

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

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

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Eighth Legislature**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 11, 2004

The House met at 10 a.m.

### PRAYERS

### ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### Motions of Condolence

#### Arthur Thomas Moug

**Mr. Speaker:** As previously agreed, we will deal with a condolence motion this morning.

**Hon. Gary Doer (Premier):** I move, seconded by the honourable Leader of the Official Opposition (Mr. Murray),

THAT this House convey to the family of the late Arthur Thomas Moug, who served as a member of the Legislative Assembly of Manitoba, in sincere sympathy in their bereavement and its appreciation of his devotion to duty in a useful life of active community and public service and that Mr. Speaker be requested to forward a copy of this resolution to the family.

#### *Motion presented.*

**Mr. Doer:** Mr. Speaker, on behalf of members of the Legislature, I would extend our condolences to Art's family and friends, especially his wife, Eva, and their five children, Bill, Tom, Nancy, Ted and Jennifer, and to his sister, Jean.

Mr. Speaker, Mr. Moug was a member of this Legislative Assembly and a strong community member in the constituency and community of Charleswood. I only had the opportunity to meet him on a couple of occasions, but I knew of his reputation in Charleswood. He was really quite well known in that community, and he was quite well respected in the community of Charleswood as a whole.

I know that Mr. Moug was elected to this Legislature from 1969 to 1977, and I believe he actually stepped aside for Sterling Lyon when he was then

elected Leader of the Opposition prior to his election as Premier in 1977. So, obviously, he was a strong member of his party and put his party's fortunes ahead of his own political considerations by stepping aside for the former Premier, who was then representing a constituency in rural Manitoba but lived in the city of Winnipeg.

Mr. Speaker, Mr. Moug moved to Grande Prairie in 1980, but he was the former mayor of Charleswood, and he contributed a lot of time and energy to a number of local organizations and causes, many of which granted him a lifetime membership.

He was very active as a volunteer in civic activities, both in Winnipeg and later in Grande Prairie. He had a lot of friends and colleagues who really, really did call him a true community leader.

Mr. Speaker, he was a lifetime member of The Royal Canadian Legion, and on one occasion I met him in the Charleswood Legion, the Scottish Rite, the Masonic Lodge, and the Shriners. He was a lifetime member of the Charleswood Historical Society. I know he was also very involved in hockey and all sports, and I believe he was a founding member of the Charleswood Hawks, a hockey team that is quite well known in the Charleswood community and in hockey circles generally.

Mr. Speaker, Art was involved in a lot of the local hockey leagues, and still today the Art Moug Trophy is presented to a team placing first in the regular season. It is a testament to Art's love of hockey and his support of the game. It is rather ironic that we are celebrating a person who celebrates such good sportsmanship on a day like today.

Art had a passion for the outdoors and loved to travel, visiting many places around the world with his wife, Eva. He spent his retirement years hunting and fishing in Peace Country and Vancouver Island, and spent his winter months in Arizona. Certainly he is best known as the former mayor of Charleswood and as the strong, strong voice for the people of Charleswood and their concerns and their aspirations and their dreams.

Art won the election in 1969. In 1973—and, as I say, he voluntarily stepped down when Ed Schreyer called the election for the fall of 1977 to allow former Premier Lyon to run in the Charleswood constituency.

Again, I would like to extend our condolences to his family and we know that, through his activity as mayor of Charleswood and then, as a member of this Legislative Assembly, he contributed thousands of hours to his community, to the public service, and on behalf of this Legislature, we would like to thank Art's family for the sacrifices they made so that Art could contribute so much to our community. We will always remember his role and his great association with Charleswood.

**Mr. Stuart Murray (Leader of the Official Opposition):** I wish to add my comments of respect to the passing of Arthur Thomas Moug. I think the Premier spoke very eloquently about Mr. Moug. As Leader of the PC Party of Manitoba, I would like to pay our respects and pass on our deep sympathies to his passing.

By doing so, I would like to, perhaps, talk about a few things that Art Moug left with us here in Manitoba as positive memories of his commitment to not only the community, but the province as a whole.

I think, in particular, I would like to pass on our respects to his wife, Eva; his son Bill and special friend, Brenda, and daughter, Meghan; daughter Nancy and her daughter, Annie; son Tom and daughters, Sarah, Rebecca and Delania; son Ted, his wife, Lynne, and daughters, Katie, Jessica, Hannah and Emma; and daughter Jennifer.

Mr. Speaker, I think it is interesting that Art Moug during his time was very active in the community. Specifically, he was a lifetime member of the Scottish Rite, and of course that organization is very much involved with the Masonic Lodge. He was a member of the Charleswood Masonic Lodge Branch 163.

\* (10:10)

Art, obviously, was very interested in the community and life with families as he spent time in the Khartum Temple, and I think everybody knows the relationship that the Shriners have throughout the province, throughout the world, frankly, but in Art's

time, certainly throughout the province. I think that we all know that those of us that have opportunities to travel the province, particularly during the summer months, whether it is the Shriners being in various parades around the province of Manitoba or the events that they hold, the circus events, I think that they are all about family. I think that is where Art wanted his time to be spent. I know that he was involved in the Charleswood Historical Society, and again, here is a gentleman who I believe got involved in those sorts of areas because he believed that by public service he could in fact make a difference.

I find it very interesting that Art did start out as the mayor of Charleswood. That was, of course, during the whole Unicity debate as that was taking place. When I spoke to one of his colleagues, I said: Any thoughts about Art that you can pass on that I might be able to share with members of the Legislature?

His comments were simply that he was always a very straightforward kind of person. Certainly, municipal politics were something, as former mayor and going through Unicity, that he spoke passionately about and cared about. We know that once Unicity went through, Art sat in this Legislature as the MLA for Charleswood from '69 to 1977.

Mr. Speaker, I note that Art and his wife, Eva, loved to travel a fair bit. The last part of their years they spent some time down in Yuma, Arizona. I only say that as the Premier (Mr. Doer) made comments about the fact that Art was a lover of hockey and the stories of today being dominated in the incident that took place in Vancouver. I would say that it is perhaps somewhat telling that maybe Art and Eva might have appreciated Yuma on a day like today because it is a little chilly in Winnipeg today, and perhaps they enjoyed that weather down in Yuma.

Art was one who loved to fish and enjoyed the outdoors whether it was on the West Coast or through western Canada. I think that we on this side of the House, Mr. Speaker, want to pay our tributes and respects to Art Moug who served in this Legislature, served the public, whether it is through the many public service committees, organizations that he was involved in, but certainly, whether it was hockey or any other area, he left a very strong impression in the province of Manitoba and we would like to send our deepest respects but also a thank you for allowing a man like Art Moug to have

the positive impact on our province and our community that he did.

**Mrs. Myrna Driedger (Charleswood):** I would certainly like to extend my condolences from myself, my family and from the people of Charleswood to the Moug family.

I never knew Art Moug. I never did have an opportunity to know him or meet him, but we have shared the experiences of representing a community which I am sure we both loved in many different ways, and it certainly does tie us together. He represented a wonderful community, and I hope he found it as fulfilling and enjoyable as I presently do. He left his mark, as I hope that I will as well.

Mr. Speaker, Art Moug was the mayor of Charleswood for one term before becoming the MLA for Charleswood in 1969, and following his election in 1969 he served one more term as mayor concurrent with his first term as MLA. He was elected to the Manitoba Legislature on June 25, 1969, and sworn in on July 19, 1969, being the first MLA for Charleswood to have been born in Charleswood. He went on to serve a second term as MLA before retiring in 1977.

Prior to his political positions, Art owned and operated Berkeley Construction where he built and repaired septic tanks and water and sewer pipes. Following his retirement from politics, he returned to his construction business as well as opening a welding shop on Wilkes Avenue.

Art would have seen many changes in our community from the time he was born there to the time he served there as an MLA, a community in its early days, Mr. Speaker, which was famous for its mink farms. I have had an opportunity to spend time with a number of people who have been around in the early days of Charleswood. The story of mink farming is really, really quite fascinating. I am sure Art probably could have told us a lot of stories about what that would have been like in the time that it existed.

During his tenure as MLA he was pleased to open the first 7-Eleven store in Manitoba. He also officially opened the Charleswood Library. His time in politics was a very active and interesting time as he served both municipally and provincially during the amalgamation of the 13 R.M.s and cities into the City of Winnipeg in 1972. I certainly, at that time,

remember a lot of the discussions and the news coverage of that particular event. I am sure that Art was privileged to have an opportunity to have been involved in politics at the time that was happening.

