

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

Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

Member	Constituency	Political Affiliation
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.
VACANT	Minto	
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.
VACANT	Turtle Mountain	
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 7, 2004

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

MATTER OF PRIVILEGE

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise on a matter of privilege.

Mr. Speaker: The honourable member, on a matter of privilege.

Mr. Gerrard: Today, Mr. Speaker, on the Order Paper we have a motion proposed which I submit is essentially a very draconian imposition of closure for this Legislature, not only on the sessions this year but on next year. The motion proposes a form of closure to occur on the present session and, as I said, on the sessions to be held next year.

When the rules were changed about a year and a half ago, Mr. Speaker, it was presented by the government as a mechanism by which we would move to a time of lesser focus on Estimates to a series of new rules that would provide for more careful, in-depth and orderly evaluation of bills which could proceed in a careful fashion and using plenty of time for consideration of bills.

The government last year restricted the Legislature to meeting on 37 days. Though we have met for more days this year, we are still far lower than the normal number of days sitting based on a historic perspective.

We on this side of the Legislature are working hard to give our best effort in discussing and debating the merits or lack of merit of bills put before this House. It is important that the Legislature have adequate time to consider bills and other matters and that there be plenty of time for debate, rather than the rushed situation that we are being presented with.

Mr. Speaker, I move, seconded by the member from Inkster, that this serious matter now be referred

to the Committee on Legislative Affairs and then be reported to the House.

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

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I certainly submit that this is in no way a prima facie matter of privilege and, by the way, it has been characterized as some form of closure. I wish the member would read the motion, and he would discover that in that motion what is accommodated is up to 45 more hours for debate. The motion says more debate, not less debate.

I think I hear a member opposite talking from his seat. I think what we have to do in this House, like we do near the end of every legislative session, is look to co-operate to move the public's agenda along. Now we were doing that with the co-operation of the two independent members until last Wednesday when they came back and said, Mr. Speaker, that they were not interested any longer in consenting to additional hours, a little bit of overtime in this House, as we have been doing over the last several days. In fact it is well-known that as the sessions wind down, the members consent to a little overtime to get the public's agenda moved along. Instead, they came and they said that they wanted to see amendments to The Legislative Assembly Act to recognize the independent members as an officially recognized party.

In my view, and I told this to the Member for Inkster, that it was unethical to hijack the public's business by demands for more perks because that kind of status means higher pay for their leader. It means, I understand, a car. It means more support, and I understand the Member for Inkster said, "Well, we did not want that right away. We could wait for the finances, after recognition, until after the next election."

* (13:35)

It is the same issue. To tie that in with the public's agenda, I think, is unethical. It is certainly unacceptable to all the stakeholders that have an interest in the public bills that are on the Order Paper. Mr. Speaker, by any tying up of the legislative agenda, we will certainly be advising those stakeholders that they can call the Liberal members and ask why their bills are not being dealt with.

What we have here is a member that just got up and said, "How come we have this motion?" I would say to the member opposite, "Why have he and his colleague from Inkster repeatedly got up since Wednesday and turned down not only sitting in concurrence on Thursday afternoon and I think on Wednesday afternoon, but they actually turned down an offer that was initially requested by the Member for Inkster that they be able to question ministers in concurrence aside and apart from the Official Opposition?" In other words, a protected time to ask those questions. That was offered to them on Thursday night and on Friday, unprecedented in this House, and they said no. They do not want to work. They actually do not have the questions, I guess, by that.

So, imagine them getting up today and saying, "Oh, this motion restricts debate." We have done nothing in this House, Mr. Speaker, but try and enlarge the time available, particularly for the members opposite in the independent seats to ask more questions, and make sure there was full debate, but the members do not want to co-operate as they were earlier.

There were two demands that were made on Tuesday night. That was that the Liberals have time to speak on every bill. I said, "That is good." They said, "We want time for concurrence, protected from the Official Opposition." As a result of discussions with the Official Opposition, that was agreed to.

So, on Wednesday morning, it is a new game. Now it is about Official Opposition status and pay, salaries, cars and things like that. That is not acceptable to the public, I submit.

Mr. Speaker, I think what members in this House should do is recognize that we have work to do. When all parties agreed to the June 10 rising of the spring session, it was, of course, contemplated that the budget will pass by then. I suggest that the independent members rethink their current position,

their little negotiating ploy, and what we do is get down to the public business recognizing that this motion on the Order Paper does not close down debate on bills. Not only does it provide up to 44 additional hours of debate time on concurrence, budget and public bills, but it says that public bills not given Royal Assent or agreed to by June 10 go over to the fall. It continues debate on the public bills that are not passed.

I say, though, on behalf of the public, on behalf of the stakeholders, please pass those bills. Get down to work, roll up your sleeves. A little overtime is not going to kill you.

Mr. Speaker: Order. I think I probably heard sufficient argument. If the honourable member is rising because he feels that there is some point that has not been touched upon, I will hear the honourable member.

Mr. Kevin Lamoureux (Inkster): Thank you, Mr. Speaker. I think it is imperative that before this goes to any committee, that Manitobans have a right to know a few facts. The Government House Leader has attempted to mislead and ultimately—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Mackintosh: Yes, Mr. Speaker, clearly the words by the member are unparliamentary. Honourable members do not attempt to "mislead." You cannot do both, and I certainly stand by my word in terms of negotiations. By the way, if the member is talking about misleading, I will say that talking about sitting days is wholly misleading as to the work of this Legislature. If we are here until June 10, we have calculated we will actually have 102 sittings of the House and committees. That is a better measure of work than his irrelevant number.

Mr. Speaker: Order. On the point of order raised by the honourable Government House Leader, "mislead" has been ruled parliamentary by some speakers, unparliamentary by other speakers, but I know for sure that "deliberately mislead" or

"misleading" has always been ruled unparliamentary. I would caution the honourable member and ask him to pick his words very carefully.

* * *

*(13:40)

Mr. Lamoureux: Mr. Speaker, let me stick within the facts. The fact is that in 2003 the Manitoba Legislature sat for 37 days. The fact is this government has sat for less than 40 days—

Mr. Speaker: Order. Before we get too far into this, what we are raising right now is to try and draw to the attention of the Speaker that it is the first opportunity and if it is a prima facie case, but I have not moved it for debate so we are not in that debate stage yet. It is just to try and convince the Speaker that it is a prima facie case.

Mr. Lamoureux: Mr. Speaker, that is what I am indeed trying to indicate. The fact remains that the Government House Leader has put information related to this privilege that I think needs to be addressed. The government's position is in the name of efficiency we can have a multitude of committees meet, we can sit these types of hours in order to expedite its business. The framework of the changes to the rules from last year, everything the government wants to be able to accomplish can be done under that framework. There is no need for the motion that has been brought forward or introduced for reading tomorrow which is going to severely limit the rights of individuals within this Chamber.

Ultimately the government could say we will sit 20 days next year and we will have four committees going on and we can sit until midnight. You know what, the government could in fact then get away with sitting for 20 days, if that is what they chose to do. Then if opposition, whether it is me or other members of the opposition were to stand up, we would then be accused of saying, "You do not want to work hard. You do not want to work late." We sat this. Nothing could be further from the truth.

The reality is there are rules that need to be respected, and the motion the member from River Heights has put forward I truly believe needs to be addressed. Some of the rhetoric when the Government House Leader said this is about a new car or other issues related to Bill 210, the government members should be made aware that it

was that Government House Leader that brought up the issue of sympathy on private members' bills and the discussions we had afterwards. The Government House Leader knows that. It was not until the following day, and even when I met with the government representative at that time I clearly indicated it would have absolutely nothing to do with additional resources or privileges within this Chamber. Those are the facts.

Truth be known, Mr. Speaker, the agenda of the government is to try to minimize the number of sitting days for this Legislature. They are the ones that do not want to be held accountable inside this Chamber. Every day I rise, as I will today, on petitions from Manitobans who are calling and embarrassed about this government's poor performance inside this Legislature. I think it is shameful and disgusting that a government does not recognize its obligations to this Chamber, and when it tries to override the rights of the minorities it is disgraceful and this government needs to re-evaluate.

To try to imply motives on other members inside this Chamber as to why we are doing it is unacceptable, and this member, the Government House Leader (Mr. Mackintosh) and others better start apologizing if they believe that they can sell it to Manitobans because I will take it to a higher court. I will challenge the Minister of Government Services (Mr. Lemieux) or the Government House Leader. He can pick the school. We will notify the residents and have them come out to his school and see what his own constituents have to say about the poor attitude of democracy in this province. I would welcome such an articulation and debate from the Government House Leader, Mr. Speaker. But you know what, the Government House Leader would not have the guts to call my bluff on it because he knows the government is wrong. It is indefensible. For that reason we brought it today—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I have ruled in the past using the term "have the guts" out of order, myself. I would ask the honourable member to withdraw that comment and to be relevant to the prima facie issue of this privilege.

*(13:45)

Mr. Lamoureux: Yes, Mr. Speaker, I will withdraw the remark of "guts."

Mr. Speaker: I thank the honourable member for that.

Mr. Lamoureux: Mr. Speaker, we read the Order Paper today. This was the first indication that I and the member from River Heights had in regard to what the government's intentions are. We all have a copy of it, obviously. If you read this, I would like some sort of an explanation how government members do not believe this is a form of closure because it is. This is proposing that we go way outside the rules of this Chamber. When you put it in the context of that agreement from last year where we had 240 hours of Estimates and it has been reduced down to 100 hours, more and more individuals rely on the importance of concurrence, and we feel very little support coming from this government to be held accountable on the whole issue of concurrence.

Mr. Speaker, we have bills that have just been introduced by this government and they expect to see them passed without legitimate debate. They will define legitimate debate by saying, "we are prepared to sit into the wee hours," or "we are prepared to sit additional days in committees," and so forth.

I did not fall off the turnip truck yesterday. I will go back to the days in which this government was in opposition. It would never, ever have tolerated any sort of action of this nature from the Conservative government. I can remember the Government House Leader running across the Chamber, throwing his fists in the air on the whole MTS and how the government of the day felt they were trying to limit debate. Mr. Speaker, this same Government House Leader, who trampled across the floor and waved his fist, is now doing the same thing. He is doing the same thing on not only one piece of legislation but on a multitude of pieces of legislation so that is why we bring it forward as a matter of privilege. We do believe it appeared on the Order Paper today, so it is the first opportunity, and we believe that it is important enough that it should be on the agenda of the committee.

Mr. John Loewen (Deputy Official Opposition House Leader): Mr. Speaker, I will be brief with regard to the matter of privilege before the House. I do not believe that there has been a prima facie case made for the matter of privilege.

The Official Opposition takes a position that the government has filed a motion as is identified on the

Order Paper. It appears to be in order. As opposition, we look forward to a quick debate on this motion and that is when we will take our opportunity to speak to this motion. If it be at night or at times other than usual in order that we move the business of the public ahead and the business of this Legislature ahead, members of the Official Opposition will be more than pleased to be here and speak our minds freely and openly in terms of any motion or any legislation before this House.

With regard to the grandstanding of the member from Inkster and his leader, I would just say that if the issue, and I will take the Government House Leader at his word, if it is a matter of having their party recognized, there are two by-elections at the end of the month. All they have to do is win them. They will have their four seats and the matter is solved.

Mr. Speaker: Order. A matter of privilege is a serious concern, so I am going to take this matter under advisement to consult the authorities, and I will return to the House with a ruling.

* (13:50)

PETITIONS

Highway 227

Mr. Ralph Eichler (Lakeside): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition.

It is unacceptable for the residents of Manitoba to travel the unsafe gravel roads of Highway 227 in the constituencies of Lakeside and Portage la Prairie.

Inclement weather can make Highway 227 treacherous to all drivers.

Allowing better access to Highway 227 would ease the flow of traffic on the Trans-Canada Highway.

Residences along Highway 227 are not as accessible to emergency services due to the nature of the current condition of the roadway.

The condition of these gravel roads can cause serious damage to all vehicles, which is unacceptable.

Residents of Manitoba deserve a better rural highway infrastructure.

We petition the Manitoba Legislative Assembly as follows:

To request that the Minister of Transportation and Government Services consider having Highway 227 paved from the junction of highways 248 and 227 all the way to Highway 16, the Yellowhead route.

To request the Premier of Manitoba to consider supporting said initiatives to ensure the safety of all Manitobans and all Canadians who travel along Manitoba highways.

Submitted on behalf of Richard Upgang, Melissa Delbridge, Joanne MacMillan and others.

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

Alzheimer's Disease

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

These are the reasons for this petition.

Alzheimer's is a debilitating disease.

Cholinesterase inhibitors are known to slow or even prevent the progression of Alzheimer's.

The provincial government asked for the development of an Alzheimer's strategy in 2000 and was presented with nine recommendations in 2002, none of which has yet been implemented.

In the absence of a provincial Alzheimer's strategy, the Winnipeg Regional Health Authority put in place a policy in November 2003 whereby Alzheimer's patients entering personal care homes are being weaned from certain Alzheimer medications in a move that the WRHA's vice-president of long-term care has referred to as a financial necessity.

The administrative costs of the Winnipeg Regional Health Authority have more than tripled since 1999, to a total of more than \$16 million a year.

In a move that amounts to two-tier medicine, the families of Alzheimer's sufferers in personal care

homes may request that the drugs continue to be delivered at the family's expense.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Mr. Chomiak) to ensure that his attempts to balance his department's finances are not at the expense of the health and well-being of seniors and other vulnerable Manitobans suffering from this debilitating disease.

To urge the Minister of Health to consider reversing his decision to deny Alzheimer's patients in personal care homes access to certain medications.

