoba, people who are working on the front lines. And, for all of those reasons, we oppose Bill 9, and we fear that, upon its passage, this will represent yet another step backwards in terms of protection of vulnerable children within our Child and Family Services system here in the province of Manitoba, and I

encourage all members to take into account the input of members of the profession and to support us in opposing Bill 9. Thank you, Mr. Speaker.

**Mr. Speaker:** Before recognizing the honourable member for Tuxedo, I have a correction for the record. There was 18 Ayes, and 29 Nays.

The honourable member for Tuxedo, to continue the debate.

\* (15:40)

**Mrs. Stefanson:** Mr. Speaker, welcome—all I can say is, welcome to democracy in Manitoba under an NTB government. This is a government that feels that it knows best, better than professionals in the industry out there when it comes to the social worker profession, and I think it's unfortunate.

This is a sad day in Manitoba for the most vulnerable children in our society and the most vulnerable people in our province, and I think that this government has done a disservice by not allowing for the member for River East's (Mrs. Mitchelson) motion to go through, to allow for six months of proper consultation. It's obvious that that consultation did not take place prior to the passage of this bill, and I think it's unfortunate that members opposite are so afraid to listen to those who know, who've worked in the industry for some 40 years plus. I think it's unfortunate that they didn't allow the opportunity for that motion to pass, to allow for the consultation to take place, but I think it's very typical of this NDP government. They believe they know best. They know better than everyone else in Manitoba, and it's the arrogance of this government that unfortunately we're seeing before us today.

So I know the member for River East and I have worked with various stakeholders in the community who came out to committee, who spoke at committee, who expressed their concern about this bill, unfortunately they were not listed to, and, again, I just want to reiterate the fact that this government had an opportunity before that process, before bringing this bill forward in the Legislature, to properly consult those stakeholders in the community, yet they chose not to, Mr. Speaker. And we say shame on them. Shame on them for not supporting the motion that was before this Legislature today, and I would encourage them to do the right thing and not pass this through third reading today, to pull the bill themselves, to show some leadership on behalf of those most vulnerable

citizens in our society, to show some leadership on their own because they still have an opportunity here to do the right thing. They can choose not to pass this through third reading. We hope they do the right thing on behalf of those most vulnerable citizens in our society. Thank you.

**Mr. Lamoureux:** Mr. Speaker, I'll try to keep my comments brief.

In the third reading hoist motion, I made reference in terms of the government in committee and its lack of attention given to the presenters. And, of course, there is a procedure that is supposed to be in place prior to the bill even being introduced into the Legislature and that, of course, is that of a consultation. I've, again, had opportunity, as other members, to talk to individuals, different stakeholders, representatives, and was disappointed to hear that there seems to be this contradiction. You have individual presenters and some of the stakeholders, on the one hand feeling that they weren't consulted, that they weren't provided any sort of information as to what the government's intentions were in regards to this bill, and then you had, on the other hand, the government of the day saying that we had all sorts of consultations over the last decade.

I believe that had there been types—genuine consultation, that we wouldn't be at the situation where we are today. I think that most, if not all, recognize the value of having the profession and an act of this nature ultimately pass. The issue is, should it pass in this current form? And that is something in which we have within our own caucus given a great deal of discussion to, as it's been pointed out in terms of other concerns in other professions. And, at the end of the day, our concern is that we do believe that there needs to be some form of legislation, and my gut feeling is, is that if this legislation were not to pass or, unfortunately, had the government not accepted the hoist motion, we're not too sure in terms of what would ultimately happen within that profession. And, therefore, ultimately, we wish that the government would have done its homework prior to bringing in the legislation, Mr. Speaker, because had they been consulting with the many different stakeholders, I would suggest to you we wouldn't have even had nowhere near as many, in terms of numbers, of people that would have come to the committee stage. And the reason why we had the numbers that we had coming to the committee stage, I believe, was because individuals did not feel that they were, indeed, consulted. And when we look at the—at the government's response to the whole issue

of consultation, the only real, tangible thing that they've said on it is that they've been working on this issue for the—for the last 10 years.

Well, Mr. Speaker, I don't—I don't believe that they did appropriate consultation. I know the Leader of the Manitoba Liberal Party would also like to be able to say a few words before its passage. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, just a few comments on this legislation. We certainly see some shortfalls and shortcomings in this legislation, both in terms of making sure that there's representation of Aboriginal people, including Métis, on the board, and in terms of the standards that are provided for under this legislation. And certainly there has been, as I would see it, inadequate consultation and discussion, but no, notwithstanding our concerns, we feel that it's better to move forward with this legislation and then work to improve it, subsequently recognizing that it will need some improvement, than to vote against it at this point. So we will support this legislation.

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

**An Honourable Member:** Yes.

**Mr. Speaker:** The question before the House is concurrence and third reading of Bill No. 9, The Social Work Profession Act.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

#### Formal Vote

**Mr. Goertzen:** A recorded vote, Mr. Speaker.

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

Order. The question before the House is concurrence and third reading of Bill No. 9, The Social Work Profession Act.