Some momentous occasions took place during his tenure as Mayor and MLA of Charleswood. I am just going to take you through a little bit of a history trip of what Art would have experienced at the time he was an MLA. Events like this are also significant to us as elected people because they are also representative of our community, our city and our province.

In 1967 the fifth Pan American Games were held in Winnipeg and the Pan-Am Pool was built. Certainly those of us that had the opportunity to experience the last Pan Am Games, the very successful Pan Am Games here in Winnipeg, I am sure Art was probably as equally thrilled with what was happening in 1967. It was also the year of the celebration of Canada's 100th birthday.

In 1968, Mr. Speaker, the St. Boniface Basilica was destroyed by fire. It was the opening of the Red River Floodway. Metro By-law 1320 was heard for the rezoning of property between Royal and Haney to permit the construction of the Hudson's Bay shopping centre, but we are not sure whatever did happen to that shopping centre in Charleswood.

The Westdale area of Charleswood was being developed at that time and has since grown into a very dynamic community. The Westdale recreation centre was built, and, again, home to many young kids that love to play hockey.

Duff Roblin was running as a Conservative candidate in Winnipeg South Centre in the federal election in that particular year. On September 27, 1968, Loudoun School was closed, so we had a school closure in Charleswood. The new Legion building was under construction. The new report card system was introduced to reflect new philosophies in education and I am sure must have generated some debate in this House. So gone were the ABCs of marking children and it was replaced with: needs improvement, satisfactory, et cetera.

Interest was expressed in putting up the first self-service gas station. There must have been some interesting discussions around that, I would think. Compulsory rabies shots for dogs were instituted.

The topic of assessments, news articles for the day show that the city was plagued with problems even then. Metro property assessments were protested by the municipality. Others appear to be wildly out of line. Certain residents hired a solicitor and registered an appeal.

A citizen panel was formed to help control water quality. Fourteen co-operative metro Winnipeg citizens were helping check the metro area's water quality by taste tests. I cannot imagine what would happen today if we were still wanting to go down the road of looking at taste tests being a reliable method of evaluating our water.

In 1969, work was suspended on Roblin Boulevard. Since it was a No. 3 priority project, and, as even some No. 1 priority road building was being deferred, it was unlikely that work on Roblin from Community Row to the Perimeter Highway would proceed that year.

That year we also saw the establishment of Pop Warner football in Charleswood. Charleswood has remained a very strong football community, whether it is our Oak Park Raiders, who are certainly famous in the province for their number of wins in high school football, but also the Pop Warner football is extremely popular. I am sure that Art, as much as he enjoyed hockey, probably appreciated that football was catching on as well.

\*(10:20)

There was an early-closing store hours by-law passed to have a uniform by-law throughout the metro area. Cable television was introduced and certainly many of us would remember what it was like before there was cable television. A by-law was passed to allow turning right on a red light. Roblin Park Community Centre opened its new clubhouse, and the first female accountant in this area of the country was appointed at the Bank of Montreal in Charleswood.

In 1970, there was a celebration of the 100th anniversary of the province of Manitoba. Certainly, to have been an MLA at that particular time would have touched a lot of hearts of those people having the privilege to represent their communities in this Legislature.

In 1971, it was the election of the first council of the new unified city of Winnipeg. In 1971, royal

assent was given to Bill 36, known as The City of Winnipeg Act. This act incorporated the R.M. of Charleswood, along with 12 other R.M.s and cities, into a unified city of Winnipeg, commonly referred to as Unicity; 1972 was the inaugural meeting of the first council of the new unified city of Winnipeg. Also that year, Deacon Reservoir was completed; 1973, another momentous time in this province was the 100th anniversary of the incorporation of the City of Winnipeg.

In 1974, the South Winnipeg Sewage Treatment Plant went into operation; 1975, the opening of the new Convention Centre; 1976, the opening of the new Royal Canadian Mint.

Mr. Speaker, Art was certainly representing our community at a time of some very exciting changes for Charleswood, for the city, and for the province.

I would also like to mention that Art Moug's father was one of the pioneers of Charleswood. He came to Charleswood in 1920 and worked on what was called the Harstone Farm. Art was born in Charleswood and always had a great love for the area. He played a large role in the construction of Eric Coy Arena and seeing that Charleswood kept much of its park and green areas. In fact, I am pleased to know that there is a park in our community that has been named after him. Moug Park presently exists in Assiniboine Woods, and what a wonderful tribute to have that occur in a community that he served for that length of time and a community that he did truly love.

Following his retirement from politics, he moved to Grand Prairie, Alberta, in 1983 to take his construction and welding business to the oil fields. He lived there until his death this past summer.

I would like to close, with a quote from Mr. Moug when interviewed by the *Charleswood News* after his election as MLA: "I had decided some time ago to offer my services as a representative of this constituency in the event of Sterling Lyon's retirement from politics. He has been a tremendous asset to the development of this area, and I feel that with my knowledge of municipal affairs and construction that I, too, can contribute to the future growth of Charleswood."

In preparing this, it was fascinating for me to have an opportunity to look at Charleswood newspapers. Mr. Speaker, these newspapers were just

very tiny community newspapers. They are very historical documents maintained by the Charleswood Historical Society, and I do have to thank them very much for allowing them out of their possession for the time it took for my office to have a look at these newspapers.

Mr. Speaker, I am so pleased to see that the Charleswood Historical Society has done the many wonderful things to maintain and collect our heritage from this community, and I think Art would have liked that, too. As a strong supporter of the Historical Society, I think he recognized the value of preserving our history and our heritage. I have had an opportunity now, through their dedication to doing that, to have a look at these fabulous newspapers and have an opportunity to collect this information and build it around Art's life.

I do want to thank the Charleswood Historical Society for their wonderful work in our community and also for helping in pulling together some of this information for today. It was a privilege to look through those newspapers in order to prepare this condolence motion today.

So, Mr. Speaker, to Art Moug's family, on behalf of the constituents of Charleswood, our deepest sympathy in the passing of Art Moug. Thank you.

**Mr. Glen Cummings (Ste. Rose):** I would like to join in expressing condolences to the family of Art Moug and to acknowledge and be appreciative of the work that this gentleman put forward on behalf of the public and to the people in Charleswood, but in a broader sense, to the people of this province.

Mr. Speaker, it is very easy to be attracted to someone who was an active member of the Scottish Rite and the Khartum Temple. My wife's, Heather's, family was quite closely associated in that respect as well, but I did not actually know Art Moug. The fact is that he served during a very turbulent time politically in this province with the amalgamation of the city and the changing of leadership in the Progressive Conservative party.

He was in the middle of those, which were historic in many respects, and were part of the time when I cut my teeth in political circles. I can appreciate that Art appeared to be involved, and I would think we could fairly say that he was involved

because he felt he could contribute and was a team player, obviously, by the actions that he took.

Always, it seems to me that people of this stature who become involved in politics and then at the same time have served their community in a variety of positions do it with the best of intentions and with very strong support from their community because of those intentions and because of the leadership that they are willing to demonstrate. So I would simply like to add our thanks for the service and the life of Art Moug.

**Mrs. Bonnie Mitchelson (River East):** I too would like to put a few words on the record in tribute to Arthur Thomas Moug and share with those that have spoken in the House our condolences on his passing to his wife Eva and his children, grandchildren and the rest of his family.

I listened with interest to my colleague the Member for Charleswood (Mrs. Driedger), who gave us a history lesson on a significant piece of our history and what Charleswood and those that have served the constituency of Charleswood have contributed to the growth of our province.

Mr. Speaker, we look at someone like Art Moug and recognize and realize that not only was he a family man, having been married for 49 years to his wife Eva, but with five children, I believe, and many grandchildren, certainly he contributed significantly in family life, but he also contributed very much in service to his community.

He appeared to be a very well-rounded individual, Mr. Speaker, involved in many volunteer activities and certainly contributed not only as an elected official. Sometimes getting involved in politics is a bit of a popularity contest. When you are a well-rounded individual like Art Moug was, it does attract people in the community. They obviously had much respect and much time for him.