To request the Minister of Health to consider implementing a provincial Alzheimer's strategy.

Signed by Don Rogan, Shirley Kantyluk, R. Smalby and others.

Minimum Sitting Days for Legislative Assembly

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

The background to this petition is as follows:

The Manitoba Legislature sat for only 37 days in 2003.

Manitobans expect their government to be accountable, and the number of sitting days has a direct impact on the issue of public accountability.

Manitobans expect their elected officials to be provided the opportunity to be able to hold the government accountable.

The Legislative Assembly provides the best forum for all MLAs to debate and ask questions of the government, and it is critical that all MLAs be provided the time needed in order for them to cover constituent and party duties.

Establishing a minimum number of sitting days could prevent the government of the day from limiting the rights of opposition members from being able to ask questions.

We petition the Legislative Assembly of Manitoba as follows:

To request the Legislative Assembly of Manitoba to consider recognizing the need to sit for a minimum of 80 days in any given calendar year.

Signed by Don Liebrecht, Christy Liebrecht and Efren Saria and others.

* (13:55)

Proposed PLA—Floodway

Mr. Stuart Murray (Leader of the Official Opposition): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The Province of Manitoba has tabled legislation in the Legislature that may result in the \$660-million expansion of the Red River Floodway by the summer of 2005.

The Premier of Manitoba plans to subject all work related to the project to a Project Labour Agreement (PLA).

The proposed PLA would force all employees on the project to belong to a union.

Approximately 95 percent of heavy construction companies in Manitoba are currently non-unionized.

The Manitoba Heavy Construction Association has indicated that the forced unionization of all employees may increase the costs of the project by \$65 million.

The chair of B.C.'s 2010 Construction Leaders Taskforce has stated, "Major industrial projects built under project labour agreements from the energy sector in Alberta to off-shore development on the East Coast have repeatedly incurred cost overruns, labour disruptions and delays."

Organizations including the Winnipeg Chamber of Commerce, the Canadian Taxpayers Federation, the Manitoba Heavy Construction Association, the Canadian Federation of Independent Business, the Merit Contractors Association of Manitoba, the Winnipeg Construction Association, the Construction Association of Rural Manitoba and the Canadian Construction Association have publicly

opposed the Premier's plan to turn the floodway expansion project into a union-only worksite.

Manitobans deserve an open and fair competition that protects taxpayers from unnecessary costs and respects workers' democratic choice.

Manitobans support the right of any company, both union and non-union, to participate in the expansion of the Red River Floodway.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier of Manitoba to consider ending his government's forced unionization plan of companies involved with the Red River Floodway expansion.

To request the Premier of Manitoba to consider entering into discussions with business, construction and labour groups to ensure any qualified company and worker, regardless of their union status, is afforded the opportunity to bid and work on the floodway expansion project.

Signed Clayton Manness, Linda West, Ron Hesford and others.

Pharmacare

Mrs. Mavis Taillieu (Morris): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for the petition.

Pharmacare is a drug benefit program for any Manitoban, regardless of age, whose income is seriously affected by high prescription drug costs.

Under the Doer government, Pharmacare deductibles have been increased by 5 percent each year for the past three years. As a result of the 15% hike in Pharmacare deductibles, individuals are facing increased costs ranging from \$36 to \$660 a year. Seniors, fixed- and low-income-earning Manitobans are the most negatively impacted by these increases.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier of Manitoba to consider reversing his decision to increase Pharmacare deductibles by 5 percent in Budget 2004,

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

To urge the Premier of Manitoba to consider re-evaluating his government's priorities and to consider suspending his government's plans to spend \$100 million on new VLTs at a time when seniors and fixed-income Manitobans cannot afford medication.

Signed by Edith Rempel, A. Kepty, H. Jorgensen and others.

Proposed PLA–Floodway

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

These are the reasons for this petition:

Under the \$660-million expansion of the Red River Floodway, the Premier of Manitoba plans to subject all work related to the project to a Project Labour Agreement (PLA) which will require all floodway workers to pay union dues and which may require all non-unionized companies and workers to join a union.

This Minister of Water Stewardship (Mr. Ashton) has publicly stated a project labour agreement would automatically require all floodway workers to pay union dues, even if they are not part of a union.

Forcing all floodway workers to pay union dues may increase the costs of the project by \$65 million.

Organizations including the Winnipeg Chamber of Commerce, the Canadian Taxpayers Federation, the Manitoba Heavy Construction Association, the Canadian Federation of Independent Business, the Merit Contractors Association of Manitoba, the Winnipeg Construction Association, the Construction Association of Rural Manitoba and the Canadian Construction Association have publicly opposed the Premier's plan to turn the floodway expansion project into a union-only worksite.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier of Manitoba to consider ending his government's plan to force all workers

involved in the floodway expansion to pay union dues even if they are not part of a union.

To request the Premier of Manitoba to consider ensuring any qualified company and worker, regardless of their union status, is afforded the opportunity to bid and work on the floodway expansion project.

Signed by Warren Ogren, Bill Brown, Carol Loader and others.

* (14:00)

TABLING OF REPORTS

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I am pleased to table The Discriminatory Business Practices Act Annual Report, Mr. Speaker.

Hon. Rosann Wowchuk (Minister responsible for Cooperative Development): Mr. Speaker, I am pleased to table the Annual Report for the Municipal Board for 2003.

Hon. Eric Robinson (Minister of Culture, Heritage and Tourism): Mr. Speaker, I am pleased to table the 2003 Annual Report on The Freedom of Information and Protection of Privacy Act.

Introduction Of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today Judy, Leon and Jenna Bertrand, Casey Gobeil, Pany Hounghmany, Rick Vieweg, Kyle Caligiuri and Brian Healey. These visitors are the family and friends of the legislative page Valene Bertrand.

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

Also in the public gallery we have from Cecil Rhodes School 45 Grade 9 students under the direction of Mr. Tony Vieira and Mr. Werner Burokas. This school is located in the constituency of the honourable Member for Wellington (Mr. Santos).

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

Point of Order

Mr. Speaker: The honourable Member for Carman, on a point of order.

Mr. Denis Rocan (Carman): Mr. Speaker, I am asking you to ask leave of the House, picking up on the comments from the honourable Member for Inkster (Mr. Lamoureux), where he wants to work more hours on behalf of the people of the province of Manitoba. I am asking you, Sir, if you would canvass the House to see if there would be leave to sit tomorrow, June 8, from 1:30 to 10:00 p.m.

Mr. Speaker: Is there leave of the House to sit tomorrow from 1:30 till 10 p.m.?

Some Honourable Members: No.

Some Honourable Members: Leave.

Mr. Speaker: No. It has been denied.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Inkster, on a point of order.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, as the member from Carman has requested, I wonder if you could ask the House if there would be leave to at least sit 70 days this year inside this session.

Some Honourable Members: Oh, oh.

Mr. Speaker: The honourable Government House Leader, on the same point of order.

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I do not believe leave is required for that. My understanding is that effectively we have sat 102 days in the House or committee.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I would remind all honourable members what points of order are. Points of order are to point out to the Speaker a breach of a rule or departure from normal practice of the House and should not be used for debate. Also I believe that scheduling of the House and House business should not be debated on the floor. It should be done by the House leaders themselves. So I would just raise that with all honourable members.

So there is no point of order on the point of order raised by the honourable Member for Inkster.

* * *

Mr. Speaker: Now we will move on to Question Period.

ORAL QUESTIONS

Red River Floodway Expansion Master Labour Agreement

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, the Premier has had Wally Fox-Decent's report for two weeks and even though the minister promised to make the government's response to the report public last week their silence continues.

We support Mr. Fox-Decent's recommendation to have a no strike, no lockout clause and we support his recommendation of no forced unionization. However, we do not support his recommendation to force non-unionized workers to pay union dues and we do not support his recommendation that excludes employers from the negotiating table.

The Doer government has had this response, Mr. Speaker. We are waiting for a response from this government. Will the Doer government finally tell Manitobans if they are going to accept these recommendations?

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, unlike the members opposite who made up their minds on the Wally Fox-Decent report within two hours of its release, where they immediately rejected key sections of that report, we have given it the due consideration it deserves. Indeed, I know the Premier, if he was able to today, would reiterate that we are going to make the decision within a matter of days and report it back to Manitobans.

I would also like to point out, Mr. Speaker, that whereas members opposite closed their minds in terms of this issue, very early on there have been many Manitobans who have written to us and offered their views in terms of the Wally Fox-Decent report, which has certainly been a very constructive part of the process. I think again we are seeing that the real approach of members opposite is one of confrontation. We are trying to reach consensus, trying to get the kind of compromise we need on this kind of area.

Mr. Murray: Mr. Speaker, the Minister of Water Stewardship said that we made up our minds on this

Fox-Decent report in two hours. He is wrong. Anybody that tries to convince this side of the House that forcing non-unionized workers to pay union dues, I will make up my mind in two minutes; that is wrong.

Mr. Speaker, the minister might be trying to avoid the question and trying to delay this perhaps until after the session is over on Thursday but he owes it to the workers, he owes it to the employers and he owes it to Manitobans to tell them where he stands. He should come clean with them and tell them that his government will force non-unionized workers to pay union dues and he should indicate if Manitoba's heavy construction employers will have a seat at the table. Will he come clean with Manitobans and take a stand?

Mr. Ashton: Mr. Speaker, we know the position of members opposite, for example, on the Rand Formula, the critic on the floodway is on record as supporting the Rand Formula. I would like to point out in the last election members opposite were in the extreme position of taking the position of eliminating the Rand Formula, something that has been part of labour relations since the 1940s. Once again an extreme confrontational approach in terms of these kinds of issues.

We put Wally Fox-Decent in because we are trying to work towards a compromise, towards a consensus. I will compare their approach with our approach any day and we will take the time, unlike the members opposite who rejected the report out of hand within a couple of hours. That is the extreme way, ours is the Manitoba way.

Mr. Murray: Mr. Speaker, we currently have a federal Liberal government that saw more than \$100 million of taxpayers' money flow to their friends. We now have an NDP provincial government that is attempting to flow millions of dollars of taxpayers' money to their friends by forcing non-unionized workers to pay union dues.

Mr. Speaker, we have the Premier's Floodway Authority head, Mr. Ernie Gilroy, stating that he recognizes that the employers should be at the table. We have a Premier who refuses to accept this fact. Will the Premier or the Minister of Water Stewardship do the right thing and agree to have Manitoba's heavy construction employer group at the negotiating table? Will he ensure that no non-unionized workers will be forced to pay union dues?

*(14:10)

Mr. Ashton: Again, Mr. Speaker, we put in place a very respected Manitoban, Wally Fox-Decent. He met with the stakeholders. He submitted a report. It covers a number of issues, but the members opposite within two hours rejected that report out of hand. I want to stress again that we are taking the Manitoba way, which is an attempt to work in this case through Wally Fox-Decent for consensus, for compromise in terms of this kind of issue.

I note, Mr. Speaker, that in this session of the Legislature, this seems to be the only issue members have opposite. They have asked more questions on this than on the BSE crisis, more questions than on many other critical issues for Manitobans. I suspect it is because their extreme agenda is not just about Wally Fox-Decent's report and the last election, they oppose the Rand Formula, period.

They want to roll back the clock to pre-1940's labour legislation in this province. We want to stick to the Manitoba way. The Wally Fox-Decent report reflects that. We will make a decision very shortly on that, but we will not listen to the extremist views of members opposite when we do that.

Flooding (1997) Compensation

Mrs. Mavis Taillieu (Morris): Mr. Speaker, the Minister of Water Stewardship claims his Red River Floodway legislation will ensure full compensation for people between Ste. Agathe and the floodway gates when they are artificially flooded, and they know that they will be if there is a flood event of '97 or greater. How can the minister stand in this House and say this when compensation claims from 1997 have not yet been settled, seven years later?

Hon. Steve Ashton (Minister of Water Stewardship): Well, Mr. Speaker, I hope the member would document, because the member has done this before. There indeed is, I believe, one matter still in terms of an appeal that is before it. There may be members of the public who have felt that they did not receive the compensation they would have liked to have received, but I want to stress that what we are doing through the floodway compensation legislation is establishing under legislation from here on in, the day that that bill is passed, there will be statutorily-guaranteed compensation for those impacted by flooding above natural

levels. So I bring in something that has not existed before and I hope the member opposite will support that.

Mrs. Taillieu: The one case involves 19 in a group action. Mr. Speaker, the minister says, "trust me" and we say, "not a chance." A group action claim which this government said they would settle has not been settled. They did not negotiate in good faith. The outstanding claimants were herded into a room, made an unreasonable offer of mostly zero percent of their claim, were bullied into accepting the offer with threats of government legal fees and then had a gag order placed on them. With this kind of treatment, how could anybody believe that this government will fairly compensate future flooding victims? How can the minister make those statements?

Mr. Ashton: Mr. Speaker, how can that member make statements about matters in this particular case which have been before the courts, which date back to 1997 when the previous government was in power, when we have attempted to work through a mediation process? She might want to take some time to acquaint herself with some of the background of that before she comes and makes statements like that.

Indeed, Mr. Speaker, we have worked very hard as a government to settle those cases. There is one outstanding case before appeal. What she is referring to is a group of Manitobans that felt in this case that they did not agree with the settlements that were offered. Certainly that is their right, to not agree with the process. That is their right.

I am surprised that a member of the Legislature would jump in in an issue like this without knowing the background, which is quite complex and something we have worked hard since we came in in 1999 to deal with because it was an issue that dates back to 1997. Who was in government then?