#### Division

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

#### Yeas

*Allan, Altemeyer, Bjornson, Blady, Blaikie, Braun, Brick, Chomiak, Dewar, Doer, Gerrard, Howard, Irvin-Ross, Jennissen, Lamoureux, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Rondeau, Saran, Selby, Struthers, Swan, Whitehead, Wowchuk.*

#### Nays

*Borotsik, Briese, Cullen, Derkach, Dyck, Eichler, Faurshou, Goertzen, Graydon, Maguire, McFadyen, Mitchelson, Pedersen, Schuler, Stefanson, Taillieu.*

**Madam Deputy Clerk (Bev Bosiak):** Yeas 31, Nays 16.

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

Okay, we will now move concurrence and third reading.

#### Bill 26—The Apprenticeship and Certification Act

**Mr. Speaker:** We will now deal with Bill No. 26, The Apprenticeship and Certification Act.

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Competitiveness and Training (Mr. Swan), that Bill No. 26, The Apprenticeship and Certification Act, Loi sur l'apprentissage et la reconnaissance professionnelle, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

**Mr. Speaker:** It's been moved by the honourable Attorney General and seconded by the honourable Minister for Competitiveness, Training and Trade, that Bill No. 26, The Apprenticeship and Certification Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

**Mr. Blaine Pedersen (Carman):** I was all choked up. I just want to welcome back the Minister of Competitiveness, Training and Trade from his brief respite from his job as Minister of Competitiveness,

Training and Trade. I'm sure he's happy now that he is once again mobile and on the go.

\* (16:00)

This bill—this bill, again, Mr. Speaker, is—as we've seen with Bill 9, as we've seen with so many of the bills that we've been dealing with in this fall session of the Legislature is poorly crafted, ill-thought-out and, by virtue of majority, is being rammed through with little or no consultation of the industry. And it certainly is a consistent pattern that this government has and it's—I guess it's a sign of being in government too long. You just sort of figure you know what's best for the province, so don't listen to anybody else, don't listen to—we brought forward some amendments we thought that were at least worth debating. The government didn't even seem to want to debate the merits of the—of the amendments brought forward. They've been somewhat short on putting comments on the record as to the bill. I guess, again, they know—they take the attitude of knowing best what's for the province and not listening to the industry.

There's the apprenticeship program in Manitoba—is very important. There's a lot of apprentices being trained. We know—we recognize that there is a shortage of apprentices. We recognize that we need to train more. And the program was working. And sort of the old adage, what's not—don't try to fix what's not broken. But I guess, I guess they're—rather than trying to fix it, they're just going to tinker with it.

And what they're doing is they're moving the—they are centralizing power and that's, again, a sign of a government that's out of touch. The minister and the Cabinet gets more power under this act—changes to this act. We think that's a wrong move that's taking away the voice of the industry that's—industry—and that's industry from both apprentices and the companies that hire apprentices.

This bill should really be—you know, we're not even going to do a hoist on it because we realize this government is so arrogant that they're not even going to consider that. So they—we realize that it's probably going to pass through third reading unless they have some sort of a great inspiration over night, but I doubt it. I think they're more interested in counting sleeps on the First Minister than they are—and on a leadership campaign than they are on doing good debate on a bill. And that's, again, unfortunate that that's the way they're going.

In parts of this bill, in terms—and we raise these objections during the debate on this bill, in terms of—one of the things is inspections, compliance, penalties. We think it's overkill. The industry has told the department that it's overkill. Now it's going to happen on a site-by-site basis that you're going to have overlaps between the Labour Department and Minister of Competitiveness, Training and Trade in terms of compliance. One day the Labour inspector or inspector for the Labour Department is going to walk in and tell employers and employees that particular inspector's interpretations of the rules. The next day, Competitiveness, Training and Trade is going to walk in and they've set this act up so that that will happen. That's the least—the last thing we need to have in industry, and for workers, is more compliance, more interpretation of compliance rules.

And everyone wants to see a safe work site. There's no doubt about that. But it needs to be practical and it needs to be working effectively and this bill does not help that. In fact, it's going to hinder it as I say, because now they have overlapping compliance rules between two departments.

This bill is giving additional powers to the executive director. The executive director will be able to make decisions about apprenticeship, certification without consultation to the board. We've, again, said that this was—that's what the board is there for. The board should be in place. The executive director should be able to bring those recommendations—the proper way to do this is for the executive director to bring those recommendations to the board and have the board approve them. But the way the bill is set up is that the executive director alone will be able to make these recommendations and certifications. And perhaps that will work in some cases, but there's no safeguard in that system when you do that because you're putting the power in the hands of fewer and fewer people, and it becomes not accountable to the very apprentices and to the companies that hire the apprentices. So we have a lot of concerns with this bill. We fail to see how this bill is going to streamline, and not only streamline, but how it's going to encourage more people to move into the apprenticeship trade.

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

But I did come across an interesting quote the other day, and if I can just find it here. Apparently the Minister of Competitiveness, Training and Trade (Mr. Swan), in speaking on a radio program one night [*interjection*]-as a leadership candidate, was

talking about our labour market continues to have remarkable strength and, of course, Manitoba's doing so well, according to the minister—according to the minister, of course. But now I'm just—I'm just having a bit of trouble finding this quote, but it was—it was an interesting one because he was saying that—what he was—what he was referring to is that people wandering—why wouldn't people become engaged in the apprenticeship program rather than wandering around university, filling in time in university. So I apologize somewhat. I can't find the direct quote, but that was the gist of it. And interesting that the minister, who himself would be a university graduate, would encourage people to do apprenticeships instead of a university program.