He was involved in the Legion, as mentioned, the Scottish Rite, Masonic Lodge, Shriners, Historical Society, and sports. I just look at all of those activities and you wonder sometimes how he could fit all of his volunteer commitments into a 24-hour day or 7-day week. It sounds like he was an integral part of the community. I have to say that I am pleased and proud to serve in this Legislature following someone, a Conservative, like Art Moug, who

obviously was an outstanding citizen with significant contributions, and I know will be missed, but his legacy will continue.

Those in Charleswood, I know, would thank him, as would all Manitobans, for the contributions that he has made. Let us hope, when condolences are done for some of us in this Legislature, many of the kinds of things that were contributed by Art Moug will be contributed by many of us, and that we will be remembered for the kinds of things that Art Moug is being remembered for today.

Thank you, Mr. Speaker.

\* (10:30)

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I, too, on behalf of the Liberal Party, would like to express a few thoughts. To the family of Art Moug we would extend our sympathies and extend a special tribute to Mr. Moug. I myself never really had the opportunity or the privilege to meet with Art in the past. I have had the opportunity to have a discussion with my leader and listen to other member's comments on Art.

What comes to my mind, Mr. Speaker, is we have an individual who was really committed to the betterment of the community which he represented. I say that, knowing that, no doubt in my mind, would have been his first priority, because to become mayor of a community such as Charleswood, you would have to be well connected with the people that you are wanting to be able to represent.

Mr. Speaker, I listened to the current Member for Charleswood (Mrs. Driedger) talk about some of the news stories of the day, and there is no doubt in my mind, as legislators or in his case as mayor in part of that time, the impact that you have on the issues of the day is quite significant. There is no doubt that Charleswood is what it is today in good part because of the many contributions that Art would have made back then. That is why we stand to pay tribute to an individual such as Mr. Moug and the efforts, the tireless efforts, that he would have put in to making Charleswood the community that we all know today.

As we extend our condolences to the family, it is wonderful to hear someone married for 49 years, the larger families, those are becoming more and more

rare today. We just give our best wishes to the family in that very special tribute.

Thank you, Mr. Speaker.

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

*Motion agreed to.*

**Mr. Speaker:** Would honourable members please rise and remain standing to indicate their support for the motion?

*A moment of silence was observed.*

## PRIVATE MEMBERS' BUSINESS

### SECOND READINGS—PUBLIC BILLS

#### **Bill 200—The Criminal Organizations Deterrence Act (Local Government Acts Amended)**

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I move, seconded by the member from Lakeside, that Bill 200, The Criminal Organizations Deterrence Act (Local Government Acts Amended), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Hawranik:** Mr. Speaker, this bill gives municipalities the power to pass by-laws that prohibit or regulate businesses carried on by members or associates of a criminal organization, if the business is used to advance the interests of the criminal organization. The bill also allows municipalities to pass zoning by-laws to deal with places such as residences or meeting places for members of a criminal organization.

I bring this bill forward, Mr. Speaker, as a private member's bill. I am proud of the fact that we have brought this forward. In fact, it was brought forward at the same time as the Minister of Justice (Mr. Mackintosh) brought forward a similar bill in many ways dealing with gang abatement and gang control in this province.

His bill was Bill 2, and I have made some statements on the record with respect to his bill that, in fact, his bill may not be strong enough. His bill is



called The Civil Remedies Against Organized Crime Act, and I am concerned about the strength of his bill in terms of whether or not it would in fact do all that he said it would do, in terms of controlling gangs and criminal organizations in the province.

Although my approach is quite different than his, in terms of Bill 2, I think that it is an approach that is workable and usable within the province and will be effective, I believe, to reduce the effectiveness of criminal organizations and gangs within the province. If the Minister of Justice and members across the way would support it, it is not, in fact, in conflict with the Minister of Justice's bill. It is actually complementary.

Mr. Speaker, it is a bill that, if it is passed, would not affect Bill 2, The Civil Remedies Against Organized Crime Act, and would, in fact, be complementary, and would really become another tool within the Minister of Justice's and the police's authority to use in order to control gangs; in particular, the Hells Angels within the province of Manitoba.

I would encourage members opposite and the Minister of Justice to take notice and support the bill, because it is important, I think, that we control gangs and criminal organizations in this province.

I really appreciate the opportunity on behalf of the constituents of Lac du Bonnet to debate this bill in second reading and hopefully move it on to committee later on.

This bill gives municipalities the authority to pass by-laws and to deal with residences or meeting places for members of criminal organizations, Mr. Speaker. This is a community-based solution. I believe that it should be a community-based initiative to get rid of the gangs, because it strengthens communities. It strengthens communities and people within those communities.

We should allow, I believe, members of any community to enforce the provisions and use by-law enforcement effectively. That is what we are doing under this bill is using by-law enforcement in order to deal with some of the issues that are in our communities with respect to gangs.

It uses by-law enforcement. I have heard the comment a few times. How can by-laws control

gangs within the province? By-laws do not have the strength of provincial legislation, and so on. But that is not necessarily true.

Mr. Speaker, a by-law can be enforced by the Court of Queen's Bench in the province of Manitoba. A person can take an action in the Court of Queen's Bench—whether it is an individual, a municipality, a planning district. The minister can also bring an action under the Court of Queen's Bench to enforce the provisions. The RCMP can, and so can the Winnipeg city police.

\* (10:40)

Now, of course, we are not talking necessarily about by-law control officers who would be enforcing this legislation. I am sure the RCMP, the Winnipeg Police, would certainly take notice of another possible tool with which to control gangs in the province and criminal organizations. They certainly would take an interest in this bill, and they certainly would put resources into trying to close down some of the gang houses that are in the city of Winnipeg and other communities across the province.

City police would take notice, and so would the RCMP. I am certain it would be used, and it is a viable and a usable bill that would, in fact could, be effective in eliminating some of the gang houses and the criminal organizations within our province.

As I stated before, Mr. Speaker, it is a community-based solution. The community could take ownership of this bill and the community should take control over their own community. They should have the authority to enforce the provisions in this kind of legislation.

Again, with respect to by-laws, as I said before, some people might say, well, is it enforceable as a by-law. They will point to the fact some by-laws within our cities and our towns are ignored. But anyone who fails to comply with a by-law can be liable for fines up to \$1,000 a day for an infraction. Substantial penalty.

If you are a corporation, and you ignore a by-law and ignore the provisions of it, and you are convicted of an infraction under the by-law, a corporation can be fined up to \$5,000 a day for an infraction and can receive, not only the individual but also the directors of that corporation, imprisonment for up to six

months. So it has teeth in terms of a penalty, and in many respects the penalties under by-law enforcement and by-law infractions are harsher than under Bill 2, which was introduced by the Justice Minister a little over a year ago.

In addition to that, under by-law enforcement, a judge of the Court of Queen's Bench can order an injunction against the person or criminal organization, and the order of the Court of Queen's Bench can be enforced by the provisions of The Court of Queen's Bench Act. A contravention of the by-law can be restrained by the judge. There are many remedies available by a judge to deal with the infraction under a by-law.

An injunction can actually be issued to remove people from the premises, and I think that is what we want in the event that a gang house is discovered, or there is a criminal organization that is in that house, and they are using it for the purpose of a meeting place or to organize their activities. We certainly want the ability, Mr. Speaker, to remove these people from the premises so they cannot continue their activities.

An injunction issued under The Court of Queen's Bench Act can actually be issued by a judge to remove people from the premises, remove business owners and remove managers from businesses, if necessary, and to remove people from their homes.

An order can be made also under the provisions of the act by a Court of Queen's Bench judge to seize assets from an organization. Even a breach of that order can result in a substantial fine or a jail term, as mentioned before, up to \$1,000 a day for a breach of a by-law, or six months in jail for an individual; and up to \$5,000 a day for a corporation, up to six months in jail for a director of that corporation. So there are teeth to the enforcement of a by-law. In fact, there are more teeth in the enforcement of by-laws than the Justice Minister has under Bill 2. There are certainly substantial fines and other penalties available, as I mentioned before, to encourage compliance.

I think that is one of the complaints we heard from the City of Winnipeg when the Hells Angels moved into the city of Winnipeg and into Manitoba. One of the complaints we heard from the City of Winnipeg is that they did not have the legislative authority to deal with businesses like that business

that is set up just down the street from the Minister of Justice's (Mr. Mackintosh) constituency office.