Mrs. Taillieu: Mr. Speaker, since 1999, these people have been fighting for compensation through the courts because this Doer government, since 1999, has refused them compensation. They had the right to sue, but this Big Brother government now says that they will remove this right, that we can trust them fully to compensate so it will not be necessary. They have bullied people into accepting less than fair settlements. The total claim of this group was \$5 million and only \$300,000 has been paid out. They

have threatened people. They have placed them under a gag order.

Is this how this government plans to administer flood compensation claims, a take it or leave it, take it now and we will not bill you any costs and do not ever talk about it again? Is this how this government deals with future flood victims?

Mr. Ashton: Mr. Speaker, I am surprised that a member of the Legislature would make comments like that, a phrase such as "bullying," et cetera, when we indeed put in place a mediation effort that was agreed to by claimants as well. People were part of that lawsuit which dates back to 1997, and concerns have been expressed about the mediation process and I, as minister, have undertaken to review that process as well.

By the way, I would like to point out to the member opposite that many members of the public were affected by this, Mr. Speaker. A number of them have reached settlements. I would like to know where she stands. Is she publicly lobbying in this House that we should accept the \$5-million claim that was before the courts? If that is the case, that is her right as an MLA but that would be irresponsible. We have taken the appropriate course of action. We have brought in mediation. We have been dealing fairly with those claimants, something that was not the case before 1999.

Health Inspection Services Suburban Winnipeg

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, last month we raised questions about the lack of health inspections in suburban areas of Winnipeg where the provincial health inspectors have responsibility. The minister's only response to this very important issue was to blame the previous government and insist that his government was committed to working with other levels of government. The minister's response was so inadequate that it prompted a letter from Acting Mayor Jae Eadie on June 1 who said, and I quote, "the problem of lack of health inspections did not occur in the 1990s. The problems began in 2003 and they continue to this day." Can somebody on the Doer government side tell us when their government will implement an action plan to address this persistent public health issue?

Hon. Stan Struthers (Minister of Conservation): I just want to correct some of the information that the

Leader of the Opposition put on the record. First of all, I believe if the Leader of the Opposition would look at Hansard carefully he would see that I was talking about co-operating with the City of Winnipeg, unlike what happened in the 1990s when some co-operation would have gone a long way to help this issue. That is the commitment that this government is making.

If the Leader of the Opposition would really like to know the facts, in 1990 there were 12 people in place to do this job. In the early 1990s that was reduced to 11 and then later on in the 1990s, in 1997, it was reduced to 10, so let not the Leader of the Opposition try to stand and feign support for the City of Winnipeg in this matter when his government itself was responsible for reducing those positions and the people available to do that work.

Mr. Murray: Mr. Speaker, once again from the Doer government we get another rearview action plan. The acting mayor, Jae Eadie, wrote to the Doer government last July to alert them of this problem and to find out what solution the provincial government was bringing about to eliminate the lack of service to Winnipeggers. As his letter stated, and I quote in the letter to the minister, "to date there has been no clear answer to the question and the problem persists in our suburban areas."

While the Premier (Mr. Doer) has said in this House that there have been some preliminary discussions with the City, the acting mayor, Mr. Eadie, pointed out in his letter that it was only partially correct stating, and I quote from his letter, "some long-time-ago City staff provided some information to a provincial committee looking at the issue. However, the participation has not gone beyond the information-sharing level."

It has been almost a year, Mr. Speaker, since the City raised the matter with the Doer government. It is a serious public health issue, yet nothing has been done. When will this minister improve health inspections in the suburban areas of Winnipeg?

Mr. Struthers: Mr. Speaker, I am very pleased to stand and inform the Leader of the Opposition that we have been working to make sure there are more people available to do the public health inspection role that the Province is here to do.

Mr. Speaker, I want to also say that there have been discussions taking place, as our Premier correctly has pointed out to the members across the way, and that our commitment has been to work co-operatively with the City of Winnipeg to make sure that the job is done on the provincial health side that the Province is to do.

Mr. Speaker, that has been our commitment. We remain committed to that and will remain to having a much more co-operative, productive approach than was available to the City of Winnipeg in the 1990s. That is our commitment.

* (14:20)

Mr. Murray: Mr. Speaker, the acting mayor, Mr. Jae Eadie, said in his letter to the minister, and I quote, "the lack of health inspection services in our suburban areas is a serious problem and only you and your officials can resolve it."

Mr. Speaker, as the acting mayor of Winnipeg, Mr. Jae Eadie and I ask this minister and the Doer government, what plans are being made by the provincial government to improve upon the health inspection services in the suburban areas of Winnipeg. When do you plan to make these improvements come into effect? They want action, not talk.

Mr. Struthers: I was very pleased to receive that letter from Councillor Eadie. It shows that both us and the City of Winnipeg take this issue seriously and we are working on it. I want to remind the member across the way that in our Health budget, an increase of over 5 percent put towards Health in this province.

I wonder, Mr. Speaker, I wonder—

An Honourable Member: You are wondering. What is he wondering?

Mr. Speaker: Order.

Mr. Struthers: I wonder and I think people in the City of Winnipeg are wondering where they would have stacked up with the 1% increase that the member opposite proposed in the last election.

Vulnerable Persons Wards of the Public Trustee

Mr. Gerald Hawranik (Lac du Bonnet): On May 31, I asked the Justice Minister questions about the

woman who was attempting to challenge the Public Trustee to regain control over her incompetent sister's affairs. I asked the minister to look into this matter. At that time his response was she did speak to him but she did not mention anything about the Public Trustee.

Mr. Speaker, I table a letter written by this woman to the minister on July 24, 2003. In this letter she states, "I had shared you my concerns with regards to the Office of the Public Trustee. During this conversation, you said to me you will help us as soon as you win." I ask the Minister of Justice: Did he receive this letter and does the minister now recall hearing the sister's concerns about the Public Trustee?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Mr. Speaker, I raised this issue and sent communications to the member. I think the member clearly is here advocating for an individual who has a restraining order against her. Information I think that should be known is that the person in need of protection was flown to Toronto so that she could be near her immediate family, her daughter, in particular.

In terms of correspondence, I am glad to get a copy of this because during the last election campaign, this woman raised an issue with me about her exclusion from a criminal trial. The answer was provided to her through her MLA, but I can tell you, Mr. Speaker, and members of the House, that as a result of a search at both my community office, the minister's office and the deputy's office, no correspondence has been identified.

Mr. Hawranik: Last week at committee the Justice Minister denied receiving letters from this woman about her issues with the Office of the Public Trustee. Mr. Speaker, I table another letter. I table a copy of a second letter written by the same sister, dated August 28, 2003, and addressed to this minister. I ask this minister: Did he receive this letter and will he now look into this matter on her behalf?

Mr. Mackintosh: Well, Mr. Speaker, if the correspondence had been received, I can tell the honourable member that I would have provided the same advice then as I do now. This matter is before the courts of Manitoba. In fact, I believe it is three or even four judges, justices of the Court of Queen's Bench, that have had supervision over this file. Not

only is the Public Trustee accountable to the Court of Queen's Bench of Manitoba, but is supervised according to The Ombudsman Act. I am pleased to confirm with the House that the Public Trustee has sent this matter to the Ombudsman out of a concern that the information provided through the media outlet was not full and complete whatsoever, and that is with a view to ensuring public confidence in the Office of the Public Trustee.

Mr. Hawranik: The Justice Minister denied speaking to the sister in 2003 about the Public Trustee. He denies receiving letters from her about this concern, yet I have tabled two letters from her addressed to him which indicate otherwise. In the August 28 letter she states, "I am more than willing and happy to meet with you at your convenience." To date the minister has not contacted her. Why has this minister not met with her to resolve this matter and will he now look into this matter on her behalf? *[interjection]*

Mr. Speaker: Order. The honourable Member for Lac du Bonnet is trying to raise a question, and if he expects an answer, the minister will have to hear the question. I ask the co-operation of all honourable members, please.

Mr. Hawranik: Mr. Speaker, my question is with respect to the same matter. In the August 28 letter she stated, "I am more than willing and happy to meet with you at your convenience." To date the minister has not contacted her. Why has this minister not met with her to resolve this matter, and will he now look into this matter on her behalf?

Mr. Mackintosh: Well again, Mr. Speaker, I find it regrettable that the member opposite would be advocating for someone who has a restraining order against her so she does not "molest," I understand the wording is, the person in need of protection.

I wish they would look at the issues here that are all under the supervision of the Court of Queen's Bench. As I said, there is a search that has been ongoing in three offices to determine if this correspondence came in, indeed under different spellings, but I can assure the member opposite that if the matter that was personally brought to my attention about this woman being excluded from a criminal trial was dealt with, it was responded to. If

these other matters had been brought to my attention they likewise would have been responded to.

Adolescent Parents Supports and Services

Mrs. Leanne Rowat (Minnedosa): The brutalization of a 16-month-old baby who was slain last weekend has outraged Manitobans and they want answers. The decision was made to give authority over the baby to the mother. Manitobans want to know how much follow-up was done to support the young mother and her child.

Can this Minister of Family Services outline what steps she has taken since this tragedy? What action has she taken to ensure that resources are in place so no other child experiences or falls through the cracks in this kind of tragedy?

Hon. Christine Melnick (Minister of Family Services and Housing): I cannot speak to the specifics of this case. I can assure the House that the perinatal service unit, which was established in late 1999, offers services under the legislation of the Province of Manitoba. Under The Child and Family Services Act, counselling is offered to young parents, both in the state of pregnancy and in the state of parenthood. Counselling continues. There is counselling on financial issues, on environmental issues, on issues dealing with family. Family is brought in to work on these issues, as well, and I think we can all recognize there are services that are available to each and every teen mother in our province.

Mrs. Rowat: The resources are there, yes, but what happened to this baby? The provincial Chief Medical Examiner has indicated it will likely be months before he will decide whether or not to call an inquest into this child's death. Obviously, the system has failed this child. What review has this Minister of Family Services done to ensure the checks and balances are in place?

A simple question: What steps has she taken to ensure that this system does not fail another child?

Ms. Melnick: The Chief Medical Examiner is conducting a review to determine whether or not an inquest will be called. There are two investigations currently underway, one with the Winnipeg Police Service and one with Winnipeg Child and Family

Services. I can assure the House that this government will respect the processes. I am watching very closely. We are looking to see the results of those investigations and we are looking to see the results of the Chief Medical Examiner's review.

Baby's Death Request for Public Inquiry

Mrs. Leanne Rowat (Minnedosa): I am not confident about her assurances. This child was failed and there may be others out there who need attention now. Mr. Speaker, Manitobans must know what action this minister is taking to ensure that she is protecting society's most vulnerable children.

Mr. Speaker, will the Minister of Family Services today call for a public inquiry so no other child is failed by this system?

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, I can commit that we will follow the process as it should be which is respecting the investigations of the Winnipeg Police Service, the Winnipeg Child and Family Services investigation, allowing them to do thorough investigations as they need to. We will also respect the process followed by the Chief Medical Examiner and he will determine if an inquest will be called.

* (14:30)

Child and Family Services Accommodations—Hotels

Mr. John Loewen (Fort Whyte): Mr. Speaker, a 16-month-old baby was brutally and savagely beaten to death. This minister refuses to answer questions in this House about anything related to that situation at all. She refuses to answer questions in Estimates that have been put forward to her. She is hiding behind this shield while other children are at risk. This minister has a responsibility to this House and to Manitobans to inform them of the state of disarray in her department. She will not even answer the simplest of questions.

Today I would ask her if she would stand in this House and tell us how many children were housed in hotels on Friday, May 21 and Saturday, May 22; on Friday May 28 and Saturday, May 29. It is a straightforward question. What is the answer?

Hon. Christine Melnick (Minister of Family Services and Housing): The straightforward answer,

Mr. Speaker, is that far fewer children are being placed in hotels than when members opposite were in government.

Baby's Death Request for Public Inquiry

Mr. John Loewen (Fort Whyte): Mr. Speaker, this is the type of non-answers that this minister uses to evade the situation. Her department is in a shambles. Her staff morale is at historic lows where people are feeling pressured. She has put gag orders on her staff. They are not to deal with the opposition. They are not to deal with anyone in public. The only person, apparently, who is allowed to talk is the minister and she refuses.

Mr. Speaker, I would ask this minister to start doing the right thing, to start answering the questions in this House and to start answering the questions that she is committed to answering that came out of Estimates, which she has refused to do. I would ask her to lift the gag order, to call today for a public inquiry so that her staff can come forward with the freedom of knowing that they can speak their minds, that they can help to resolve the situation without fear of this minister.

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, I will assure the House that we, in fact, will do the right thing. We will respect the two investigations currently underway by Winnipeg Police Service and the Winnipeg Child and Family Services, and we will also respect the Chief Medical Examiner's process in the review through which he will determine if an inquest will be called.

Mr. Loewen: Mr. Speaker, we cannot wait. The people of Manitoba, the children of Manitoba, the infants at risk in Manitoba cannot wait for these studies to come forth. This minister needs to take responsibility for her department. She needs to act now. Her staff who are under gag orders, they have been told by this minister that they cannot talk. The minister refuses to answer questions and so how can the public be assured, how can we have any assurance that there are not more children at risk? She has refused time and time again to tell us what steps she has taken since the death of this 16-month-old child.

I would simply ask the minister to do the right thing today. Call for a public inquiry. If nothing else,

lift the gag order that you have placed on your staff. Allow them to speak their minds freely so they can explain the situation, so they can explain the problems, so that we can get to the bottom of this and make sure there are no other infants at risk in the province of Manitoba.