But, nonetheless, this bill, Madam Deputy Speaker, is—once again, I'll put it on the record—this bill is poorly crafted, ill thought out, and a sure sign of an arrogant government that has not the interest of apprentices across Manitoba in mind, and it's certainly not looking at the long-term needs of the apprenticeship act, and how to encourage people to come into the apprenticeship act. It doesn't speak anything to that, it only speaks to the government's agenda for centralizing power.

And with those few comments, Madam Deputy Speaker, I urge this government to not pass this bill. It's a poor piece of legislation. Thank you.

**Mr. Kevin Lamoureux (Inkster):** One of the things that in addressing Bill 26 that I would like to focus some attention on is an issue in which comes up on a regular basis for me, personally, in terms of trades and different occupations, where individuals from abroad will come to our province and, ultimately, look to get support in terms of getting their credentials recognized. And one of the things that is always a concern to myself is that, in the province of Manitoba, we have a great deal of individuals that have all sorts of expertise and training and education, and that those skill sets aren't necessarily being maximized because, at times, we tend to put up some barriers in place that, ultimately, cause individuals not to be able to do the types of things that they could be doing if, in fact, those skill sets were, in fact, going to be recognized.

I see here that in this bill that there's gonna be a lot more control, actually, going to the minister responsible, Madam Deputy Speaker, in the form of annual reports, as an example. And those annual reports will now have to be, in essence, approved by the minister. And this is something in which,

ultimately, causes some concern. One would like to think that there would be some sort of a provision that would allow for those annual reports to possibly even be brought forward to the Legislature in a more formal process.

\* (16:10)

And I look to the minister in anticipation that, at some point in time, that we will see the merit of that, that there does need to be some more transparency and accountability on the whole issue of recognizing skills and talents that people have in our province, where they're coming from another province or they're coming from another country. And, you know, I've heard this particular minister in the past, in terms of talking about recognizing those talents and skills.

And we look forward to seeing something that's tangible that clearly demonstrates that the government's intentions are to break down some of those—some of those barriers. And in looking at these annual reports—in looking at these annual reports that the minister has to sign off, there is an opportunity there for us to see a comment, and that's why I look forward, and I look to the minister in expectation that once we do get some of those annual reports coming in, I'd be very much interested in comments as to where the government is, in regards to things of that nature, that there be no doubt that there is—this bill will, in fact, make a very real difference, not only for trades, but a great deal of occupations. It has the potential to affect all occupations in the province of Manitoba and, therefore, it's one of those pieces of legislation that I suspect will, in fact, be monitored in the—in the years ahead, and we expect that the government will, in fact, co-operate in terms of being more transparent in the whole trades and apprenticeship area, and look forward to the next Estimates process.

Thank you, Madam Deputy Speaker.

**Mr. Cliff Graydon (Emerson):** Madam Deputy Speaker, and it gives me pleasure to stand and speak to this bill.

Madam Deputy Speaker, the apprenticeship program is a—is a very important program, and it's especially important to me as I—as I went through an apprenticeship program that became the model of all Canada and United States. I was through the second class of that—through the second class that was held in British Columbia at the time.

And so, Madam Deputy Speaker, it's—the apprenticeship program is important to me, but I also know the value of how important it is to the construction trades and how important it is to the economy of our province and of our country. And so when I—when I see a bill like this brought forward—and I believe that the Minister for Competitiveness, Training and Trade (Mr. Swan), I think that he made a valiant effort, but because of his age, perhaps, and his—and his inability to connect with the average working person and not knowing exactly—exactly what was really needed at ground level, he has made a few errors, and we've attempted to address those with amendments, and I was surprised that he—that he didn't adopt those amendments as they were presented.

I know that he was distracted, that the leadership was coming up and he was contemplating this and when he left his post and went into the leadership race, I have to—I have to admit, Madam Deputy Speaker, that there was a ray of hope—there was a ray of hope from this side of the House that he would be successful. We seen common sense enter into the—into the fray. We seen him make statements—make statements like, I believe we need consultation, proper consultation. And that statement was made with reference to the east side Hydro line. That was important. That was a breakthrough. That was proper consultation. He recognized it. There was something wrong, that it was not done right in the first place, and when we brought up the amendments in this bill, we need to point out that there wasn't proper consultation, but he—when he went into the leadership race, realized there was a mistake. And so today, he has an opportunity to correct that mistake with this particular bill in this very House. And we would be very proud of him to do that, to stand in his place and say, yes, we have made a mistake by not accepting the amendments.

Madam Deputy Speaker, when I—when I speak to the fact that there was no consultation, I can go back to the beginning of the year when there were two unions. Two unions are very closely related, and perhaps I can tell you what the bill does say. The bill says a board can be established, a provincial advisory committee, a PAC, for a trade or occupation or for two trades or occupations that are related. Well, this spring there were two such trades, two such trades that were related and it was the minister, it was this very minister that sits in his chair today that took the opportunity to take one of those unions and pit it against the other, and it's little wonder, it's little

wonder that the management, the backroom boys of the NDP party pulled him out of the race.

It's little wonder because he didn't understand—he didn't understand what he had actually done. He had pitted two of those supporters against each other. One of them by reducing—by reducing their apprenticeship program by one year—by one year when their brothers sitting across the table, similar unions in the same building, are five years, Madam Deputy Speaker. It did a number of things. What it did was it lowered the quality of apprentices coming out of that program because they will come out with four years.