One of the complaints they had, I remember in one of the articles in the *Free Press*, was that we do not have the authority, the legislative authority, to deal with businesses like that. That to me cries out for the fact that there should be some legislative authority to give to the City of Winnipeg and to other towns and municipalities and villages throughout the province and cities throughout the province to deal with these kinds of situations. We should give them that legislative authority. This bill, Bill 200, in fact addresses that issue.

I know the Justice Minister does not like to hear it, but you know in the year 2000 the Hells Angels moved into Manitoba under his tenure. Obviously, after the 1999 election, the Hells Angels decided that maybe it is a good place to do business in Manitoba. Because we do not have a government after 1999 to seriously take them on, why not come into Manitoba and start doing business, and that is what they did. River City Choppers, it seems to me like that is the idea of members opposite to create economic activity in the province and certainly their idea in terms of economic development of the province is to bring in all the criminal organizations they can in order to create business in Manitoba. That is not our view; that is their view.

The focus of this law, of Bill 200, will in fact permit municipalities to take a proactive approach to crime, not a reactive one. I think that is important. We have to stop criminal organizations from setting up businesses in Manitoba and in cities and towns across our province. We have to stop them before they begin. That is the important thing, not react after they have in fact established a business or established a gang house.

Businesses require occupancy permits. If at the time they apply for such a permit a municipal officer, if he or she knows that the application is made by a criminal organization or a member of a criminal organization or even an associate of one, according to the bill, they can deny that occupancy permit before they even set up within the community. The problem can be solved before it starts, before an enforcement authority or the general public needs to take action. This is the kind of legislation that is proactive legislation, not reactive, and for that very

reason I think members opposite should support this legislation.

To enact this legislation and to give power to municipalities, you would actually have to amend a number of other pieces of legislation that were passed by the Province which would include, of course, The Municipal Act, The Planning Act of Manitoba, and the City of Winnipeg Charter. Those acts could be amended effectively to give authority to municipalities and communities to take action.

You can take action in one of three ways. First, by virtue of this bill, you can attack businesses by allowing municipalities to pass a by-law to prohibit or regulate the carrying on of business by a person who is a member or who is an associate of a criminal organization and if the business is in fact set up to promote a criminal organization or to advance the interests of the criminal organization.

Mr. Speaker, the Justice Minister's bill, Bill 2, that was introduced at the same time as my legislation about a year and a half ago, simply takes action against members of criminal organizations, not associates. Therefore, this bill, Bill 200, is wider in its application and in fact would shut down River City Choppers, which is located just down the street from the constituency of the Justice Minister (Mr. Mackintosh).

I think the proof is in the pudding, Mr. Speaker. Bill 2 was introduced about a year and a half ago and, in fact, it has not shut down that store. I remember at the time, in fall of 2002, when the Justice Minister stood on a pedestal in front of all Manitobans, in front of all the media, and said: We are going to do something about River City Choppers.

\* (10:50)

A year and a half later, it is still operating. It is still operating, because that bill would not have, and I predicted it at the time, that it would not affect that business, and it has not, because it is still operating. This bill, in fact, would shut down that business, and I think that is something that the Justice Minister ought to regard when we are dealing with this legislation. In fact, if he is serious about doing it, he should be, including members opposite, they should be supporting this bill.

The other important feature about Bill 200 is we can attack people who are members or associates of a

criminal organization by prohibiting or regulating two or more members or associates of that organization from using a building as a residence and even using the building as a meeting place.

**Mr. Speaker:** Order. The honourable member's time has expired. There are other speakers. Other members wishing to speak to the bill?

**An Honourable Member:** Ralph, tell the truth.

**Mr. Ralph Eichler (Lakeside):** I will, thank you.

Regarding Bill 200, the private member's bill from Gerald Hawranik, the member from Lac du Bonnet, the bill gives municipalities the power to pass by-laws prohibiting or regulate businesses carried on by members or associates of criminal organizations, or the businesses used to advance interests of the criminal organization. The bill also allows municipalities to pass zoning by-laws to deal with places used as residences or meeting places for members of a criminal organization.

Community-based initiative enforcement: the solution to this problem must be a community based initiative which allows members of any community to enforce the provisions. The community involvement, of course, is critical. They should take ownership of the problem, and should be active and proactive in taking control of what happens within the boundaries of their community.

The rural areas are being moved into as the city has increased their police force, and we have found that the rural areas, especially in those areas closer to the city, Mr. Speaker, have become a target for the criminal organizations. They are setting up shops in the rural areas. Not so much in our area, but I know in some of the other areas, Anola and that part of the country and other outside areas towards Steinbach and that country. They have also set up shop and, using the youth to do their dirty work, bringing the property to Winnipeg and fencing it to the gangs and setting up shop within the city where the larger marketplaces are. The by-law enforcement in penalties is, my member from Lac du Bonnet had pointed out, fines of a thousand dollars a day for an infraction, is something the municipality can definitely enforce, and maybe try and put a stop to some of these.

The corporations of \$5,000 per day for an infraction or imprisonment up to six months also may become a significant deterrent in trying to shut down the shops.

Any injunction that can actually issue or to remove people from the premises or remove business owners and managers from business, or remove people from their homes, if necessary. The by-law that is being proposed, or Bill 200, the by-laws, further municipalities, would give them the opportunity to enforce these and do it on a local level, Mr. Speaker. Also, an order that may be to seize assets from the organization or even a breach of that order can result in additional fines and even extra jail time. Teeth are crucial to the enforcement of this by-law, and there are certainly substantial fines and other penalties available to encourage compliance.

Mr. Speaker, when the Hells Angels moved in, we heard complaints again from the City of Winnipeg that they did have legislative authority to deal with businesses being used by criminal organizations. The City of Winnipeg needs this by-law in order to get the legislation through so they can properly shut these businesses down. We need the proactive approach rather than a reactive one. We would solve the problem even before it started if this bill was put through.

There are three ways for this action to take place. First of all, businesses can attack by allowing municipalities to pass a by-law to prohibit regulations from carrying on business by a person who is a member of a criminal organization or has interest in a criminal organization. The Hells Angels store the Government is likely targeting with this legislation under their other bill is not only a target that the youth can go at and fence their products, as we have mentioned earlier, they use this as a business where the youth can raise a little extra money for their habits and not have enough organization to move their goods in another way. A provision like this will ensure those who are members of a criminal organization who are using the business as a front for unlawful activity and those who are using buildings for residences or meeting places are prohibited from doing so.

I would like to refer to *The Winnipeg Sun* on December 1, 2002. It described the process of safer communities and neighbourhoods, with which all of us as legislators must be concerned, by which courts

may evict people, board buildings or shut down buildings where there is drug use or dealing with prostitution, unlawful sale of liquor and intoxicating substances.

Mr. Speaker, we have read and heard about the City in the last few months trying to shut down this type of operation. It is critical that we try and do this. We do need safer communities. The legislation that we have has to be effective. The proposal we are debating is not a whole lot different from safer communities legislation in terms of its principles and the effect it would have on criminal organization, except for the fact that the provisions will be much broader in scope.

I think that, in my closing comments, we should support this bill, members opposite should support this bill. It is a bill that we as members of Government need to make sure that we have a safe community for our children to grow up in, our grandchildren. I think it is evident that this bill is a bill that would give the cities and the municipalities the teeth they need to bring by-laws forward and keep crime at the lower level that it should be. Thank you, Mr. Speaker.

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I rise to put a few comments on this bill because I think it is a very important private member's bill. I am really looking towards the Government here today to support this legislation, because, if you look at the intent of the legislation, I do not know anybody in this Chamber who can legitimately and in full conscience disagree with the intent of the bill.

I am going to call on the Government to put up some speakers on this bill. It is not just incumbent on the Opposition of the House to keep the legislation and to keep this House going. This may sound a little familiar, but for the last two weeks in this House I have watched members of the Opposition carry the debate on all the legislation. We have had smatterings of speakers from the other side of the House stand up and speak on legislation, but if we are really interested in advancing the cause on behalf of the people of Manitoba, then I think it is incumbent on both sides of the House to participate in a debate.

This is one bill that not only deals with trying to stamp out the activities of criminal organizations, but it speaks to the safety of our communities. I am not a person from the city of Winnipeg. I live here for five

days of the week or four days of the week. Even in those four days of the week I get to understand the serious nature of criminal activity and gangs operating in the city of Winnipeg. I am concerned enough that I rise today to speak on this legislation because the greatest impact of criminal activity and of gang activity is right here in the city of Winnipeg.