Ms. Melnick: Mr. Speaker, we have confidence that the two investigations underway with the Winnipeg Police Service and Winnipeg Child and Family Services will be conducted in a way that will bring out the facts as they need to be brought out. We also trust that the Chief Medical Examiner will conduct his review in a way that will determine if an inquest will be called and we will respect that. We will respect the process, we are watching carefully and we are awaiting the results of those three activities.

Antidepressant Medications Impact on Suicide Rate

Hon. Jon Gerrard (River Heights): The number of suicides in Manitoba has increased significantly from about 50 per year in the 1950s up to threefold this number in recent years, for example, 151 in the year 2002.

Among the concerns that have been raised with respect to this increase is the government's vigorous promotion of gambling and the finding that suicidal activity may occur as a side effect of the use of certain antidepressant medications.

Can the government give us a statement as to its position with respect to the use of antidepressant medications and the potential side effect of an increase in the number of suicides?

Hon. Dave Chomiak (Minister of Health): Yes, Mr. Speaker, there is a fair amount of literature with respect to some antidepressants and some connection with respect to suicidal thoughts, most specifically those relating to providing antidepressants to youth, of which there is a significant amount of depression and some prescribing of antidepressants to youth in that regard.

We take direction from the federal authorities with respect to that. One thing I am very proud of in Manitoba is that we have now launched a co-occurring process in place between mental health and between addictions, because addictions and mental health are often two sides of the same coin. We have

launched a very aggressive effort where we have melded the services of Addictions and tried to put together Addictions and Mental Health, which has never before been done in Manitoba.

Mr. Gerrard: The same government, which I would argue has not done enough to prevent individual suicides, is now attempting to strangle the present Legislature by introducing closure. The Premier (Mr. Doer) and his government are trying to end the life of a legislative session by force.

It is the overall unedifying approach to leadership by the present government which is setting a poor example. I ask the Premier why he did not show better planning in starting the Legislature earlier this year and is now using force to bring the present Legislative Assembly to a close.

Point of Order

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

Hon. Gord Mackintosh (Government House Leader): Is this a supplementary question or just a matter of order, Mr. Speaker? This does not seem to be a supplementary question to the first question asked.

Mr. Speaker: The honourable Member for River Heights, on the same point of order.

Mr. Gerrard: I just want to bring the member's attention to the fact that in the life of our province—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Gerrard: Sometimes it would appear in the life of the province that threats to life and threats to democracy seem to travel together. And so I put these, as this is a supplementary, to ask the government if it will, in fact, account for its extraordinary measures that it looks like it is trying to impose on this Legislature.

Mr. Speaker: Order. On the point of order raised by the honourable Government House Leader, I was just about to rise on my own before he did. But, first of all, a supplementary question should seek further information on the answer that you receive of the initial question.

Also for the information of all honourable members, when you are raising what you described as your supplementary question, you were dealing with a matter that I had already taken under advisement. So if I have taken it under advisement, that matter should not be raised until I come back with a ruling.

On the supplementary question, I have to rule that is not a supplementary question, because it is not seeking information from your initial question to the honourable Minister of Health. What I will do is I will allow you to reword your supplementary question.

* * *

Mr. Gerrard: Mr. Speaker, I would ask the Minister of Health what he is doing to attempt to reduce the number of suicides, which may result from the prescription of antidepressant medications and what he is doing, not only in a proactive way but to monitor this, so that we will know whether his actions are having any effect.

Mr. Chomiak: Mr. Speaker, several points I would like to address to the Member for River Heights. First off, the approval of those drugs and the monitoring of those effects are done by federal agencies. Information flows back and forth between provincial and federal agencies. It is a medical decision. It is a very difficult medical decision with respect to a medical practitioner prescribing a particular medication, given the particular side effects as related in some literature, vis-à-vis the particular symptoms that are demonstrated by the individual in question. The literature and the medical practitioners use that as a guide in terms of the determination.

With respect to the issue of suicide in general, I want to indicate that there have been very proactive measures. The idea of co-mental health, co-addictions has been very significant. Among First Nations it is the area of significant, significant problems.

*(14:40)

U-Haul Vehicles Registration

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, my question is for the Minister responsible for Manitoba Public Insurance.

Mr. Speaker, you drive around to the different U-Haul lots, you will see that there is registration of vehicles there using Arizona plates. I understand that is in fact the case throughout the city of Winnipeg. The government is very familiar with registration. They have taxed it a few times in recent budgets.

My question is put straightforward to the government: What is the circumstance that would allow U-Haul vehicles to be able to have Arizona plates while they are driving around in the province, given the very nature of U-Haul being used primarily right here in the province as opposed to going interprovincial? There is no doubt a great deal of it is done within the province of Manitoba alone.

Hon. Gord Mackintosh (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): My understanding is that this practice is common in the rental vehicle business as well as the trucking business, but I will endeavour to obtain answers to the member's questions in fuller detail.

Composite Technology Businesses Government Initiatives

Mr. Bidhu Jha (Radisson): Mr. Speaker, innovation and knowledge-based economy is futuristic and very beneficial to this society. Can the Minister of Energy, Science and Technology please tell this House what initiatives his department has taken to attract new, cutting-edge, composite technological business opportunities to this province?

Hon. Tim Sale (Minister of Energy, Science and Technology): Mr. Speaker, members, I think, would be very interested to know that Manitoba and Winnipeg specifically are the largest composite agglomeration of companies in Canada. It is another place in which we lead the country, not only as the producer of the 36 or so percent of the urban transit fleet in North America. In terms of the insurance industry, in terms of the investment industry, mutual funds, Winnipeg and Manitoba are leading the country.

We were very pleased to partner with the federal government to each contribute a million dollars recently to the Manitoba Composites Innovation Centre, working with Boeing on the Dreamliner, working with Dow in terms of the fibreboard plant in Elie and a number of other companies such as Faroex

to establish a very, very significant composite centre of excellence that will attract industry, attract investment, train skilled labour and put Winnipeg even more on the map as the centre of composite technology in North America.

Ambulance Service Response Times (East St. Paul)

Mr. Ron Schuler (Springfield): Last week, 46-year-old Peter Krahn had a heart attack while exercising. It took 18 minutes for an ambulance to respond from Selkirk to East St. Paul. The Winnipeg Fire Paramedic Service uses a benchmark of four minutes. Regrettably, Peter Krahn did not make it. He died.

Kevin O'Donovan, a spokesman for the health authority, confirmed that an ambulance stationed in East St. Paul region was proposed in last year's budget but not approved by the province. Will the minister now ensure that the ambulance planned for East and West St. Paul will be provided to prevent another such tragedy?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, from the facts that I have read about in the papers, it is a very unfortunate instance for a young man to die of a heart attack. From the facts that I understand in the paper, defibrillation was started within five minutes because a first responder unit had arrived, which is a practice used in many locations. Unfortunately, it took, as I understand it, 18 minutes, 1 minute for the call and then 18 minutes for an ambulance to arrive. Unfortunately the individual did not make it, despite the fact that CPR was performed and despite the fact that defibrillation was started.

Mr. Speaker, the request by East St. Paul and West St. Paul with respect to an ambulance was one of 34 requests that they made with respect to their operating plan. There are requests that are considered all around the province with respect to priorities, but I want to assure the member that we set up a steering committee with respect to the provision of emergency services to deal with issues like this.

Highway 227 Paving

Mr. Ralph Eichler (Lakeside): This past winter, the Trans-Canada Highway was closed a number of times and the alternate route, Highway 227, was put

to use once again. Can the Minister of Transportation and Government Services commit today to the people of Manitoba to paving Highway 227 to the Yellowhead?

Hon. Ron Lemieux (Minister of Transportation and Government Services): This government has put an additional \$10 million into transportation this year and an additional \$10 million next year, Mr. Speaker. There is approximately a billion dollars worth of requests every year with regard to transportation infrastructure issues. Here we have the northeast perimeter, a \$65-million project taking place on the east side of Winnipeg, Highway 59 south, the twinning of No. 1 Highway to the Saskatchewan border. This government has done way more than that previous government ever did in 11 years in Manitoba.

CAIS Program Qualifying Producers

Mr. Jack Penner (Emerson): The Minister of Water, just a few minutes ago, indicated that we were not asking questions on BSE. We would ask a lot more questions if we would receive some answers.

Can the Minister of Agriculture tell this House today as to how many cattle producers will actually qualify for the CAIS programs in light of the fact that the inventories have increased dramatically in this province and that the valuation of the inventories under the CAIS program will be done at the beginning of the year or at the end of the fiscal year in December based on those prices? Those prices had risen fairly significantly. Can the minister tell this House how many cattle producers will actually benefit or receive any money from the CAIS program?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Speaker, I can tell the member that Manitoba producers are making their application for the CAIS program. In fact, more Manitobans have applied for the program than have producers in other programs and each individual application will be based on the information that they provide. The member talks about the inventory. That is an issue that we have raised with the federal government and we will continue to work on it.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Dauphin Regional Comprehensive Secondary School

Hon. Stan Struthers (Minister of Conservation): It is with a great deal of pride that I rise in the House today to point out the creativity, the talent and the commitment of several of my constituents, in particular students at the Dauphin Regional Comprehensive Secondary School, who members of both Team I and Team II in that school participated in the province-wide SAFE Manitoba Poster Competition. I am very proud to say that these young people did such a fine job that each team from Dauphin won in a province-wide competition.

I want to, first of all, start by reading into the record the names of the students on Team I: Patrick Carbury, Kristin Hlady, Trevor Tomlinson. Team II: Chaley Voth, Amanda Bouchard, Amanda Epp and Jacqueline Bage. Each of these teams represented our school and our community, our part of the province, with a great deal of merit and did us all proud. I want to specifically thank Mr. Doug Miller. He was the advertising and arts teacher who worked with these teams, worked with these students. I want to underscore the importance of the teaching staff in the Dauphin Regional Comprehensive Secondary School who, along with so many other teachers in our province, do such a fine job working with our students.

I want to recognize the contribution of the parents of these students who supported the students throughout the competition and throughout their time in school. I want to also congratulate the Mountain View School Division for providing the facilities and the leadership that oversaw the students that took part.

I want everyone in the building when they are driving around the streets of Winnipeg to notice the billboards when they come out. The artwork of both teams will be displayed throughout Winnipeg and across the province. Thank you very much, Mr. Speaker.

* (14:50)

Susan Schmidt

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I would like to congratulate Susan Schmidt

on being nominated for a Woman of the Century Award, sponsored by the YWCA. Mrs. Schmidt is principal of Westgrove elementary school in Charleswood and two years ago launched their Healthful Happenings program.

In the fall of 2001, two students conducted a survey which showed that 60 percent of the students at their school were not consuming enough milk. Many of the staff members also saw students who were coming to school hungry. Susan started work on instituting a universal snack program at Westgrove School to meet the nutritional needs of the children.

After getting the snack program underway, Susan lobbied successfully to be considered as one of two sites across Canada in the pilot program for implementing the Together We Light the Way program. This worldwide program, affiliated with Justice Canada, addresses bullying and school climate issues. She continues to be the guiding force behind this program which involves students, staff, families, community partners and businesses.

Throughout Susan's career as a teacher and administrator, she has had many unique and outstanding achievements. She has promoted and advocated for literacy and was nominated for the 2000 Canada Post Literacy Award in July 2000. She has advocated for the full-day, every-day kindergarten to address the high number of at-risk students in the community and received a two-year grant for this program.

She has worked tirelessly at developing a positive connection with area partners, and she has been an enthusiastic participant in the Childhood Community Leaders Networking Luncheons that I sponsor.

Susan Schmidt's staff describe her as a servant leader, which epitomizes her leadership style. She empowers everyone who walks through the door of the school by acknowledging their presence and making them feel valued. Susan is a gifted educator and leader who masterfully encourages each staff member and student to strive towards his or her own individual pursuit of excellence.

She is indeed worthy of this honour for her persistence and energy dedicated to improving the lives of her students and her community. She has

gained the respect of students, staff, parents and the whole community by her dedication, enthusiasm and caring manner, and certainly we would like to recognize her honour as being nominated as a woman of distinction. Thank you, Mr. Speaker.

Philippine Heritage Week

Mr. Cris Aglugub (The Maples): Mr. Speaker, the Filipino-Canadian community in Winnipeg will be celebrating Philippine Heritage Week from June 8 to June 16. This is a very special week for the Filipino community because it includes June 12, which commemorates Independence Day and the emergence of the Philippines as a sovereign nation.

On June 6, I was pleased to attend an opening celebration at Daniel McIntyre School. I brought greetings on behalf of the Premier (Mr. Doer) and the Government of Manitoba. I will also be attending an Independence Ball organized by the Filipino Council.

Philippine Heritage Week is a time of celebration for one of the many new generations of Canadians that are choosing to make Manitoba their home and who are keen on helping build our future. This week is also a time for Filipinos to remember the liberation of their native country after the Japanese occupation in World War II.

Today, I am pleased to ask all honourable members to join with me in recognizing the many Filipino people who have given their lives to maintain peace, freedom and democracy in the Philippines. In Manitoba, there will be many festive and cultural activities planned to highlight Philippine Heritage Week. The celebration of our cultural heritage continues to be a significant positive factor in the enrichment of the quality of life we all enjoy in Manitoba.

We must also honour the volunteers who have helped out immensely by organizing the numerous events of this week. They have provided such vital energy and commitment into making Philippine Heritage Week such an ongoing success. They have also contributed to making our province such a tremendously diverse and culturally rich province.

I want to thank the Philippine Heritage Week Council Committee and Perla Javate, who currently chairs this committee, for organizing and planning

these events during Philippine Heritage Week. Thank you, Mr. Speaker.