The leaders of the union that sits in the same building said, we do not condone that action; would you please help us, and we tried. We've tried to discuss this with the minister, but his mind was clogged with other things like: I could be the leader, I could be. Well, he couldn't be because the backroom boys said, nope, you're not gonna be. What he did was he put companies at risk. Companies had bid jobs. Companies were doing jobs. They were partway through jobs, and they found out that their apprentices had to be paid at a higher scale. He never lowered the pay rate for the apprentices; he just shortened the apprenticeship program. He shortened it from five years to four years, but the pay remains the same. So the employer isn't getting his money's worth and the consumer—that's the ultimate person in this game is the consumer—is not getting their money's worth either. So there's little wonder that he was removed from the leadership race.

Elevating unqualified people creates issues, and I've spoke to the economical issues, Madam Deputy Speaker, but we need to speak to the more important issue. The more important issue is safety, and for any of the members opposite I know most of you have never really had to work with construction; you're above that. But there are some members—*[interjection]* There are some members over there that are fully aware—*[interjection]*—fully aware of what the dangers are of working with construction.

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

**The Acting Speaker (Ms. Brick):** Order. Order. Order. I just want—*[interjection]* Order. I want your—*[interjection]* Order. I want to remind all members that there are loges available if they wish to have private conversations.

**Mr. Graydon:** Thank you, Madam Deputy Speaker, I appreciate that. It's unfortunate that they don't have any couth over there. As I was saying—

**The Acting Speaker (Ms. Brick):** Order.

**Mr. Graydon:** —the big, the big issue—

**The Acting Speaker (Ms. Brick):** I just—order. I'd like to remind all members that all members in this Chamber are honourable members. Please keep that in mind. Thank you.

**Mr. Graydon:** Thank you. Now, as I was saying, the issue other than the economical situation or issue that's raised by this—by this minister when he—when he downgraded the apprenticeship program from five years to four raises an issue of safety. Safety on construction is very, very important. Now, I know the member from Transcona believes that he worked on construction, but mowing lawns is not construction, I'm sorry. Construction workers work in a dangerous environment every day. Every day they work in a dangerous environment, and if the people that they're working with are not qualified, this poses a greater danger to those that are. And so, Madam Deputy Speaker, those are one of the—that's one of the points that I'd like to bring forward.

\* (16:20)

The other point is that the executive director, as it says here, has the authority to issue an occupational certificate in a designated occupation if they are of the opinion. Now, we have an executive director who has an opinion that the individual has met a prescribed standards and requirement for certification. There is no business agent, there's no assistant business agent, there's no one in the union that would allow that, that by one man's opinion, that you could be certified. That's wrong. It should be removed from here. The minister should know better than that, but because there was a lack of consultation, he doesn't know. And we brought it forward, and he dismissed it because he was distracted with some other issues, that he thought that he might become the leader of the province. Well, he was wrong there. He's wrong in this particular bill, Madam Deputy Speaker.

I want to go to the compulsory certification trades that's in this bill. And they say that a trade will not overlap with or duplicate another designated trade unless prescribed. So then it says, no person shall work in a compulsory trade unless certain conditions are met, including that he or she—and I'll list those: they hold a valid certificate of

qualification for the trade, is an apprentice in a trade, holds a valid certificate issued by another jurisdiction in Canada, is registered in another jurisdiction training program the executive director blah, blah, blah, is permitted under regulation, holds a temporary permit, is engaged in factory mass production, or drives taxi; that's the only thing that's missing here. There's no need under this bill to have any certification. None. I'm surprised. I'm surprised that even people followed you in this leadership campaign when you bring something like this in here. It's so pitifully, pitifully crafted.

So, Madam Deputy Speaker, I think we—what we need to look at is that this bill should be—and I think the minister will agree—that he should take this bill back and ask us on this side for some advice. And I'm sure that he's thinking seriously about that now, and I'm not sure whether I need to carry on or whether I've said enough to him.

But it takes away—the bill takes away from the unions. It takes the power away from the unions to negotiate. So in all seriousness, if you are going to have—if you're going to have an apprenticeship that goes through—or an apprentice that goes through four years instead of five, there are people out there that do have the ability to do that and become competent workers, competent journeymen. There are others that—more than enough that need the five years. There isn't a union head that won't tell you that. So, when the unions go to bargain, when they go to bargain like we do today, we see that we have a—there's a strike going on out there right now, I believe. One of the leaders—or leadership hopefuls are walking the picket line.

But you need to have some bargaining power, and you need to be able to say with all honesty, we have the best. We have the best apprenticeship program that's possible in this country, we have the best tradesmen, we have the best-trained tradesmen in this country. And I say, Madam Deputy Speaker, that under this particular legislation, the minister cannot say that. He can't say that. And I'm sorry, but some of the unions can't say that, and when they go to bargain with the employers—who ultimately have to answer to the consumer, and that consumer could well be this particular government. You have to understand that, and the minister understands that, I'm sure, but some of his colleagues may not.

Some of the members opposite don't understand that some of the—actually, the most—the most activity that's carried on in this province today is done with

public funds because of the regulations that they have and their taxes that they have, the tax scheme that's there. Most of private enterprise has chosen to develop in another province. However, if they do choose to develop here and whether that happens to be through the public development or public businesses, or if it's through private, you still have a customer that has to be satisfied. And the unions are prepared to do that. They are prepared to do that, but the minister has taken and lowered the expectations, the expectations of the apprentices. He has done that this spring. He has cost thousands and thousands of dollars to the industry.