\* (11:00)

I know that on the government side of the House we have significant numbers of members, of MLAs, who represent the communities here in the city of Winnipeg where the problem is very active.

Just because the Opposition has introduced this legislation does not mean it is bad legislation. I think the Government knows that when they bring legislation into this House that we can support, we will support it. Our ideological blinkers are not on to the extent where we cannot look at what is good for the community.

I contend that this legislation is good for Manitoba, it is good for the city of Winnipeg, it is good for our communities. Because what does it do? It simply talks about empowering our local municipal legislators, if you like, our municipal councillors to be able to address the issue of gangs operating businesses in the communities.

It allows municipalities, it enables municipalities, it empowers municipalities to be able to pass by-laws which will indeed prohibit the activities of gang members in whether it is the city of Winnipeg or whether it is any other community across this province.

It also does another thing. It calls on our court system to support the activities of councillors and of local governments in ensuring that this kind of approach is effective. It calls on community-based solutions to problems that have been identified to all of us. Citizens have come to us on both sides of the House, to municipalities and have expressed their deep concerns, their fears for their families, for their children and for their communities.

If you look at the intent of this legislation, it simply says that it will allow a municipality to pass a by-law to prohibit or regulate the carrying on of business by a person who is a member or an associate of a criminal organization and whose business is

to promote or to advance the interest of the criminal organization. How can we, any of us, be opposed to that?

Mr. Speaker, we have seen what has happened in this city. This is a city we all should be proud of. I am proud of this city. But the pride of the city can be taken away very easily by criminal organizations, who tend to settle in communities in probably the poorer areas of the city, but then they begin to run businesses where the money from that business is intended to promote and to carry on the criminal activities of that organization.

If the Government were to support this legislation, what it would be doing is sending a very strong signal to those criminal organizations that indeed Manitoba is not open for business for criminal organizations, that the city of Winnipeg is not open for business for criminal organizations.

It sends another signal. It sends a signal to the communities that Manitoba is open for business. Manitoba is a safe place to do business. Manitoba and the city of Winnipeg are safe places to do business.

It does a third thing. That is it is a deterrent to other organizations that may not be operating in the city of Winnipeg yet. It sends a signal to them: Stay out of our city; there is no room for you to do business in our city.

Our municipalities are empowered to deal with organizations such as yours and we will make sure that we support our municipalities, that we support our local governments in ensuring that they have some teeth in the by-laws that they have and that those by-laws are going to be enforced by our justice system as well.

So, Mr. Speaker, in making my remarks to this piece of legislation, I have to call on the Government, and that is the role that we have when we bring forward legislation like this, is to call on the Government to not only support this but to join us, to join members on this side of the House, along with other Manitobans, along with municipalities, in trying to stamp out the way in which criminal organizations have been able to infiltrate our communities, infiltrate the business sector and do business with Manitobans for the purposes of advancing their criminal causes.

Mr. Speaker, I know that even your community, the members in your community and members in many of the MLAs' communities have concerns about this. We have read about it in the papers. It is not something that is new. We have read about it in the papers, we have seen it in the media and what we are doing is calling on the Government to take action, to join us in taking action on this piece of legislation.

Now, Mr. Speaker, ordinarily when a bill like this is introduced and if there are no members who wish to speak, a bill like this is passed on for second reading or for committee stage. If there are no members on the other side of the House who are prepared to speak on this legislation, then I encourage the Government to allow us to move this bill over into a situation where it can be dealt with in committee.

Mr. Speaker, at that point in time, we are going to really see how much interest there is in this legislation, because I am not afraid to put this before a committee of this House, a standing committee of this House, call community members forward and allow them to express their views on whether or not we are at least meeting the mark in addressing the principle of the issue.

So, Mr. Speaker, I know my time is limited in addressing the bill at this stage, but I cannot help but impress upon the Government that safer neighbourhoods, safer communities are what we should all be about, and anything that we can do in deterring criminal activity, criminal organizations from carrying on businesses for the purpose of promoting their criminal activities should indeed be acted upon.

Now, my colleague, the member from Lac du Bonnet, is someone who I have to give full credit and full marks to. This is a member that has stood in this House for the last two weeks on a number of bills, on a number of legislation proposals that have been put forward by the Government.

Mr. Speaker, if you listen to his comments on much of the legislation, he has been supportive of the Minister of Justice (Mr. Mackintosh) and the Government on many of the bills that they have brought forward. What he is asking for today is to go that one step further.

He is asking the Government to support him on a bill that he has brought forward to this House that

makes good sense, that is good for communities, and that is good for all of us. What it does is it speaks to the safety of neighbourhoods, the safety of people, the safety of our children, Mr. Speaker.

So, Mr. Speaker, let us leave our partisan hats at the door when we look at this legislation. Let us look at what it will do for communities, let us look at what it will do for the city and let us join together as a Legislature in addressing this problem that affects each and every one of us.

Mr. Speaker, in closing, I only want to reiterate one more time that this is a good piece of legislation, this is a good proposal, and if the Government has amendments to it that can strengthen it, I say to them bring those amendments forward in the appropriate way.

Otherwise, I stand with my colleague the member from Lac du Bonnet in calling on the Government to make their comments, to let their position be known and to support a piece of legislation that I think will go a long way to ensuring that together we stamp out this whole issue that has become a cloud over our province of criminal organized activity in the province of Manitoba. Thank you, Mr. Speaker.

**Mr. Glen Cummings (Ste. Rose):** My colleague from Russell has done a good job of putting forward, in my view, reasons why this legislation can be one of those pieces of legislation that all parties in this House can consider on a reasonable basis and not feel that they need to be partisan. In the hierarchy of government, and "hierarchy" is the wrong word, but it is the only one that comes to mind at the moment, the provinces and the municipalities and school divisions, as an example, have an interesting relationship.

In many respects, the province controls municipal budgets by putting in place regulatory structure that stops them, for example, in accumulating debt without some further standard of approval. That relationship also is about a division of authority. I think, too often, we overlook the capacity and the fact that municipalities are closer to the people in many respects than we are provincially.

\* (11:10)

I have been known to say out there, and I will say it again for the record, that in many respects a

municipal politician has a tougher job than a provincial politician, as the provincial politician probably has a tougher job than an MP. It is all related to just how quickly can your constituents get to you about issues that concern them.

In many respects, we have overlooked the fact that municipalities, because of their proximity to the communities, because they are grassroots in the truest sense, they can respond to the needs and, in the case of law enforcement, I hate to say it, but the fears, in some cases, of our constituents out there about what is occurring in their communities.

It may seem like a bleak approach to this legislation, but the fact is I wanted to make those points to prove that legislation such as this may well go a lot further than most of us in this Chamber would appreciate or would want to believe.

My colleague who sponsored this bill points out that there are two very significant events that have occurred in this province in the last couple of years where the judgment that was passed in both cases, unfortunately, where lives were taken, the judgment that was passed did not seem to meet community standards. No jail time for having murdered someone, no matter what the age of the perpetrator, strikes the public as being offensive. I understand the parameters of the law and the intentions behind the law, but still to the general public this was seen to be offensive.

So why do we not look at what a municipality can do? A municipality can do some of the things that have been done in Manitoba Public Insurance and Autopac theft and the enforcement of driver's licences where, instead of a court-driven solution, you have an administrative law approach that says if you do such and such, these are the consequences. It is done by administrative law. The removal of a driver's licence sometimes would fall under that category. That is a significant penalty, loss of a driver's licence, but it can be administered quickly. The consequences are known before the event occurs, there is no question of judgment. You do this, and this happens.

So, just following the extension of that line of thinking, Mr. Speaker, why do we not consider further responsibility and further action that can be taken through the authority of the municipalities? I know it is a joke among the general public when they

talk about meter maids and they talk about enforcement of parking problems. You get your car towed and you have to figure out which lot it has been towed to and you have to get a taxi to get there to get it back and you do not even get the keys until you put cash in the hands of the towing company. That is a lot more efficient administrative law, as much as we detest it when it is our car that gets towed.

**An Honourable Member:** Are you familiar with it?

**Mr. Cummings:** But it works. Well, I must admit that I have experienced this, and, as my colleague happily points out, it is not a pleasant event, but it works. I will not park where I should not if I read the signs.