Teulon Hunter Memorial Hospital

Mr. Ralph Eichler (Lakeside): Mr. Speaker, I rise today to draw attention to the centennial celebration of the Teulon Hunter Memorial Hospital which has been serving the community's health needs for over 100 years. On May 15, a banquet and ball attended by the current and former staff was held at the Teulon Rockwood Centennial Centre to celebrate the 100th anniversary of the health care facility.

Mr. Speaker, the hospital has a long tradition of support to and from the people of Teulon. Both play great roles to ensure the hospital has remained responsive to their needs. The facility's first 100 years of history is certainly a testament to this. First constructed in the fall of 1903, Hunter Hospital was named after Dr. Alexander Jardine Hunter who founded the hospital and was one of the first of its staff. A reverend and a medical doctor, Hunter raised funds which were matched by the Presbyterian church, to open the facility with a staff of four for a grand total of \$2,800.

Mr. Speaker, the community of Teulon deserves such credit for the hospital's longevity, as their generosity over the years has helped the hospital acquire new equipment and expand to what it has become today. A new era emerged in 1973 when plans were made to build an entirely new hospital on the same grounds as Doctor Hunter's original building. In December of 1977, the Hunter Memorial Hospital and Goodwin Lodge Personal Care Home officially opened.

In a time when rural hospitals are being closed by the present government, the Teulon hospital serves as a symbolic reflection of the quality of life within the community. The centennial celebrations are a time to honour those who have worked so tirelessly in the past and look forward to what lies ahead. I would like to take this opportunity to commend all who have worked and volunteered at the hospital throughout the last 100 years and wish the hospital itself a happy birthday. Thank you, Mr. Speaker.

Humane Society Human Heroes Award

Ms. Theresa Oswald (Seine River): Some students in the constituency of Seine River were recently

honoured at the Manitoba Children's Museum with the 2004 Human Heroes Award by the Winnipeg Humane Society. The Winnipeg Humane Society has been bestowing this award to teachers, individuals and groups since the mid-1990s.

These environmental and socially conscientious students attend H.S. Paul School in south St. Vital. The group of 25 Grades 4 to 6 students call themselves the Eco-kids. The program itself has been in existence for 11 years. Over the past three years they have been supporting the Humane Society with their hard work and dedication. They held bake sales, penny collections, used book sales and other fundraising events in support of the Humane Society. They have had collection drives for old pet toys and towels for the animals. All these are of great use to animal shelters.

They have also raised money for other good causes such as the World Wildlife Fund and the Fort Whyte Centre. They are also involved in numerous other projects in the community, like environmental projects and playground cleanups.

Mr. Speaker, it is one thing for Manitobans, young and old, to say that they care deeply for the preservation of our environment or the well-being of animals, but it is truly another to take action. This action taken by the Eco-Kids of H.S. Paul School is indeed one of commitment and leadership.

I would like to congratulate and thank these students for making such a valuable contribution to our community. In particular, I would like to thank teacher-adviser Ms. Barb Shawcross, the entire Grades 4, 5 and 6 group of Eco-Kids and Grade 8 helper Erica Entz who has been an Eco-Kid since Grade 4. Their support of the Humane Society has been instrumental in the promotion of the welfare of animals and for the environment. Thank you, Mr. Speaker.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I am obliged to ask whether there would be consent of the House to sit this afternoon doing bills in the House and concurrence

in the standing committee room with no vote or quorum in the committee room.

Mr. Speaker: Is there the will of the House for bills to be in the House, and for concurrence to take place in one of the committee rooms without quorum count or votes taking place in the committee room? Is there agreement?

An Honourable Member: No.

Mr. Speaker: No. There is no agreement.

Mr. Mackintosh: Mr. Speaker, this might be a long shot, but I am wondering if there is leave of the House to sit tomorrow morning as an extension of today's sitting, as we would do on the Fridays.

Mr. Speaker: Is there agreement for the House to sit tomorrow morning as an extension of today's sitting?

An Honourable Member: No.

Mr. Speaker: No. There is no agreement.

Mr. Mackintosh: Mr. Speaker, would there be leave to deal with the resolution that is on the Notice Paper, on page 6 of the Order Paper, now?

Mr. Speaker: Is there agreement to deal with the notice that is on page 6 on the Notice Paper?

An Honourable Member: No.

Mr. Speaker: No. There is no agreement.

Mr. Mackintosh: Mr. Speaker, would you please call debate on second readings in the order they appear, to be followed by concurrence, if there is time.

* (15:00)

DEBATE ON SECOND READINGS

Bill 35—The Credit Unions and Caisses Populaires Amendment Act

Mr. Speaker: We will resume debate on second readings, Bill 35, The Credit Unions and Caisses Populaires Amendment Act, standing in the name of the honourable Member for Inkster (Mr. Lamoureux), who has 22 minutes remaining.

Mr. Kevin Lamoureux (Inkster): I do want to be able to continue talking on this bill. I had the opportunity to start my comments the other day on it. The nice thing about having a bit of a break, I was able to actually pull a little bit of correspondence in regard to the credit unions. Last Thursday I was talking about the importance of our credit unions, that they have played. I just wanted to reiterate a couple of those points.

In Manitoba, as in other jurisdictions, what we have seen is a significant downsizing, if you like, of our banks. Canada has, is it five or six chartered, major banks? Over the last number of years, what we have seen is the number of branches actually dwindling. The unfortunate reality of that is at the end of the day, the consumer has really been denied that one-on-one, personal access to have that live body by walking to the neighbourhood bank. I bring that up because I really truly do believe that has been a major shortcoming. As a result, what we have seen, I believe, is significant growth within our credit unions. This particular bill will assist the credit unions in continuing to grow in our province in terms of their popularity.

That is why earlier this morning I was reading through some correspondence I wanted to cite. This one, for example, came from the Credit Union Central of Manitoba, which is an umbrella group of our credit unions. I think it makes four good, straight, solid points. I trust I am not the only member that would have received this letter, but if members are interested, I would be more than happy to provide them a copy.

I think it makes a great number of valid points in which I truly do believe that is worthy of some sort of discussion. The letter goes, and I am going to quote specifically right from the letter that was addressed to me. I would like to draw your attention to a few items that underscore the commitment of credit unions to Manitoba and how that commitment is translated into growth throughout our system. That states the obvious. The growth of our credit unions has consistently been there, most importantly, at a time in which we saw bank branches being closed. And then it lists off the points. "Did you know, for example," it states, "in 62 Manitoba communities a credit union is the only financial institution available to consumer and businesses?"

We talk about the importance to rural Manitoba. Just the other day we were talking about how

important it was to try to get young people into and want to stay in rural Manitoba. What we have seen is the credit unions' approach in rural Manitoba has really allowed for more employment, direct employment. If I just stick strictly with the direct employment, through walking up to or through using a credit union in rural Manitoba, you will find there are a number of young people that are the tellers, the loan officers, and so forth. These are really critical, valuable jobs that are being created in communities in rural Manitoba.

I truly believe that is a very healthy thing and was so glad we have the credit unions to fill that gap. I made reference to bank branches being closed in the city of Winnipeg. We know bank branches have been closing in rural Manitoba. While we have those branches closing, we see in this particular bulletin that in 62 Manitoba communities a credit union is the only financial institution. Mr. Speaker, that speaks, in my opinion, volumes about the value and the sense of commitment that our credit unions have to rural Manitoba. That is just when I was referring to the direct jobs.

If you think in terms of the indirect jobs that are generated. I am going to go through some numbers on those loans if time does permit. There are ample loans that are given out. These rural credit unions, generally speaking, are giving out loans in rural Manitoba, which again adds to the life, adds to the opportunities for people in rural Manitoba. I am thinking of those small businesses and medium-sized businesses that are out there that have wonderful opportunity well into the future.

At least through the credit unions what we have seen is the opportunity to be able to do some of their local financing of whatever their financial needs might be. I truly think that that is something, again, that is so valuable, because not only does it provide that local availability of services, those businesses, whether they be small or medium-sized businesses in rural Manitoba, all employ people.

So, when we talk about resolutions, as we passed a resolution just last week where it was talking about young people and retaining those young people, these credit unions are supplying the loans that are quite often necessary in order to sustain businesses, farms and others in those communities. Those businesses create other forms of employment opportunities.

In fact, one could argue that, if we did not have the credit unions servicing rural Manitoba, the whole rural depopulation would have been so much higher in terms of percentages. I think that there is an underlying theme of the important role that the credit unions have played to ensuring that rural Manitoba is as strong and is as viable as it is today. So, when we look at Bill 35 and the amendments that are being proposed, we have to be very sensitive of the fact of how we might be able to best facilitate continual growth in our credit unions.

The next point talks about assets and deposits of credit unions increased by 11 percent over 2002, while lending increased approximately 10 percent. Again, I guess that particular statement really reinforces the important role that the credit union is playing, not only in rural Manitoba, but throughout the province in ensuring that the different businesses, individuals, whether it is for the car loans or business loans throughout the province, they are ensuring that there is money in the hands of people.

I did get opportunity to study economics. This activity of providing loan services adds tremendous value to consumer items that ultimately, I would suggest to you, add to the overall provincial GDP. We know that the economy has done relatively well in a number of different areas. In good part the economy is able to do well because the citizens of the province are able to access the capital dollars that are necessary or they are able to access the individual loans that are necessary, so that they can acquire capital machinery to be able to build the factory, as an example, or they are able to acquire the loan to purchase a car.

So, when we see the type of increase since 2002 of some 10 percent, that is a significant amount of additional money that is going into the economy. I think that all in all we should be very appreciative of the fact, again, another highlight of what our credit unions are doing.

*(15:10)

A third bullet they point out is that as they grow, referring obviously to credit unions, credit unions are employing more Manitobans partly through a combination of filling 161 new, full-time positions with new hires, and moving part-time employees into full-time positions. Credit unions created the equivalent of 86 full-time jobs in 2003. Again, I

talked about the direct employment and here it very clearly shows you to what degree that direct employment has been.

I have had an opportunity to go to a credit union just down the street. There is a sense at that credit union that there is a good future, that it is in fact growing. There are renovations occurring. What I am anticipating is that feeling of growth that is within the credit union industry is in fact very, very real when you see the number of jobs that have been created just in 2003 alone.

Mr. Conrad Santos, Deputy Speaker, in the Chair

These are decent jobs within the money market workforce many Manitobans would welcome, whether they are the first-time jobs or they are being upgraded from part-time to full-time. Those are the types of jobs, in a very real sense, that are in fact being created through our credit unions. Again, that is just a positive thing and one more reason why it is we need to appreciate the value of our credit unions. This is the theme I would raise time and time again is appreciation of credit unions.

The last point is that credit unions opened 20 000 new memberships last year, bringing the total to 492 000. They say numbers tell a lot and that is a very encouraging sign. Credit unions can only grow if, in fact, they are able to attract more Manitobans. When I heard of the number of 20 000 new memberships just in one year, that tells me you have a lot of Manitobans that are recognizing there is a solid future by investing with our credit unions, and they are showing it by becoming members, 492 000 members in total. When you take a look at the province's population of just over 1.1 million people, it is an impressive number. It is a very impressive number. I would hazard a guess that Manitoba, if it is not the highest, is probably very close to the highest per capita in terms of membership amongst credit unions. I think that number is very reflective of that. I think, all in all, we should in fact recognize that Manitobans have seen, in a very real way, the benefits of our credit unions.

There was a brochure that went out and it talked about our credit unions. It provided a list. The other day when I was asked to list off some credit unions, it is a very impressive list, I must say. It was pointed out that Manitoba is served in over 100 communities throughout the province in total, and as I indicated,

in 62 of those 100 communities, they are the only financial institution. But they are served by more than 100 communities. I do not want to read them all, but just to give you a sense. You can talk in terms of Altona, Arborg, Beausejour, Birtle, Carman, Cypress, Dauphin, Dominion City, Emerson, Flin Flon, Fisher Branch, Gilbert Plains, Grunthal, Hartney, Headingley, Landmark, MacGregor, Minnedosa, Morden, Neepawa, Oakbank, Oak Lake, Oakburn, Pine River, Portage la Prairie, Rivers, Rosburn, Selkirk, Sandy Lake, Souris, Starbuck, Steinbach. The member from Steinbach takes a great deal of pride in his community, as he demonstrated one night on CJOB. In fact, there is a Steinbach Credit Union that is opening up now in south Winnipeg. You know, The Pas, Thompson, Virden, Whitemouth, Winkler, Winnipegosis, and, of course, Winnipeg itself.

That gives you a bit of a sense of how far-reaching our credit unions really are. I say that because, you know, the other day when I was provided the first opportunity to speak on this bill, someone had indicated in terms of where they are. It is a good sense of exactly where they are. You can actually poll more information, as most companies and interest groups and associations have Web sites nowadays. Members can find out. I would encourage people to become better acquainted, and more aware of where our credit unions are, and the vital role that they are actually playing.

When you look strictly at the numbers, the numbers are very much telling. When we look at memberships, I had indicated to you that in 2003 there were 492 000 members. Well, in 1993 there were 341 000 members. In that 10 years, Mr. Deputy Speaker, it has grown by well over 100 000 members. You know, it has been a steady growth. Every year the numbers at our credit unions and the systems have continued to grow.

When you look at the loans, if you want to get a sense of where, how much money the credit unions put into the economy through loans, it is again very impressive, very impressive numbers. In 2002 it was \$6.07 billion; in 2003 it is \$6.71 billion in loans. There you see in one year hundreds of millions of dollars more that has been issued out in the form of loans. Every loan that goes out there is helping, as I indicated, either indirectly or directly in the creation of additional wealth for our province.