So, Madam Deputy Speaker, if the minister's paid any attention at all to what's been said here today, I would suggest that he will have agreed with me and my colleague from Carman, who have put some excellent suggestions on the record, and he would withdraw this bill. Thank you very much.

**Mrs. Mavis Taillieu (Morris):** Well, Madam Acting Deputy Speaker, I just want to make a few comments in regard to Bill 26, The Apprenticeship and Certification Act. And I—we've heard from some of my colleagues here about specific issues that they have brought forward in regard to the bill.

I want to talk a little bit more about the philosophies behind legislation and the ways in which governments bring in legislation. I think that we could look at two ways of doing that. And, normally, I think, what the process would be is the stakeholders from the public, those who have a vested interest, would bring those concerns to the government and say, we would like this to be brought forward into legislation.

And then there's the other philosophy of this particular government, that they like to do things from a top down. Whatever they decide they would like to put into legislation, they do that first. They send out notices to the stakeholders saying they're going to do it and call that consultation. And that's a bit of a concern, legislation without consultation.

We sort of see this quite frequently when we go to committee, because, at committee, we get the opportunity to hear from the general public, and the theme is there. Have you been consulted? No, we have not. Have you been consulted? No, we have not. There seems to be a theme not only with this piece of legislation, but with other pieces of legislation as we go to committee that we hear that the stakeholders and the public are not consulted on the legislation and, therefore, this is legislation

without consultation and a top-down approach to legislation and governing. And this is the type of philosophy we see from this government, this Big Brother attitude that this government knows best. We will impose our legislation on you, and you will like it.

In fact, when we were at committee, we did hear from one individual, a Mr. Peter Wightman, who presented at committee. And he did say that there was about 15 different pieces of clauses in the legislation that he had a bit of a problem with. And we heard the minister of that day, the former Minister of Competitiveness, Training and Trade, who is now not that minister, and we have the other minister back, I guess. So it's kind of a musical chairs of ministers here, but—

**An Honourable Member:** Revolving door.

**Mrs. Taillieu:** —revolving door of ministers, but, anyway, anyway, we did hear from that particular minister, who didn't really have a lot of time in that portfolio, that she assured the presenter, don't worry about it. We're just going to assure you that you're going to be very happy with this. You'll be happy with this. Trust me, trust us. And I find that a bit problematic in that you can't just go to the public and say, we're gonna to do this. Trust us. That doesn't—that doesn't work, Madam Deputy Speaker, because there are—there are processes that need to be followed.

I mean, when legislation is proposed, however it's done, whatever philosophy is used, whether it's from stakeholder up to the government or from the top-down approach, where the government decides to do something and disseminates it and calls it consultation, whichever way it's done, the process is that the bill is examined by both sides of the House and, because not only are we looking at things that we find maybe problematic with stakeholders and the public because they have brought their concerns to us, but also amendments can be proposed which actually would strengthen the legislation. And, you know, Madam Deputy Speaker, there's no one party or no one individual minister or no one person in this House that has the corner on good ideas.

\* (16:30)

There's many ideas that come forward, and I think it is a disservice to the public for the government to just—just dispel and not even take a look at the amendments that opposition members bring forward—assuming that they know everything

and opposition doesn't have any good ideas, because that is really just not the case. And the idea is to make the legislation as good as you can make it. And if there are ways to improve it, the—those amendments should be given very serious consideration and looked at very closely. And I know that the member for Carman (Mr. Pedersen) did do some homework on this bill and did bring forward some amendments that he felt would strengthen the legislation, and not once did anybody get up and make comments on these—on these amendments, didn't see any merit in the amendments. So it was—it was problematic, I think, that there was not that healthy debate that we should have in this House, because, you know, if we present something and somebody wants to say, you know, we don't agree with that, then that's what the debate is for.

So, Madam Deputy Speaker, I think that what we would like—*[interjection]*. So I just want to say further that there are ways to get the legislation passed through without any controversy, and that is by, first of all, consultation at the ground level that—that would then allow the legislation to go forward with no glitches. I mean, when legislation is produced and people come to the opposition to say we have concerns, that is automatically telling us that the government didn't consult with these people because they didn't listen to their concerns. And I think that's an important piece of any process within this legislation, Legislature, pardon me, is to listen to what the public has to say before enacting legislation that is top down with a concentration of power with the government instead of allowing the people of the province to have their say.

So, with those few words, Madam Deputy Speaker, I'll—

**Hon. Andrew Swan (Minister of Competitiveness, Training and Trade):** Well, after hearing those comments, I think it's quite clear why we didn't hear a single word from the Conservative Party about apprenticeship in the last election campaign because, I'll tell you, they simply don't get it.

And let me start by working through some of the different pieces of election information put on the record. If there's any unsolicited advice I give my friends opposite, they should get off the grassy knoll, take off the tinfoil hats and actually work with us at improving the apprenticeship system.

And I know a lot of the members that have spoken today represent rural constituencies. And I'm not ashamed, frankly, for having gone on the radio,

for having taken any opportunity I can to encourage more young Manitobans to consider employment in the skilled trades. There are great positions out there. There's a shortage of work and so I'm quite pleased that this bill's going to move us ahead in terms of giving more opportunities for young Manitobans.