I say that not lightheartedly but to demonstrate that we can do things through administrative law and through the authority of the municipalities that work. This is the basic fact and understanding behind what is in front of us for this discussion.

As my House leader said, it is very rare when opposition bills get anywhere other than gives us a chance to flap our gums and act like we are smarter than the Government. This is not a case of being smarter than the Government. We just want them to listen and to consider what could be done to improve what we see as a significant problem out there. We have an opportunity here.

I find it troubling sometimes that the Premier (Mr. Doer), even when he was in the opposition, he used to have that way of standing up here and leaning over the bench and saying, "In an all-party way."

The first time or two he did that I could not understand what he was getting at, the way he was phrasing it. He has hitched his political wagon to that type of thinking. So here we go. I say to the Premier, if he has the monitor on down in his office, think about it. You now have that phrase that you keep repeating to the people of this province: "In an all-party way." Every time a controversial issue comes up in this House that seems to be now where a lot of the government people head. Well, this has to be all-party, so we all hold hands together and take responsibility in case somebody in the public dislikes it.

But there is a real serious opportunity to allow municipalities, it would more likely be the larger municipalities, although I certainly represent some areas that have had huge problems with vandalism, with theft. They would like authority to be able to deal with some of those issues, but I suspect that we are talking about business fronts that raise money for criminal activity. There is not one member in this House that would not recognize and appreciate and applaud the fact that this is a fair and reasonable way of stopping criminal activity.

We all watch enough American television that we have seen the scenario of if you want to stop crime you hit them through the tax department. This has a little bit of that element in it. If you want to stop crime that is hiding behind legitimate business fronts, then do it. The quickest and the most efficient way to deal with it is to allow the municipalities some authority, give them the authority and support them in that authority so they can get on with doing some of the things that could be useful in that respect.

It does come back to the fact that very often there are things going on in the community that the community knows about but the authorities do not necessarily. That relationship between the authorities and the community is not always as strong as it should be. That is simply a matter of fact, Mr. Speaker, not a reflection on the community authorities. But, as you take this type of enforcement closer and closer to the people on the streets, then I think the opportunity to engage in enforcement and protection which would flow from the elimination of some of the criminal fronts, which would be the most extreme example, is an appropriate way to go and one that certainly states clearly to the public that on behalf of the citizens of this province that we are not going to take it anymore.

There are too many times when people who are good, decent, law-abiding citizens feel they have been abridged or that their rights have been abridged or that they have not received the support they deserve when a criminal act has been perpetrated on them or on friends and relatives. That would be a starting point in terms of a discussion around how we can do a better job, how we can better support law enforcement, both provincially and locally, and how we can effectively make Manitoba a less pleasant place for those who would perpetrate criminal activity within our communities.

I know it probably grates a little bit on the Government to have to listen to the debate on an opposition bill, but I also know this Government has in many respects and the current Attorney General has, when he was in opposition, railed mightily on the law enforcement and inappropriate sentencing and all of those things. So I would appeal to him and the Premier (Mr. Doer), now is the time to stand up and stand with our member and with those of us on this side of the House, to take an honest look at this method of enforcement, this type of legislation that would be useful in enforcement and perhaps we can mould something out of this that will be suitable within the framework of our municipal government.

As I began my comments in this respect, municipal government has capabilities that in many ways we do not respect or necessarily use to the benefit of society in a way that we might. What better example than what the current mayor of Winnipeg is trying to do. He has been going on for quite some time now about the authority and the needs of the municipalities. Take that one step further in terms of what they might be able to do if we gave them more ability to govern and enforce laws within their own jurisdiction. I think there is a natural connection there, although that is not the side that the mayor has been coming from, as I understand it, but frankly, I have had local small town officials point to this type of situation many times and indicate that if they had the authority they would do something about it. Whether those were appropriate comments or whether they were bluster, I would suggest that they were sincerely intended comments, and that by looking at this type of legislative approach we could actually do something about it.

\* (11:20)

**Mr. Jack Penner (Emerson):** Mr. Speaker, I want to rise today and speak to Bill 200. First of all, I want to congratulate and commend the honourable Member for Lac du Bonnet (Mr. Hawranik) for having thoughtfully drafted a piece of legislation as a proposal before this Legislative Assembly to deal with an issue that has been at the forefront in the media in this province now for better than half a decade. I think it has all been this kind of legislation, and the need for this kind of legislation has been largely pre-empted by actions that we have seen all over this province, not only in the city of Winnipeg but in large part the need for this was brought about



by a clear indication that organized crime had set in in a major way in this city, and I believe indeed the whole province of Manitoba.

I do not think this issue is only a city of Winnipeg issue. I think many of the efforts of organized crime are decentralized. I speak of whether it be marijuana grow operations or whether it is actually houses that are used to manufacture amphetamines and those kinds of things. We all know now how easy that is and how well that can be done in a very close, confined area. So I believe that there is a real effort being made by this piece of legislation by my colleague that would help communities, individuals within communities, police enforcement agencies and local rural and urban councils to effectively be able to help stem the increase of illegal activities across this province. Indeed, we all know, on behalf of most of our young people in this province, that this is sadly needed.

Mr. Speaker, we have seen the crack houses that have been identified by Reverend Lehotsky and others that he has grave concerns about. He has pointed fingers at some of them, but those, I believe, are only a picture, a snapshot, of the reality of the total problem in this issue.

I believe to get at the root of organized crime and this whole drug trade and many of the other activities that are not as visible, and maybe as sexy, to get the front-page headlines are equally as important to put a stop to.

When I look at the legislation that the honourable Member for Lac du Bonnet (Mr. Hawranik) has brought forward, he makes it very clear that we need better law-enforcement abilities to be able to deal with and allow the courts, municipalities, planning districts, a minister, private citizens, RCMP and police enforcement agencies, whether they be municipal enforcement agencies, police agencies, City of Winnipeg, the RCMP and others. Give them the legislative authority that they can, in fact, use the laws effectively. That is not the case now; we all know that.

We only need to sit down and speak to our local police enforcement officers and they will tell you that they have not got the authority to deal effectively with many of these things. The honourable Member for Lac du Bonnet has spent a lot of time identifying that when the Hells Angels moved in

what effect that had on the safety aspect of the province of Manitoba. Indeed, many of the citizens or the people of Winnipeg have felt what that really meant.

Mr. Speaker, he goes on to say what is needed in changing the legislation. My honourable colleague says that we need better enforcement agencies. We need better enforcement abilities, and that can only be done by changing the law. We need better penalties that would be a deterrent to the criminal activities that go on now. He said, in addition, a Court of Queen's Bench judge can order an injunction against a person or a criminal organization; the contravention of the by-law can be restrained by the judge which is not the case now.

He says any injunction can actually be issued or remove people from premises, remove business owners and management from businesses or remove people from the homes, if necessary, if we enacted this kind of legislation. Therein lies our biggest dilemma today, that can very often not happen under the current laws.

I think when the honourable member says there are teeth in the enforcement of a by-law if the by-law is done properly and allowed to be done and brought forward even by an individual citizen, or the request for a by-law, this law would allow that to happen.

That really says to me, Mr. Speaker, that this bill talks to the empowerment of the people of Manitoba. It offers a law that would give much broader involvement, allow much broader involvement for all of the people of Manitoba. It would give them the comfort that they, in fact, could have an impact, make a difference and cause safer communities to happen. That is the key of this piece of legislation: the empowerment aspect of the individual, community organizations, municipalities, police enforcement agencies and all those kinds of things would give them a greater degree of power to deal with these matters.

I think that is the important part of this. The Member for Lac du Bonnet (Mr. Hawranik) goes on to say: In order to enact this legislation, if this in fact did become law, we would need to amend a number of other parts of pieces of legislation that need to be passed by the Province, including The Municipal Act, would then need to be amended. The Planning

Act would need to be amended. The City of Winnipeg Charter would need to be amended.

Mr. Speaker, he said there are three ways to take these actions. That is, first of all, businesses can be attacked by allowing municipalities to pass a by-law to prohibit, regulate the carrying on of a business by a person who is a member or an associate of a criminal organization and whose business is to promote or advance the interest of criminal organizations.