* (15:20)

If it is for a business, it is creating jobs. If it is for a purchase, it is still creating jobs. So the numbers are there. They are very, very positive. If you look at the direction, the credit unions continue to give out more and more loans. I know at times I have met with consumers that have talked about the benefits of credit unions over banks, where individuals have attempted to secure money from a bank and have attempted quite in a very sincere fashion only to be rejected for whatever number of different reasons. Yet they were able to follow through with a credit union and they were able to secure the financing for that loan.

So that is another vital role that they do play, because, unfortunately, at times, many times it is indeed quite easily justified, but at times banks do turn you down. It can get awfully frustrating. Yet the credit unions have really come to the rescue of many a consumer and businessperson. It is shown in terms of just the amount of loans and loan dollars that are being issued.

I know in terms of deposits, to give you a sense, in 2002 there was 6.87 billion. I guess that would be the figure that we are reading off. And that would be in 2002. In 2003, that is 7.68 billion. And again, what we are seeing? I see that my time has run out.

But the last point is just to emphasize that Manitobans exercise by what they do, and not only are they joining credit unions by huge numbers, they are also putting in a great deal of dollars. It is just a win-win-win for everyone, so it is with pleasure that we ultimately would see this bill go to committee.

Hon. Jon Gerrard (River Heights): I would just like to make a few comments with respect to Bill 35, The Credit Unions and Caisses Populaires Amendment Act. As my colleague, the member from Inkster, has stated, we feel that credit unions and caisses populaires have made a major contribution to the life and the work of Manitoba. I think that the act that we are looking at provides for some modernization of the operations of credit unions and caisses populaires, and in that context is to be welcomed. We look forward to discussion and contributions at the committee stage.

I think that as credit unions and caisses populaires get into more areas, it is clearly appropriate that they are prohibited from engaging in the practice of tied selling, so we would certainly

support that. This is a normal process of the way that credit unions and banks should be operating.

I think that the one area where I would like to ensure that there is quite careful consideration at the committee stage has to do with the process for amalgamations. As I would see it, the process changes are reasonable. But I do know that there are concerns in areas of rural Manitoba about amalgamations, and we certainly saw in western Manitoba not all that long ago some fairly vigorous opposition to the amalgamation of credit unions.

In discussion with a number of people in this area of western Manitoba, it was quite clear to me that the government's policy of forcing amalgamations of school divisions—the recognition that the result of forced amalgamations of school divisions ended up with higher costs and not lower costs and more problems instead of fewer problems.

Certainly, people in western Manitoba felt that there should be no rush to amalgamate credit unions, because there might be the same things happening in terms of higher costs and more problems, instead of lower costs and fewer problems as the government had tried to indicate, certainly with respect to school divisions.

I think the people in rural Manitoba are going to have quite a careful look at the issue of amalgamations. I think it is quite important that, when we are discussing this matter at the committee stage and the third reading, we look carefully at the provisions as they relate to amalgamations, because amalgamations may work well in certain circumstances. Clearly, there was, as a result of the proposals in western Manitoba, some concern that these might not always be as beneficial as people had initially expected.

So, with those few comments on this legislation, I am going to sit down, but I just felt that I should at least make a few comments.

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

An Honourable Member: Question.

Mr. Deputy Speaker: The question before the House is the second reading of Bill 35, The Credit Union and Caisses Populaires Amendment Act; Loi

modifiant la Loi sur les caisses populaires et les credit unions.

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

Bill 37—The Labour Relations Amendment Act

Mr. Deputy Speaker: To resume debate on the second reading of the proposed motion of the honourable Minister of Labour and Immigration (Ms. Allan), Bill 37, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, standing in the name of the honourable Member for Springfield (Mr. Schuler).

Is there unanimous consent that the bill remain standing in the name of the honourable Member for Springfield?

An Honourable Member: No.

Mr. Deputy Speaker: No. Leave denied.

Mr. Ron Schuler (Springfield): I do want to put a few comments on the record in regard to this legislation. We have, over the past couple of weeks, had the opportunity to get feedback on this bill and, as is every occasion when this particular government does legislation, it always seems to divide rather than bring people together. That is definitely the case with this bill.

Bill 37, as one individual explained to me, is where the government attempts to fix the rust on the Titanic after it sank. It is unfortunate that we are back at this again. I am sure the House can remember those dark, dark Doer government days when Bill 44 was introduced, where the divisions and the ugliness of bad legislation came to the forefront and we sat many a dark day and dark evening dealing with this legislation. Basically, what the proposed legislation does, Bill 37, is no different than the individuals who wear those coveralls and run behind the parade with their little broom and shovel and clean up what is left after the parade has gone by. That is what this bill is attempting to do. It is trying to clean up the mess of Bill 44.

We warned government. We warned the minister, at that time it was Becky Barrett who is no longer a member of this Chamber, that not just was this bill bad in its intent and what it was trying to do,

but, even more to the point, it was poorly written. I do not want to get too off on this point, but I can remember after the legislation was passed the minister was confronted with her own legislation and the media asked her: "So, Minister, in other words, one side of the dispute can ask for arbitration?" The minister said, and I quote, "That would not be fair."

The media again approached her and said, "However, that is the way your bill lays it out." The minister said, "No, no, that is not the way it is. In order to go to binding arbitration both sides would have to agree to it." That is what the minister said to the reporter. It did not take long for staff of the minister to realize how poorly the minister even knew her own legislation. It just continues down the line of what we have seen with Bill 44 and the legislation.

* (15:30)

We know that this is clearly a union-owned, a union-driven government, and Bill 37 now is trying to go back and fix the glaring, glaring difficulties of Bill 44. Well, from this side of the House, we no more wished to support Bill 44 than we will this amendment. We believe the legislation should have been brought forward. Number 1, the motion that stripped workers of the right to a free and democratic secret ballot vote must be reinstated. Number 2, we felt that workers who were protected before with picket-line violence, which was removed by a government that clearly condones picket-line violence, that protection should be put back in for the 99 percent of the workers who do, on occasion, go out and picket and do exercise their right, and should have the right to do that without having violence breaking out.

Frankly, it is a few individuals that do this kind of thing and make the whole union look bad, because, by and large, 99 percent of the membership do not wish to see that kind of activity. We know, full fact, that this was an anti-business bill. Anything that affects Bill 44, anything that deals with Bill 44 we cannot support.

What we would, however, like to see is that this bill be given the opportunity to get to committee. Let us move on and hear what Manitobans have to say and move on with the process.

I am going to close my comments with an incredible letter that was tabled, unprecedented letter

that was tabled back at that time. It was the letter that was written by Art DeFehr from Palliser Furniture.

I quote from the headline that says: "DeFehr warns NDP: Labour bill would make Palliser invest elsewhere." Palliser will not operate in a union environment. If we believe the union, certification was the result of external pressure or unfair labour legislation. That was in a letter to the Premier of Manitoba. If Bill 44 passes, it will be one more reason to continue to invest outside the province, including locations such as Mexico, and he goes on to list other areas.

Mr. Deputy Speaker, the warning was there by some of our biggest employers, by our entrepreneurs who have a vested interest, who have a stake in Manitoba. They warned this government that it was bad legislation, it was bad for business, it was bad for the workers, it was bad for our economy, and here we are, back again with Bill 37, amending bad legislation.

I will go back to my initial quote. As one individual said, this is no different than attempting to fix the rust on the Titanic after it sank. We, certainly, will not be supporting this legislation. We do, however, wish for it to go on to committee, and hear what Manitobans have to say. Thank you very much.

Mr. Kevin Lamoureux (Inkster): Mr. Deputy Speaker, I, too, wanted to put a number of words on the record on this particular bill, Bill 37. This is a bill in which I was somewhat anxious to put a few words on the record for the simple reason that it is labour legislation. What I have seen, both present and past, of this government has been that they really do not understand the concept of labour relations.

They understand what it is that they have to do within the union movement. I would suggest to you it is only the union movement elite that cater, at least in some part, to them, that they really feel that they have this obligation to do things.

I say that because I have had opportunity to meet with many, many union members. I can tell you that there is a general sense of dissatisfaction. What I would like to be able to do is to talk about some of that dissatisfaction. The first opportunity that I actually had to really first-hand experience that dissatisfaction was shortly after getting elected.

There was, over the summer of 2003, a factory that had shut down, Dominion Tanners. Some might recall Dominion Tanners. What we found was that the government completely ignored any sort of responsibility it had to the workers, and they were unionized workers. We provided the government ample opportunity to be able to come to bat for these unionized workers.

They chose, and we will be very clear on this, the government chose not to get involved. I can recall having meetings inside my constituency office of 40 unionized workers talking about how terrible the New Democrats are for their lack of action or sympathy and even just wanting to see anything come from the government. You know there were a number of questions that came against it. Questions like, and I had posed, well, what sort of questions would you like to see asked or answered? What kind of answers would you like to see?

The questions were many. Is the minister aware of the grievances of Dominion Tanners or workers who were displaced? If so, when did the minister find out? What did the minister do to alleviate the situation? If the minister did not know about it, why not? Why did the union not inform DT workers, Dominion Tanners, that is, when the workers are duly paid union dues to represent their interest? Why were they not told?

Why did the government intervene in some areas, and they cited Motor Coach, but did not in the case of Dominion Tanners? What is the government going to do to address the grievances of the aggrieved workers who felt abandoned by the government, left on their own resources, holding an empty bag? What redress of grievances could the workers resort to when their union had failed to carry out their mandate when the workers are dutifully paying their membership dues?

Mr. Deputy Speaker, I am going to emphasize, these are words, the essence of words, that were coming from union workers that showed up and told that they no longer have a job. This is after the provincial election when they showed up. So this is what sort of things they were saying. Is there a government program in place to assist the displaced workers to recover their losses or help minimize the impact of their economic dislocation?

Well, you know, Mr. Deputy Speaker, we looked to the government, a government that one would

have thought would have been sympathetic and want to take some sort of action. What we saw there was the absolute opposite. It was government inaction. You had the livelihoods and families of dozens of Winnipeggers that were just kind of tossed to the side as the government wanted to enjoy its summer. Well, I think that the Dominion Tanners workers deserved more. They deserved better treatment from this government, who claim to want to represent union members in our province.

So, Mr. Deputy Speaker, we can go to that extreme. As I say, I have had a number of meetings, the most recent would probably have been a couple of months back, in the constituency office with a number of them being the same people that were there months prior. There still is a very high sense of frustration and disappointment in this government's inability to come to the table to genuinely help them.

I will give the assurance now because the Minister of Labour (Ms. Allan) is here, is that if she at any point in time can come up with the answers to some of the questions that I have just levelled or wants to genuinely meet with these people so that they can express their frustration directly to the minister, I would be more than happy to arrange it. I would be more than happy, if the minister provides me the answers, to provide her with all of the names and addresses so that she can contact them if she wants to take me out of the loop.

*(15:40)

I am bringing it up because when we talk about The Labour Relations Act the minister responsible has a responsibility to ensure labour harmony in our province and that has not been the case. Shortly after being first re-elected back in June of last year this is what happened. Well, one year later, almost one year later, what are we seeing now in terms of labour relations from this government?

Well, it was a happy day when it was determined that Manitoba is going to get the floodway. Every member of this Chamber, I believe, supports the expansion of the Red River Floodway. I had opportunity to be able to address some of the specifics and some of the benefits of the floodway earlier. I will reserve those comments again for maybe another opportunity.

But, having said that, I want to pick up on one area of the floodway. Day after day we get petitions

that come before this Chamber, and those petitions, and I applaud the Conservatives on hammering this issue, that they recognize what the government fails to recognize and that is the importance of labour being treated fairly and equally, whether you happen to be in a union or not.

It is interesting, when they first had the agreement come out, the Premier (Mr. Doer) was all happy and the government was just kind of applauding, saying, "Look at this; we got this wonderful deal." Well, that wonderful deal, Mr. Deputy Speaker, as you know, made it mandatory for all workers to be a union member in order to work on the project. That was the origin. That is what this government really and truly wanted to see happen. Let there be absolutely no doubt that that was in fact the case. That is why they received the opposition that they did.

I have talked to, again, not only non-union members but union members also. I can tell you, whether it was a union member or a non-union member, people just thought this government was being absolutely bizarre, that the government was so out of tune, it was hard to imagine who it is that they were listening to. You could not sell what they were trying to sell to Manitobans originally, Mr. Deputy Speaker. This is the reason why I believe the government ultimately went to Mr. Fox-Decent.

Point of Order

Mr. Deputy Speaker: Order. Point of order being raised.

Hon. Nancy Allan (Minister of Labour and Immigration): I would just like to remind the member opposite that we are debating bills in the House this afternoon, and we are debating Bill 37, which is sections 87.1, 87.3 of The Labour Relations Act. The MLA for Inkster has been going on for quite some time now. He has been discussing the floodway. He has been discussing Dominion Tanners, but he has not been discussing or dialoguing about Bill 37. This is shameful, Mr. Deputy Speaker.

Mr. Deputy Speaker: On the same point of order, the honourable Member for Inkster.

Mr. Lamoureux: Mr. Deputy Speaker, if there is anything shameful it is the lack of understanding

from the Minister of Labour as to what the rules are in this Chamber. On this particular bill, we are talking about labour relations. My entire discussion is about labour relations inside this province and the abysmal attempt by this minister to try to say that they are appealing to labour.

In particular, this minister, in terms of harmony, Mr. Deputy Speaker, I realize she is loaded with experience. But I can tell you her point of order, I believe, is so off-base that she better re-read what it is that has been stated because it is definitely relevant to this bill.