Now, there's been a lot of comment about consultation, and I just want to put on the record the nature of consultation is actually preceded introducing this bill. And I want the members opposite to know that there was a commission—it was called the Apprenticeship Futures Commission—established in October 2007 to consult with stakeholders on how the apprenticeship system could be expanded and how it could be modernized. And there were individuals representing industry, representing labour, representing the colleges, representing government, representing journey-persons and representing apprentices on that commission. And, indeed, they had, not just meetings, but they had hearings when any Manitoban could come forward and say anything they wanted about the apprenticeship system.

I'm not sure how much more consultation you can have than a process by which any interested Manitoban could come forward and give us their views. And, indeed, that Apprenticeship Futures Commission heard a number of concerns, and actually made a number of recommendations, 23, on how the apprenticeship system could be modernized and how it could be improved. And I was very pleased as minister to accept that report and to move ahead and implement those recommendations. And those recommendations as they touch upon the legislative structure now form the bill that is before this House.

So there's been incredibly widespread consultation which led to the drafting of the bill. After the bill was drafted, there was then a targeted and focussed consultation with a subset of the Apprenticeship Futures Commission members representing a wide range of stakeholders, including labour, including business and other employers, and public interests, that were held prior to the introduction of the bill.

Now, I've heard the member—I believe the member for Morris (Mrs. Taillieu) was talking about people coming to them with comments. There was one individual who presented at the committee, as I understand it, Mr. Wightman. Mr. Wightman had a very good meeting with Mr. Scott Sinclair, who's the

director of the Apprenticeship branch. The two of them discussed the concerns, and I understand, actually, that Mr. Wightman is quite satisfied with the explanation he's been given by Mr. Sinclair.

I listened carefully to the member for Carman (Mr. Pedersen). I believe he's concerned that there's going to be better compliance with regulations and ratios under the—under the new act.

*Mr. Speaker in the Chair*

And I believe he was a bit confused as to how the compliance is to work, and if he would read the Apprenticeship Futures Commission report, which we provided to him, he would know that one of the comments that was made was that the Apprenticeship branch felt that it wasn't appropriate to be both the educator and also the enforcer of regulations. And so, indeed, it'll be the Department of Labour or, in some cases, with other apprentice trades, other departments who'll actually be on-site doing the enforcement. So I don't really understand what the concern is on that front.

I believe I heard the member for Emerson (Mr. Graydon) saying he's opposed to compulsory certification. I listened carefully; I believe that's what he said. I may very well be wrong, but I suppose *Hansard* will bear us out. But I believe—I believe he's opposed to compulsory certification, which would be very surprising, as that is something which is necessary for trades where there is the potential of risk to the apprentice, to the journeyman, and to the general public. So I've listened. I'm a bit surprised and perhaps a bit disappointed, but we are moving ahead to make sure that more trades that want to step up and become compulsory trades, if they are able to show a number of factors, including the public interest and public safety, and the safety of workers, there's going to be a more clear process for them to become compulsory trades.

I also heard comments from the member for Emerson about a certain change in the number of levels of an apprenticeship program, and I want the member for Emerson to know how that change came about. The apprenticeship system in Manitoba had what were called PTACs, or provincial trade advisory committees. They will be called provincial advisory committees under the new legislation. And they are comprised of equal numbers of business or industry representatives and union or employer—or employee representatives. And, indeed, it was that PTAC, comprised of both industry and labour, that

made that suggestion, and, indeed, it was the board following the advice of the provincial trade advisory committee, being expert, that moved that forward. There will not be a change. We still want both workers and employers to do the heavy lifting and to come to us with their advice on what's the best for their particular trade because, frankly, there's no better entity to do that.

And then I talk about—the member for Inkster (Mr. Lamoureux) did actually raise some decent questions, and the member for Inkster had some concerns about recognizing skills for people who wish to be apprentices or wish to become journeymen. And, indeed, the member for Inkster—they're decent points. I'm very proud of the work our government has done, passing the fair practices and registration act, by appointing Manitoba's first ever Fairness Commissioner, and also by ensuring within the Apprenticeship branch that we keep enhancing the prior learning assessments to make sure that people who bring their skills and their talents from other jurisdictions are able to prove themselves and if, indeed, they have the skill sets, can either receive an advanced placement through an apprenticeship program or, in certain cases, be recognized as journeymen.

\* (16:40)

I also want to mention, of course, the agreement on internal trade, the labour mobility provisions, which further serve to make sure that individuals from other provinces that have the skills, that can show they have the skill sets to do the job in Manitoba, will be able to do it.

Now this government has promised another 4,000 apprenticeship spots over four years. We are about halfway through our term, and we're about halfway to getting there. I'm very excited about the future for apprenticeship in Manitoba. This act will provide better governance. It will provide more opportunities. It will provide clearer definitions and clearer pathways for young people, whether they happen to live in Carman or Emerson or the West End of Winnipeg, to be able to pursue their dreams and help our economy by being skilled tradespeople.

So I hope I've set the record straight, Mr. Speaker, and I look forward to moving ahead with the apprenticeship program in Manitoba. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** Question before the House, concurrence and third reading of Bill No. 26, The Apprenticeship and Certification Act.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Speaker:** No?

#### Voice Vote

**Mr. Speaker:** Okay, all those in favour of the motion, say aye.

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** On division.

**Mr. Speaker:** On division.

#### Bill 4—The Community Revitalization Tax Increment Financing Act

**Mr. Speaker:** Okay, now I'll call concurrence and third reading of Bill No. 4, The Community Revitalization Tax Increment Financing Act.