This bill would empower municipalities and be able to allow them to pass by-laws that say no, you cannot be a criminal organization and you cannot promote your own activities. I think we have seen a measure of this when the Hells Angels opened a storefront in this city of Winnipeg. We all knew what the Hells Angels were. We all knew what they represented. Yet, there was no law that says no, you cannot do this. You cannot promote your own best interests in this manner.

Secondly, the members or the associates of a criminal organization can be targeted under this law by prohibiting or regulating two or more members or associates of that organization from using or building as a residence or even from using the land or the building as a meeting place. I think that is a very powerful piece of legislation that would give municipalities or even individuals the right to encourage the enforcement or the issuance of by-laws and enforcement of by-laws that would give the local enforcement agency the strength to counteract the illegal activities going on in a given municipality.

\* (11:30)

I think, Mr. Speaker, that we should pay a lot of attention to this kind of legislation. Any time that we can empower our citizens to become more proactive, to engage in activities that are for the betterment of our young people, our children, the development of our community organizations such as recreational activities and other activities and then to give them the right to take action against those that would be perpetrators against those societal activities—in other words, cause the deterioration of the communities— is where we want to go.

That is where I stand as a member of the Legislature. That is probably one of the main reasons I came to this Legislature in the first place. You

know, Mr. Speaker, that I have always been a proactive person as far as organization and/or the promotion of our individual rights to enact business or get involved in community activities, sponsoring community activities, such as we did in the town of Altona, that is my hometown, when we built the Millennium Centre. It took 20 years to get there but we finally got there. I was very proud to have been part of that kind of an organization that would be able to do that. I am also very proud to say that we, at that same time, tried to enact and organize activities that would engage young people in the promotion of the welfare and safety of our community.

This bill is what was needed at that time. This bill is needed today. I ask all members on the government side of this House because we know where we are in Opposition.

We know that we will support our member from Lac du Bonnet in his desire and will to bring forward this kind of legislation. We ask—we beg—all members of Government to support Bill 200, and to try to make Manitoba, all of Manitoba, including the city of Winnipeg, a better and safer place to live. Thank you, Mr. Speaker.

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, I am sorry, I apologize, I thought the Member for Selkirk (Mr. Dewar) was actually rising in his place to speak on this bill. But I guess, once again, we have got a bill before the House which the government benches refuse to speak on, which, you know, I guess that is their prerogative.

Mr. Speaker, I would like to start out by congratulating the Member for Lac du Bonnet (Mr. Hawranik) on bringing this bill forward, and in doing his due diligence and homework when it comes to the problems that are being faced by the citizens of Manitoba, and particularly the citizens of Winnipeg, as regards to gang activity in our province and in our city.

The member recognized, quite rightfully, quite a while ago, that the bill that was brought forward by the Minister of Justice (Mr. Mackintosh), Bill 2, the Civil Remedies Against Organized Crime bill, was not going to do the job.

Mr. Speaker, that job is a bill that only has teeth in it after the fact. Bill 2 is a bill which has proven to

be ineffectual. We are over a year later, and the Minister of Justice still has a gang-owned commercial operation operating right down the street from his constituency office.

Mr. Speaker, how many times has the minister stood up in this House or gone outside this Chamber and given a press release indicating how he was going to crack down on gang activity, how under his watch, under the watch of Premier Doer, they were going to make a dent in the gang activity in the city of Winnipeg and in the province of Manitoba?

Mr. Speaker, his bill is again demonstrating how badly this Government has failed. In 2000, Winnipeg and Manitoba became home for the first time to the Hells Angels. Under their watch, under the watch of this Minister of Justice, the Hells Angels have moved in to Manitoba, and then their ranks have steadily grown. Their influence in Manitoba and in the city of Winnipeg continues to grow.

Even as we speak today in the Legislature, their influence in the city of Winnipeg continues to grow. It is something that all members need to be very, very concerned about, and what we need to ensure is that our police officers, our prosecutors, all of those public servants that attack crime on a day-to-day basis have the means and the wherewithal and the support of all legislators in this House to do their job and to do it effectively.

This Government, quite frankly, this Minister of Justice has let the people of Manitoba down. Yes, he was out there with his press release, you know, announcing he was going to shut down any commercial enterprise that was owned and operated by gang members. He was going to take strong action.

I did not believe him. The people of Manitoba have learned not to believe him, because this is a minister whose own staff, whose own staff in the Justice Department, call him soft on crime. A Minister of Justice whom his own department calls soft on crime, and yet he has the nerve to stand up and tell this House and to go out of the Chamber and issue press releases indicating that somehow he is going to reduce crime activity in the city of Winnipeg and in the province of Manitoba.

It is simply not happening. We see every day in the newspaper, and we are all affected: St. Norbert,

Fort Garry, Fort Whyte, we are all affected by criminal activity regardless of where we are in the city and in the province of Manitoba.

I have a case in Fort Whyte where a senior Hells Angels member, known to the police, has a residence right in the middle of Fort Whyte.

Mr. Speaker, from time to time, in my discussions with the local police, they will tell me that they monitor the activities of this individual. But there is really not a whole lot they can do. We see more and more, and we read every day in the newspaper that the Asian gangs and the Hells Angels are increasing the number of grow operations in the city of Winnipeg. Indications a couple weeks ago, a couple were shut down in the constituency of Fort Whyte. They are in The Maples. They are all over the city.

There is no constituency in this city, there is not constituency in this province that is free from the activities of criminal organizations, criminals like the Asian gangs, criminals like the Hells Angels.

So what the people of Manitoba are asking of their Government, of their legislators, is to enact tough legislation to allow the police and the prosecutors to do their job to the fullest extent possible. Along with that legislation, they are insisting that the Government provide the resources to follow up on the legislation.

Mr. Speaker, we see none of that from this Government. Instead, we see a Minister of Justice (Mr. Mackintosh), who issues press release after press release. Yet, when we come back on him a year later and ask him and challenge him, as a good opposition should, on what has happened as a result of the legislation he has passed or the press release that he has issued, we find out time and time again that his legislation has been ineffectual. That nothing has happened.

\* (11:40)

The biggest problem is that this minister is so interested in issuing press releases that I do not think he takes the time, I do not think he gathers the resources around himself to come up with tougher and properly worded legislation that will deal with the issues.

As a result, we have the member who has done his research, who has looked at the situation and has brought to this House an excellent bill, a proactive bill, a bill that, through by-law, would allow municipalities to take action before they are faced with the establishment of a criminally gang-related, gang-owned commercial activity in their municipality, in their neighbourhood, in their city. I applaud him for that.

That is what this Legislature needs to be doing. We need to be giving more power to municipalities. We need to give more power to police officers, more power to prosecutors, more power to all justice officials in order to become tough on crime, to crack down on crime, to let the gangs who seem to be operating with impunity in the province of Manitoba know that we are serious about taking them on.

Other provinces are doing it. We heard, just this week, of a Hells Angel trial in Québec where the felons were convicted. Not only were they convicted, they were given very, very serious jail sentences: 20 years and 22 years, I believe. Sentences for their criminal activities involving gangs.

That is the kind of message that the Province of Manitoba needs to send to gang members and we are not doing it, because this minister is not tough enough on crime. It is these types of messages that will deter young Manitobans from the lure of joining gangs. They need to understand, Mr. Speaker, anyone who is involved in criminal activity, anyone, particularly those who are involved in gangs, that we are not going to tolerate that activity in our community.

It is time for this Justice Minister, it is time for every member of the NDP caucus, to rally around that cause and to stand up and fight crime where it exists. Mr. Speaker, this is a very comprehensive bill. It would allow for some serious fines which, I believe, would be a deterrent to gang members; to deter their gang activities and to help our communities deal with what is going on in their neighbourhoods. The first issue is to make sure that we have the resources and the police department to identify the gang activity and to attack the gang activity.

Mr. Speaker, right now we hear from the Chief of Police that he does not have the resources within his department to bring all of the known grow operations to justice. Imagine that, we do not give

enough resources to the City of Winnipeg to allow the Chief of Police to deploy enough of his staff to go around and shut down, and I am not talking about discovering new operations, these are known grow operations.