If it is felt that it is not relevant, I would suggest that we look at other pieces of legislation, in particular, final offer selection. When I do get onto final offer selection, I would suggest that we look at someone like Jay Cowan, who talked about relevancy especially in dealing with labour legislation.

So I can appreciate why it is the Minister of Labour would be so sensitive to this particular issue, Mr. Deputy Speaker, but to stand up while I am in the midst of delivering my comments to say that I am not being relevant, I believe, is wrong. I would suggest to you, as she heckles from her seat about arrogance, that she is the one that has the experience; she should have known that I was indeed being relevant to it.

I would ask, Mr. Deputy Speaker, that any time that would have been used in addressing this particular point of order be ensured that it not be included in my speaking on the bill itself.

Mr. Deputy Speaker: Difference of opinion as to what is relevant or what is not is not a matter of a point of order. The honourable minister, with due respect, had no point of order.

* * *

Mr. Lamoureux: The Minister of Labour (Ms. Allan) will have ample opportunity after I sit down, if no other members want to be able to speak to this bill, where she can stand up and ultimately close debate on this bill, which would ultimately see it go to committee.

Having said that, I talked about the union workers of Dominion Tanners, and now I am

changing over to the non-union workers and the union workers and how they have been treated heavy-handedly by this government. You will see, within The Labour Relations Act, it is all about labour relations, even if you read some of this very bill that you have tabled in this Chamber. I want to focus that when this government brought in the floodway agreement, what it was saying in regard to labour relations was that, if you are not a union member, you have absolutely no role to play in the expansion of the floodway.

I can recall asking the Minister of Labour at the time. I posed the question in terms of, well, how do you justify being a Minister of Labour if you have a government that is saying on one of the largest projects that Manitoba is entering into, which is so close to the city of Winnipeg—it goes partially around the city of Winnipeg—that non-union members do not have a role.

We know full well that when the flood of the century was here before us, the government of the day, thank goodness, did not go and say, "Well, look, if you are not a member of the union, you cannot participate in helping save the city of Winnipeg." I do not remember hearing statements of the then-opposition members saying, "We only insist that you have to be a union member in order to save the city of Winnipeg."

Yet, when it comes to labour relations of being in government, what does the government do? It says that you have to be a union member. Well, as a number of the Cabinet ministers no doubt were happy with that particular announcement, they realized, as I did, mind you, the difference is that I and others had realized, upon hearing it, that it was not fair.

You did not have to be a Liberal or a Conservative to recognize that it was not fair to non-union members and to union members, too, I would argue. All you had to do was just talk to Manitobans. If you talked to Manitobans, again, whether they were as a member of the union or a non-union member, they would have found out very clearly that their policy was going in the wrong direction.

Ultimately, that is the reason why I believe the government went to Mr. Wally Fox-Decent. Because they had backed themselves into a corner, they went to Mr. Fox-Decent in hopes to try to improve the

labour relations climate in our province because they had messed up. I hope that I am not in contradiction of anything if I say to you that my comment was that, after hearing that Mr. Fox-Decent was appointed, I felt absolutely 100 percent confident that that particular clause, saying you had to be a union member, was gone. I was already going around indicating that.

* (15:50)

The reason why I felt comfortable in knowing that is because I believed that Mr. Fox-Decent is no different than most Manitobans and would recognize the natural unfairness of a policy directive from this Premier (Mr. Doer) in regard to that particular issue.

So I was not surprised when we saw Mr. Fox-Decent's report. We are still waiting for an actual response from this government. What is interesting is that they are quite prepared to almost say, "Well, it was not us that was taking the step forcing people to become members of the union," that they are trying to put distance on that particular issue. But you are not going to fool Manitobans. They recognize that this was, in fact, a government initiative.

The two examples of Dominion Tanners and the floodway clearly demonstrate that whether it was shortly after being re-elected in June of last year to today that this government has, in a very awkward fashion, made a mess of labour relations in our province.

They cannot claim to represent union members any more than they can claim to represent the non-union member. What we ask of the government is that there is an obligation, in particular from the Minister of Labour (Ms. Allan), to ensure that there is as much as possible good, positive labour relations. There should be harmony. The government should be promoting harmony within the labour force. I think that what they need to do is they have to revisit the past year and re-evaluate, as the member from Springfield had made reference to in his speech.

You can go back to the Becky Barrett days. One could talk about the legislation that Becky Barrett brought in. That is the reason why we have this bill before us right now. Ultimately, it is because of the legislation that Becky Barrett brought in. They have consistently tried to cater, not necessarily to what is

in the best interests of the union worker or the non-union worker, but possibly to a few people, a few people that maybe carry a lot of clout within their caucus. I would not even say caucus. I would suggest to you that it is with selected individuals within their Cabinet, because I know that there are a number of New Democratic MLAs that felt very uncomfortable with some of the things that were coming down in regard to the floodway issue and a sense of disappointment.

It was back in 1988 when I was actually first elected there were commitments from the then-Conservatives that were in opposition that, if they were elected, what they were going to do was they were going to get rid of final offer selection. I think I might have spoken on final offer selection a few times, whenever I get the opportunity, because I do believe that final offer selection, if you read into what happened with final offer selection, you might get a better understanding of why it is that the government has taken the actions it has over the last little while.

I saw first-hand the government sabotage final offer selection back in 1990. The then-opposition, the New Democrats, had the opportunity to save final offer selection, to make final offer selection a better piece of legislation or a better law in our province. Because we were in a minority situation, when that legislation came forward, the NDP had a choice.

I have made reference to the former MLA from Churchill, Jay Cowan, and how he articulated for hours, and it was hours. Actually I do not know if it was the seat I am at right now. I think it is at the current Speaker's seat inside the Chamber, where he would walk back and forth along the back rail espousing as to why it is that the Conservatives were being so mean or asking the question why it is that the government of the day was being so mean to union workers.

Imagine the surprise of members opposite at the time. The Manitoba Liberal Party at the time was the official opposition. We worked with some union people and ultimately came up with a great compromise, a compromise that would have saved final offer selection, but, you know, the NDP did not want anything to do with it. That is why I say, if you really get an understanding, mind you, it will take quite a while to read it, because, as I say, Jay Cowan's speech lasted for hours, but I tell you, if you

read, if you get an understanding of final-offer selection, you will have a better understanding of why it is that this government is doing and behaves in the fashion it does.

So, ultimately, I would suggest to you that there really has not been any change. Whether it is today with the current Minister of Labour, whether it was Becky Barrett from before or it was Jay Cowan when he was critic for Labour, they have consistently—*[interjection]* Some were better than others. But there is a feeling that at the time, when the NDP really had the opportunity to make a difference, when there was an amendment, that we genuinely felt that the New Democrats would get on side with us. But what ended up happening is they ended up defeating the amendment. They worked with the Tories back then and they defeated the amendment. They were gleeful and happy, and we came back here into the Chamber, and ultimately the bill, whatever number it was, was defeated. The reason why is because the NDP would not support an amendment that would have made it fair, a lot like what this amendment is attempting to do now. It is an attempt to try to make Becky Barrett's mess a little bit better. That is what it is that we were attempting to do on final offer selection, but the government and the NDP kind of worked together to defeat it.

One has to ask the question—*[interjection]* The NDP actually did a lot more working together with the Conservatives back then. They voted for a couple of budgets. Even when Filmon had a majority government, they still voted for some of those budgets. Anyway, that takes me a little off topic.

Let me just remain focussed on that final-offer selection. Had the government, had the NDP back then, supported the Liberal amendment, final-offer selection would have survived. I am going to suggest to you to ask why it is—*[interjection]* Well, if there was more time. If members want me to do a little bit more reflection, I would be more than happy to, but it would require me leave to be able to do what others might have done, in terms of being able to express. Some suggest that I ask for leave, well I suspect I would not get it. But at the end of my speech, if members want, I can continue on.

What you have to do is you have got to ask the question why it is the NDP back then did not support the Liberal amendment. I am not one necessarily to

impute motives but I would like to do a little bit of speculation on this point. I will suggest to you the reason why is because they like the whole division, divide and conquer. They like the issue of division. They believe that they really need to rev up the engines of unions' elite and the union, as much as possible, as how bad the Tories and Liberals are, in order for them to be able to justify that false perception that they represent the working man or the working person, the men and women that work in our province, when there is very clear evidence that nothing could really be further from the truth. If, in fact, they wanted to demonstrate that, their actions should be able to speak louder than their words, and that is why, ultimately, I have passed judgment on this government in regard to how it deals with labour.

* (16:00)

When we make the allegations of union involvement within the New Democratic Party, one should not get the wrong impression. It is not the union movement as a whole that is behind the New Democrats; it is but a select few in which this government attempts to cater to in order to appease and try to get that support, whether it is financial or political. That is what they are feeding into. It is not the average union member, as I pointed out about Dominion Tanners, because if it was about the average union worker, then where were they for the Dominion Tanners? These are union people. They were absolutely nowhere; nowhere to be seen. It was not until I brought up the issue with the minister at the time to try to meet with some of the workers and see if something could be done on it. The member from Thompson, and I do appreciate the fact that he did set aside some time in order to be able to meet with these people and he did do it in a rather quick fashion, which was a positive. There is always, at times, a little bit of a flicker of hope, if one can put it that way. But sometimes that flicker is thrown out by a lot of water, and what we saw in the floodway debacle, or that mark, debacle, was a lot of water being thrown on labour relations within the province.

That is why I think the best advice that we could give the government is to re-evaluate what it has been doing over the last number of years, Mr. Deputy Speaker. They need to come to the realization that if they really want to help labour, and when I say labour, I am talking about union and non-union people in this province, if they really and truly

are genuine and want to help these people, then what they would be doing is working and promoting an atmosphere that will ensure better labour relations.

The examples that I have cited and, Mr. Deputy Speaker, possibly in third reading, or other opportunities I will be able to talk a little bit more, but at the end of the day, I think it is absolutely critical that the government re-evaluate what has happened over the last number of years, try to come to a better understanding of what is in the best interests of our workers in this province and promote harmony among labour, labour being defined as union, non-union, and I would also suggest to you, include in it our business community.

I see that my time has expired, Mr. Deputy Speaker. I would like to see this particular bill go to committee, so, hopefully, there will be some public input and others commenting.

Mr. Deputy Speaker: Before we proceed, if the Chair is not correct in the ruling that opinion as to matters of relevance is not a matter of point of order, then the Chair is correcting itself, because being correct is not a matter of self-conceit. Relevance is a difficult thing, because it distinguishes between facts and opinion. Sometimes you cannot tell what is from what ought to be, and that is why the doubtfulness of that ruling. Thank you very much.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I rise to speak briefly to Bill 37, The Labour Relations Amendment Act. This bill essentially seeks to try to correct the problem with the original Bill 44, which the present government brought in without really thinking through fully some of the consequences of the legislation that they did introduce. Clearly, when one is dealing with The Labour Relations Act, one has to strike the right balance between the interests of entrepreneurs, of business people, and of labour. That balance is pretty darned important if things are to function well.

The government has recognized that, in this instance, one of the things that they forgot to put in the initial act was the determination that one side, or the side which was bringing forward this issue to the Labour Board and making an application, had to be bargaining in good faith.

Now, the evidence of bargaining in good faith, of course, Mr. Deputy Speaker, is not necessarily

always going to be an easy judgment to make. Clearly, one of the problems with this legislation is going to be that there has to be that judgment call and that it is the Labour Board which is making that judgment call.

One of the issues which I would raise here is that the Labour Board has appointees by the government, and the concern that, without process for legislative screening, which we have called for on this side of the House, Mr. Deputy Speaker, one could get a Labour Board which is pro-labour or pro-business. It might therefore be making judgments as to what was bargaining in good faith that could favour one side or another. So one of the things that it would seem to me would have been good to have added here was to ensure that the appointees to the Labour Board were screened by a legislative committee so that it would be possible to have some additional insurance that there was a degree of balance which is so critical and so important to making these judgments well and appropriately.

Clearly, it will take some time, if this legislation were to be passed, and given the government's majority, it is likely that it will be, to see how well this works and whether in fact these changes will solve some of the problems. It does not take away from the fact that there are still some outstanding issues in terms of Bill 44, but I will not spend time going into them here. Certainly, the present government has tilted the balance toward labour, and that, of course, is creating a little bit of a problem here in that the decisions, which need to be made in the best interests of impartiality and fairness between business and labour, must be made with a very high level of impartiality and fairness if they are going to be accepted by both sides.

We wait for the presentations which are going to be made at the committee stage on this bill and look forward to the discussion which occurs then at committee stage and at third reading. Thank you.

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

An Honourable Member: Question.

Mr. Deputy Speaker: The question before the House is the second reading of Bill 37, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail.

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

Bill 38—The Fisheries Amendment Act

Mr. Deputy Speaker: Resuming debate on the second reading of the proposed motion of the honourable Minister of Water Stewardship (Mr. Ashton), Bill 38, The Fisheries Amendment Act; Loi modifiant la Loi sur la pêche, standing in the name of the honourable Member for Pembina (Mr. Dyck).

Is there unanimous consent that the bill remain standing in name of the honourable Member for Pembina?

An Honourable Member: No.

Mr. Deputy Speaker: No. Leave denied.

* (16:10)

Mr. David Faurschou (Portage la Prairie): Mr. Deputy Speaker, it is a pleasure for me to rise this afternoon and participate in the second reading of Bill 38, The Fisheries Amendment Act. To the layperson, on first examination it would be a very straightforward act as it pertains to a change in The Fisheries Act to a gender-neutral status by changing the definition of fisherman to fisher. I would say that would be to the liking of most persons. However, there is much more to this act than making The Fisheries Act gender-neutral.