**Hon. Andrew Swan (Minister of Competitiveness, Training and Trade):** I move, seconded by the honourable Minister of Infrastructure and Transportation (Mr. Lemieux), that Bill No 4, The Community Revitalization Tax Increment Financing Act; Loi sur le financement fiscal de la revitalisation urbaine, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

**Mr. Speaker:** It has been moved by the honourable Minister for Competitiveness, Training and Trade, seconded by the honourable Minister for Infrastructure and Transportation, that Bill No. 4, The Community Revitalization Tax Increment Financing Act, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

If any speaker—the honourable member for Ste. Rose.

**Mr. Stuart Briese (Ste. Rose):** Thank you, Mr. Speaker. I'm pleased to rise today to put some remarks on the record on The Community Revitalization Tax Increment Financing Act, Bill No. 4, at third reading.

Now this bill, we've voiced our displeasure with some of the wording and some of the make-up of this bill several times already, at different stages, and we put forward a very strong amendment to this bill at report stage, which was defeated by the government, and I still think they should have taken a little better look at it.

This bill, in essence, takes school tax of new properties and uses it to stimulate development at a certain area or zone. Now, in our view, this bill is far too permissive. TIF, tax incremental financing, should be used in instances where there are brownfields or a blighted area of a community, and that's the only place it should be used.

One of the things we heard over and over again on this bill, and we certainly heard it at committee, because I questioned each one of the presenters on it, was the use of a but-for clause in this bill. The minister stated in his remarks the other day that there was a but-for clause in there, but I can't find it. And I don't believe it is there. Stefano Grande from the Downtown Biz, Loretta Martin from CentreVenture, Bruce-Phil Weiss from the Manitoba Real Estate Association, Peter Squire from the Winnipeg Realtors, all basically supported this bill, but all said there should be a but-for clause in it, that the development should not take place unless there is a test that showed that it wouldn't take place without tax incremental financing.

Now, we support the inland port facility going up at the airport, and we support it whole-heartedly, but the idea of using TIF financing to finance that seems to be a little bit of a stretch. That's not brownfield area, that's not blighted area, that's not an area that should need up-front stimulation to developers to get business developed. In fact, probably, is the very opposite of that, probably no need for it at all.

In our amendment that we tried to put forward and got defeated, the objectives of the plan and the risk and the benefits associated with it were some of the things that we were looking for. We wanted the Province to put in the legislation—the minister to put

in the legislation a description of the properties and to do a little bit more due diligence. What are the projected revenues? What are the grants that are proposed to be made? What are the financing arrangements and any contingency plans if these projects fail to produce as much as they were projected to do in incremental tax?

The—one of the interesting things I heard at committee the other night—and there's no provision for in this bill—was when we talk about if the TIF zone does not create the revenues that were expected, who picks up the shortfalls? The grant's already been made, the money's been put out up front. Who picks up the shortfalls if they don't reach their goals? And I believe it was Loretta Martin from CentreVenture that suggested that most of these TIFs should not use any more than 40 to 50 percent of the incremental tax. So we should think about that for a moment: There's nothing in the bill that says anything along that line, so I'd take the bill to mean that they would use 100 percent of the incremental tax into the fund for up-front development. Now, if they do that and there's a shortfall, somebody's gotta pick it up. It's either going to be the Province or it's going to be the surrounding areas, the areas outside that TIF zone, but in that same school division that are going to have to pick it up.

The other thing that happens—and I think should be in there, definitely—is that there has to be a limit to how much of that funding is put out in front in grants and incentives. The—what's going to happen, what I visualize in the tax incremental zones is, at some point, there could—there will be shortfalls. And it may be on the municipal side of things, on the municipal tax side of things, off property. The—depending on the nature of the development, there may be a need for enhanced police, enhanced fire protection, waste disposal, any number of things that may not have been taken into consideration. If the increased taxes aren't there to do it, to pick up those costs, then, obviously, they have to go outside the TIF zone to pick up those costs. Either that, or, once again, the Province has to put it up. I would really like some answers on who is going to pick up those shortfalls whenever they arrive.

On the school side, I've used the example many times of a development going ahead that puts possibly 200 more children into a school in the area. There's no incremental tax. There's no gains there. So the school has to make up for those extra costs from an extra number of children in the school. Who's gonna pick up those costs? Once again, properties in

that school division but outside that TIF zone are going to get nailed.

\* (16:50)

Had a letter as late as this morning from Winnipeg School Division No. 1, and in it, they talked quite a bit about different programs they provide, and they depend on property taxes to provide most of these programs. They have a nursery program which gives children an early start to education. There's a nutrition program which provides healthy meals and snacks—these Aboriginal initiatives and programs that serve the unique needs of the division's multicultural community. Revenues from local property taxation fund a significant portion of those programs.

Without that source of revenue, the division would not be able to provide many of the high-quality programs and services to its students, and under Bill 4, once again, as the incentives are paid out, the grants, however you do it up front, there's a 25-year time frame to repay those, and 25 years is a long way into the future, and things change and there'll be shortfalls in funding both municipal and in the schools. And the question always arises, who's going to pick up those shortfalls?

We were pleased that there were a couple of changes made when this went from being Bill 45, I believe it was, to Bill 4, on accountability, but we just don't believe that this government went anywhere near far enough and that we can't support the bill in its present form and will not support it in the present form.

Thank you very much.