We have not provided enough resources to the City of Winnipeg to allow our police force to shut down the grow operations that they know of. This Government needs to be embarrassed. The Doer government needs to be embarrassed by the lack of support that it has given to the City of Winnipeg in this regard. It is just another indication of how soft on crime—and I think really what it shows is how little attention anybody else in the NDP caucus pays to crime. They just let the Minister of Justice (Mr. Mackintosh) go out and issue another press release. He seems to be able to spin one a day about this, but nobody within that caucus, nobody within Cabinet, not even the Premier, holds him to account to make good.

It is time that the Doer government started to walk the walk. The citizens of Manitoba, the citizens of Winnipeg are tired of hollow words from this Government. They want action and I would implore this Government, in fact I would ask members opposite to join with us today. If you have any problems with this bill, if there are issues that you see with the bill that you think need to be amended, I, along with other members, would welcome a discussion on this bill, would welcome an opportunity to get this bill into committee to hear from the people of Manitoba, from the people of Winnipeg, what they think about organized crime operating within their city, about organized crime operating commercial activities, Mr. Speaker, commercial businesses right down the street. Maybe even the Minister of Justice would appear before the committee to explain what the effects are of having a gang-owned enterprise operating within his constituency some two to three blocks away from his constituency office. I am sure his constituents must apprise him on a regular basis of the problems that are caused by allowing that commercial enterprise to operate.

Mr. Speaker, I would request that the members opposite do the right thing and speak to the bill, let us know if they have any concerns with it, if they have any issues with the bill, and then let us do the right thing and take this bill through to committee. Let us listen to the people of Winnipeg, the people of Manitoba. Let them have their say and then we can

do the proper thing as legislators and come back to this House and deal with this bill on third reading, deal with any amendments that might be necessary. Let us get on with the business of sending a clear and strong message to organized crime that they are not welcome in Manitoba and, if they choose to set up in Manitoba, they will be dealt with. And they will be dealt with in a proactive fashion, as this bill suggests. They will be dealt with before the business is set up.

This is a comprehensive bill. What I like about it is that the focus of the bill is to permit municipalities to take a proactive approach to crime in their own municipality. It puts into their jurisdiction the opportunity to refuse to give out occupancy permits for businesses that are established by known criminal organizations. This would prevent the problem before it even got started.

In closing, again I would urge government members to rise with us to speak to this bill, to debate it. Let us know what your thoughts are. I am sure citizens in Assiniboia and St. James suffer the same worries that those in Fort Whyte and Fort Garry and St. Norbert and other constituencies in Manitoba suffer, not knowing where they are going to run into organized crime within their constituency.

So I would encourage all of the members to put their thoughts on the record and, as I said, if you want to amend the bill, bring those amendments to committee. We would be glad to hear from you.

**Mr. Jack Reimer (Southdale):** It gives me pleasure to rise during this private members' hour. We are talking about Bill 200, The Criminal Organizations Deterrence Act, and the amendments that go forth with it.

Private members' hour, Mr. Speaker, is a very special time for government in the sense that it does bring forth the ability for individual MLAs to bring forth bills or positions that they feel very strongly on and to bring to the attention of government and to all members of the House why and what direction they feel is appropriate for the introduction of this bill.

Mr. Speaker, it is a pleasure to rise and speak on this. We saw recently that the use of private members' hour and the introduction of private bills can be very very useful, because we are in the process now of debating a bill that was brought forth

by the Member for Carman (Mr. Rocan) in regards to the smoking bill, which has received a lot of consultations and now before the House in debates. It is something that was brought forth by the Member for Carman as a private members' bill.

So there is merit to the suggestion that there is validity to look at private members' hour and private members' bills to get results. We believe this bill here is something that the Government will support. They feel that criminal organizations, I do not believe that they feel that they should be supported or encouraged or given the opportunity to conduct business in a manner that is detrimental to the safety of the people of, not only Winnipeg, but all of Manitoba, in their proceeds of crime that are realized for the sale of any type of merchandise or business carried on by criminal organizations or gangs. I think it is common sense that says that this is not a good thing.

\* (11:50)

A bill of this nature would amend the powers and would give municipalities the power to pass by-laws that prohibit or regulate business carried on by members or associations of a criminal organization if the business is used to advance the interests of the criminal organization.

The bill also allows municipalities to pass zoning by-laws to deal with places used as a residence or meeting place for members of a criminal organization. I think there is a growing awareness that gang activity is growing here in Canada and in Winnipeg and in Manitoba, and that there is a need to somehow get on top of trying to bring it to task. The citizens of Manitoba are saying that something has to be done. We cannot go along willy-nilly like we were doing and just sort of, soft slaps on wrists here and there for criminal activity and allowing gangs to flourish.

Some of my members have already spoken about the Hells Angels and the fact that they have come into Manitoba under this NDP government watch. They have flourished, and they seem to be fairly well-entrenched into the organizational structure of Winnipeg and Manitoba. There are ramifications for all citizens of Manitoba and Winnipeg as to possible criminal endangerment that might come about because of these activities.

Mr. Speaker, there has to be an approach by this Government, and we will look forward to the Government, their debate on this bill, Bill 200, to get their viewpoints on it. I am sure the Minister of Justice (Mr. Mackintosh) will be speaking on this later to bring forth his recommendations.

If there are amendments, I believe these are healthy initiatives. I do not think anybody recognizes that all bills are totally devoid of any type of corrections or improvements, and I think that is part of what we would look for when this goes to committee later on. It is a matter of trying to make this the best bill for the people of Manitoba, and if the Government wants to bring forth amendments, I am sure we would look at them in a positive manner, as long as they help to enforce it or possibly even to bring it into a stronger position of enforcement.

The citizens of Manitoba are saying they do want this Government to be tough on crime. We have noticed that it has been pointed out that a lot of the perception is that the minister is soft on crime, but we are giving him the opportunity and this Government to show they do mean business by passing this type of legislation and discussing it as for its requirements.

What it does is, it also does give power to the people in the sense of the organizations—pardon me, the municipalities, so that they can make decisions regarding that. It gives power to municipalities and they would have to amend some of their legislations like The Municipal Act, The Planning Act and the City of Winnipeg Charter, but those are things that, I think, the people of Winnipeg and the municipal authorities would welcome, if they had the ability to step down to bring forth this type of act for consideration.

A provision like this will ensure that those who are members of a criminal organization, and who are using a business as a front for illegal and unlawful activity and those who are using buildings for residence as meeting places, are prohibited from doing so. That is a common-sense approach to curtailing criminal activity.

Criminal activity has to be recognized, and I believe the police force here in Winnipeg and law enforcement throughout all of Manitoba are working

very diligently at trying to do the best they can do in regard to the curtailment of crime in all areas. But they do need the tools, they do need the support, they do need the ability for government to act, to give them those type of tools if you want to call it. Also, to give the municipalities and the elected officials in the City of Winnipeg and other municipalities the ability to move toward elimination where they feel there is organized crime creeping into their communities.

We hear of this happening now when we look at some of the rural papers. Some of the organizations and some of the activities that are happening in the rural area. This is something we notice in reading the papers and some of the radio we listen to from the rural area, that it is a growing concern. Municipal officials that are elected to make decisions do need the tools to bring about changes, and this is why we feel this bill is something the Government will look at very, very seriously.

We feel they are positive in their attitude of trying to make Manitoba a safer place to live, to work and to raise a family. This is one of the areas where we feel something can be done, and if the Government feels, as I mentioned earlier, they feel there is possibly room for some sort of amendments, we are always willing to work with the Government.

The Member for Ste. Rose (Mr. Cummings) was mentioning how the Member for Concordia, the Premier of Manitoba (Mr. Doer) right now, when he was Leader of the Opposition, used to always say we need an all-party understanding of where this is going, and we are prepared to pass this to committee. With those short words, I believe that we are willing to pass this on to committee.

**Mr. Gregory Dewar (Selkirk):** Mr. Speaker, I move, seconded by the Member for Wellington (Mr. Santos), that debate be now adjourned.

**Mr. Speaker:** It has been moved by the honourable Member for Selkirk, seconded by the honourable Member for Wellington, that debate be adjourned. Agreed?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Voice Vote**

**Mr. Speaker:** All those in favour of adjourning debate, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to adjourning debate, say nay.

**Some Honourable Members:** Nay.

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

\* \* \*

**Mr. Speaker:** Is it the will of the House to call it twelve? I heard a "no." I will ask one more time. Is it the will of the House to call it twelve noon?  
*[Agreed]*

The hour being twelve noon, this House will recess and we will reconvene at 1:30 p.m.

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