**Hon. Ron Lemieux (Minister of Intergovernmental Affairs):** I just want to put a couple of comments on the record with regard to Bill 4, The Community Revitalization Tax Increment Financing Act. This is an important bill, and Bill 4 expands the use of tax increment financing, or TIF, as it more commonly is known, which is an innovative tool, and that's exactly how we've been looking at this particular bill and what's entailed.

It also complements other provincial development and revitalization programs. City of Winnipeg and other municipalities currently have the municipal TIF authority. The bill enhances the effectiveness of their tool by expanding it to the entire property tax bill. I want to indicate that the City of Winnipeg and CentreVenture and the City of

Brandon have all requested this extension of TIF. This bill has been strengthened to reinforce that these funds will be used in a partnership with municipalities, consultation with a municipality on which projects receive benefits, if tax increment financing will occur before designation, and agreement from the municipality is required before payments from the fund can be made.

Consultation with school divisions will also occur, Mr. Speaker. We want to make sure that—and it has always been our intent to make sure this is transparent and accountable, and under this bill, properties in a specified area or zone would be designated to become eligible for tax increment financing, and while properties are designated, increases in their assessed value are subject to a community revitalization levy in lieu of education taxes.

You know, Mr. Speaker, tax increment financing is a proven long-standing tool. It has been used in many, many American cities to support various revitalization economic development initiatives: Chicago, Minneapolis, Portland, Michigan and the many other places.

In Manitoba, our first priorities for TIF include the support for further development of Winnipeg's inland port, which members opposite—we hear often how supportive they are of this inland port that we're looking at, CentrePort Canada, Mr. Speaker—and also with regard to Winnipeg's southwest rapid transit corridor and Winnipeg inland port. This private initiative—public sector efforts are underway to grow this inland port in Winnipeg, and this initiative will capitalize on our geographic centre and so on.

So, Mr. Speaker, I look forward to hearing other comments, but also a speedy passage of what we believe is important legislation. And TIF, as we mentioned before, is just another important tool to help economic development in this province of Manitoba, and we know that the members opposite feel very strongly about it too, and we'll pass this unanimously. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, we in the Liberal Party support the concept of tax increment financing. We have some concerns about this legislation, particularly in the area where there may be buildings put up which would have a lot of schoolchildren, which would add to the costs of running the school division and the impact that that would have.

There are other areas where we see that this legislation could be improved, but on balance, in view of the—I think, the need to move forward on some tax increment financing approach for Manitoba, we're ready to support this legislation.

**Mr. Larry Maguire (Arthur-Virden):** It's my privilege to put on the record some words in regards to Bill 4 and our stance in regards to why we won't be voting in favour of this bill. Hate to disappoint the minister in regards to his intent for unanimous consent.

But, Mr. Speaker, there are concerns with this bill, and while I agree with the member from River Heights that we think that tax increment financing has a place to be used in some jurisdictions, this isn't one of them. Nowhere in this bill does the words CentrePort prevail—or show up in print, and I think that that's a difficult proposition, to hand a blank cheque to a government in regards to a community revitalization fund. If that's what it was for, and certain areas of designation were announced, we could probably vote in favour of this. I think we—many of my colleagues have indicated that.

We did pass the CentrePort legislation through the House and got it in place. It's taken some time to put the present CEO in place, but I have to commend Ms. Diane Gray, former Finance Minister, for taking on that position, as well as Mr. Hawkins for becoming the chair of the board of directors and having the board of directors put in place. All of those things lead to a very positive development in regards to CentrePort, Mr. Speaker.

But taking education taxes from schools is not the way to do it, and the—particularly when, in the briefing that I had on the bill, they were looked at—that we were told that borrowing to finance the initial development and paying off that financing through incremental taxes was essentially what this mechanism was being used for. Well, Mr. Speaker, that sounds like a government-backed loan to me, or at least something that could be satisfied by a government-backed loan.

And that is a role of government, to provide infrastructure and opportunities in place, and I commend the federal government and the Province for the work that they've done in putting some 212 million of combined money into CentrePort Way, the development of the road through—highway that'll take place through the grounds designated as CentrePort, from Inkster out to the Perimeter Highway, around and through the new development

area, Mr. Speaker. I had the opportunity of being at the open house—oh, I guess it was a week ago Thursday—to—last Thursday—to have a first-hand look at the layouts that the triple M group had put forward for CentrePort, but nowhere in this legislation is there any mention of CentrePort, although there is discussion by the minister in regards to that in the House.

Mr. Speaker, we really want to make sure that the—that while the government has indicated that the 25- to 30-year period that the tax increment would be used over is—comes to an end and that all taxes revert back to the municipal jurisdiction, both in municipal and school board taxes in those areas—I want to point out that in the case of Rosser municipality, it looks like if they are—if they accept the City's offer of—that's been fairly public and they've had a public meeting on—that that land would be, my take on it is,

absorbed by the City of Winnipeg up to mile 4, and then there is no funds or taxes to be turned over to Rosser at the end of this project. So, until that gets dealt with, perhaps it's something the minister could look at as well. I know that the people of Rosser are looking at it very seriously, and the City's offer is certainly on the table, and everyone wants to see CentrePort proceed. And the people even at the public meeting were very concerned that the project proceed, but what they were saying was, they didn't think that the City would be good stewards of the land in that area that is presently farmland.

**Mr. Speaker:** Order. When this matter is again in front of the House, the honourable member will have 25 minutes remaining.

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 6, 2009

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