Mr. Deputy Speaker, within this very short act, in fact it is only three pages long, there are significant changes that are being requested now being made to The Fisheries Act. In regard to this act, we are now amending The Fisheries Act to bring into scope out-of-province sales of fish as well as distribution of fish that come from out of province as well, which significantly expands the role of the Department of Water Stewardship as it pertains to fish.

It also repeals sections that allow for one to appeal an inspector's decision directly to the minister. This repeal of this section allows currently for someone that has had a disagreement with the department and ultimately the inspector that is representing the department, whether you are a corporation or an individual, to appeal to the minister.

As you will appreciate, inspectors are just people too. There are occasions for personality conflicts and

differences in opinion. Without an appeal mechanism, I say that this act gives extraordinary powers to inspectors that are not balanced by an appeal mechanism.

I do not know why the minister would want to give up his opportunity to make certain that any decision made by his department is made in the best interests of all concerned. I believe currently The Fisheries Act is one that does allow for balance. I am not in agreement with this act on the basis that it takes away the opportunity to appeal.

As well, I will say that this act is remaining true to form, as the New Democratic Party has shown us in this session and sessions before, that that they are looking to tax Manitobans more thoroughly.

When one looks at the penalties if you are in contravention of The Fisheries Act, one would expect a \$1,000 fine, perhaps, but right at the present time this particular act calls for a striking out of that section and installing the penalties of \$10,000 and \$100,000 for corporations, Mr. Deputy Speaker.

You can just see the change that is coming about with this act. I am afraid that this government is so hard-pressed for dollars, even after expanding their budget by over a billion dollars, 1.3 to be specific, they are still looking to garner more money out of Manitobans' pockets.

As well, The Fisheries Act, persons come to Manitoba to partake of our sports fishing industry. I would say that the harshness of this act, as it pertains to penalties, as well as the unbridled authority of the inspectors, we are setting ourselves up for incidents that will give Manitoba a very bad name as far as it pertains to fishing here in the province of Manitoba.

I will look forward to the public having input into this bill. I will look forward to seeing the minister after today's debate coming forward with amendments, hopefully to address this shortcoming as it pertains to an appeal mechanism. I hope that there is good participation regarding this bill once it reaches committee. Thank you very much.

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

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I rise to talk on The Fisheries Amendment

Act. I see this as quite an important piece of legislation, certainly not all positive with respect to the management of the fishery in the province of Manitoba. I would say, to begin with, that we need to look a little bit at the context. So I want to talk briefly about the context in which we are working at the moment, and that context is that we have quite a number of lakes in Manitoba which are having problems in terms of the fishery and that we need to have a framework that will allow for better management of the fishery as we go forward than we have had in the past.

Let me start out by saying a few words about Lake Winnipeg. Lake Winnipeg, as we know, is the largest lake in Manitoba. It is a very, very important fishing lake. It contributes disproportionately to the fish that are marketed through the Freshwater Fish Marketing Corporation and, of course, to a fisherman like those in Gimli who have from time to time marketed their fish directly through their own efforts and their own restaurant.

Mr. Speaker, what is important in the context of Lake Winnipeg is, as we know, that Lake Winnipeg is quite threatened at the moment. Indeed, the work and the research that has been done through the Namao has clearly shown huge algal blooms and major problems in Lake Winnipeg, and that these algal blooms and the major problems are related, it would appear, in considerable measure to the rise in phosphorus levels in Lake Winnipeg. One of the things that needs to be done, clearly, is to have much better management of the quality of the water and the water flowing into Lake Winnipeg from various parts of the basins that supply water to Lake Winnipeg to ensure that the phosphorus levels do not continue to rise but, in fact, start to fall and that we can take effective actions that will start to reduce these huge problems of algal blooms.

Mr. Speaker, this last year there was evidence in the northern basin, I understand, of Lake Winnipeg of areas of very low oxygen. Such areas are, of course, very problematic for fish and can be associated with fish die-offs or can move the fish out of those areas so that they are forced to forage and to live in other areas of the lake. This is a concern in terms of the future of Lake Winnipeg and a number of people who have talked about Lake Winnipeg and its future have suggested that the situation in Lake Winnipeg is, in fact, worse than the situation in Lake Erie in the 1960s and 1970s when people were

talking about Lake Erie being, shall we say, dead or close to dead or having a lot of huge problems with the fishery there.

* (16:20)

Now, the number of fish being caught and harvested on Lake Winnipeg has, compared with the historic record and we can use the best 15-year harvest from Lake Winnipeg as an example of what the production can be, the production in recent years has not been all that far, I think it is about 85 percent of the historic record. Now, one can compare that, however, to the situation on Lake Erie where good management following the disaster that occurred in Lake Winnipeg in the late sixties and early seventies has brought the productivity in Lake Erie, on average over the last 20 years, very considerably above what it had been at a historic level. So that would suggest that we have an opportunity, if we manage Lake Winnipeg optimally, better than we have been, that we could significantly improve the harvest on Lake Winnipeg. Clearly, what we need to have as our goal is better management of the lake, better management of the nutrients, and at the same time there needs to be the capability to provide for ensuring that the fishery is run well.

Let me move to talk about another of Manitoba's major lakes, and that is Lake Manitoba. I know, as the Member for Portage la Prairie (Mr. Faurichou) will know, that in the 1940s and 1950s there were a large number of people who came to Lake Manitoba to fish from the United States and elsewhere because of the bounty in terms of the fishery on Lake Manitoba. The commercial harvests at that time as well as the tourist harvest were considerable, the sport harvest. Certainly, there is quite considerable evidence to suggest that the harvest on fisheries in Lake Manitoba, if one averages the last 10 years, that they are quite substantially below what the historic level of productivity on Lake Manitoba could be.

As I meet with people at various parts of Lake Manitoba who have been involved in the fishery there, that there have been a variety of concerns that have been raised with respect to the operation of the fishery, with respect to the number of fish. I am sure that some of the changes that are being made in the Fisheries Act or recommended here may be in part a result of some of the things that have been happening but certainly what is needed is a long-run plan with respect to the fisheries of Lake Winnipeg and Lake

Manitoba and Lake Winnipegosis because, you know, with all the things that have been done to date it would appear that the fishery really could be more productive than it is at the moment and that the operation and the management of this fishery could be significantly better.

We do not know to what extent the Fairford Dam may have influenced the fishery and the number of fish in Lake Manitoba. One wonders, for example, whether the fact that areas like Delta Marsh are not flushed in the same way by the rising and falling of the waters results in a decrease in the spawning capability and the growth of the young fish. Certainly, this regular flushing out of such marsh areas could historically have contributed significantly to the fishery. Yet the reality is that there is all too little information and much of the speculation that relates to the Fairford Dam has related instead to its impact on the movement of fish up the Fairford River and the impact that that might have of populations on Lake Manitoba and Lake Winnipegosis. So Lake Manitoba is the second example of a lake which is of vital importance to Manitobans, and yet, clearly, there are some significant problems in its management and many people calling for better approaches.

I want to move now to a brief discussion of Lake Winnipegosis because, of the three large lakes in Manitoba, Lake Winnipegosis has been the most severely impacted by the inadequate management approaches under successive Tory and NDP governments over the last 40 years.

Back in the days of the 1950s, when there was a Liberal government, and the 1940s, Lake Winnipegosis was a terrific producer of walleye. In fact, it was the third-best producer of walleye of all the lakes in North America. After Lake Erie and Lake Winnipeg, it was then Lake Winnipegosis. But in the early 1960s all of a sudden the bottom fell out of the walleye fishery on Lake Winnipegosis just about the time that the Tories were taking over the government and then followed by the NDP. None have been able to provide the management conditions to bring this population of walleye and the fishery in Lake Winnipegosis back to where it really needs to be.

The historic levels of production, as I remember them, are on the order of 1.1 million kilograms in a year in Lake Winnipegosis of walleye. The sad fact

of the matter is that for a period in the 1990s production was running at only about 25 000 kilograms a year. That is about one fortieth of what the productivity of the lake really should be in terms of walleye.

It has been likened to the situation where farmers growing 40 bushels to the acre of wheat all of a sudden were producing only one bushel to the acre. That is about the level of comparable production that fishermen on Lake Winnipegosis were facing in the mid-1990s.

Clearly, when you look around Lake Winnipegosis, the historic major attraction for the tourism and the sport fishery in the area as well as the major production by the commercial fishery has had a severe impact on many communities around Lake Winnipegosis on fishery and all the other industries which are there as a result of the marvellous fishery that used to be there. The fact that that fishery has decreased to the extent that it has, Mr. Deputy Speaker, has had a severe impact on many, many communities around Lake Winnipegosis.

I was, for example, a number of months ago on more than one occasion in Duck Bay and talking with fishermen there. They, among many, many others, have raised concerns about the fishery on Lake Winnipegosis and the fact that the management has been far from what it should be.

The context here is that it is very important to look at in terms of The Fisheries Amendment Act the context of lake fisheries on these three large lakes in Manitoba, which have not been anywhere near what the management should have been. Clearly, there are needs for changes. There are questions, though, about whether the changes being proposed in this act, and it can be called enabling legislation because it provides for regulations in all sorts of areas, whether the changes to be made under this act are going to be those that are going to be better management of the fishery.

It would have been highly desirable for the ministers of the government to get up and tell us about their intents when they are going to, for example, exempt any fish or any class, variety or grade of fish produced in the province, or in any area of the province, or any person or class of persons from any provision of this act or the regulation. We have some real concern about this exemption power.

* (16:30)

The reason that that concern is there is that when you provide for the ability to make exemptions of this type, if you are not careful you can provide for a very unlevel playing field and you can provide for selective determination by the minister or those who work for the minister to make exceptions or exemptions in ways that could be quite problematic, could be quite unfair, or could be quite detrimental to the fish populations. People have talked about, in many other fish species, that it is quite important to consider the importance of maintaining the fish population. This exemption "fish or any class, variety or grade of fish produced in the province or in any area of the province, or any person or class of persons from any provision of this Act or the regulations" should have at least had some sort of principle here where there is adequate justification with respect to ensuring that the fish populations are healthy and that they are being well managed, because all too frequently in the past what we have seen is ministers making judgment for the benefit of this group or that group without considering the whole resource being subject to a lot of pressure from people who want to go out and catch more fish.

If this is not handled appropriately, the problem, Mr. Deputy Speaker, is this: That people go out and take so much more fish that there are far fewer for everybody the next year and the year after. So it is very important to maintain the base capacity of the fish, the base biomass of the fish in these lakes so that they will be able to spawn and produce fish for the future. When you take away from the overall base biomass, then, of course, you put their whole resource, the whole fishery in peril and you make changes to the fisheries in the lakes which can be quite detrimental to their future.

I want to put a little bit more context now, Mr. Deputy Speaker, in terms of this legislation. We have had a situation on Dauphin Lake where there was quite a contention. The government went out and talked to a variety of people and said, "Well, we are going to have a memorandum of understanding to produce a plan." My recollection is that that memorandum of understanding was produced in, I think it was 2000, and as of yet the government has not yet tabled the plan and it is four years later. Clearly, if you are going to have good management of a fishery, you have to be able to work quicker than taking four years to produce a plan for a fishery.

Mr. Deputy Speaker, the problem here is that we have got all sorts of new regulations, but we are not actually producing the plans. One of the things that we have seen time and time again is a government which has the so-called good intentions, but then does not actually follow through and produce the effective plans to carry them through. So, at Dauphin Lake it clearly needs a little bit of a speed-up, and it is a little surprising that this government is so keen to speed up legislation and so opposed to speeding up a planning process for fisheries. That is, of course, one of the worries that we have on this side of the Legislature, that the government should be having speed-up in terms of planning and looking after the fishery and should in fact be taking more time to make sure that the legislation is going to be effective and achieve the desired ends. One of the problems here is that we are not setting goals or objectives. We are not setting end points or output criteria, and clearly that would have been highly desirable to do that.

Let me talk now about another lake which has been threatened as an example of why it is important to have good fisheries management, and that lake is Killarney Lake in southwestern Manitoba. It is a lake which has had a lot of problems with overgrowth and a lot of problems from all the evidence of high levels of phosphorus in the lake giving rise to these algal growths. The problem here is that, when people have tried to swim in this lake, it has been so full of algae, as the Member for Emerson (Mr. Penner) may know from being there, that people have come out, literally, green from the problem of the algal overgrowth.

Mr. Speaker in the Chair

The problem here is that there is a better way to manage this lake and make sure that things are being done better, but one of the things that clearly needs to be done in the context of lakes like Killarney Lake is to take the watershed and look at it as a model watershed so that we have a much better understanding of where the phosphorous comes from and why it has been in such high concentration in certain years and, of course, the impact not only on people but on fish, and of course, the impact on the water supply for the town of Killarney as well because last year there were problems with the water supply because in fact the water is taken from Killarney Lake for people to drink.

Pelican Lake is another lake which this last year had some problems. The problem here is that Pelican

Lake, it was a problem of a fish die-off, presumably because of low oxygen in the water over the winter, and the result was that people went out on Pelican Lake and washing up on the beaches there were lots and lots of dead fish.

The answer here, if we are going to look at better management of Pelican Lake, it is not to give people a \$100,000 fine for catching a fish, it is to put some aerators in there, to put some oxygen in the lake in the winter, and we would certainly, certainly have much more impact if we looked after and put in place the better way to manage the lake than if we went after and gave the fisherman a \$100,000 fine for catching a fish.

An Honourable Member: We did put the aerators in.

Mr. Gerrard: Well, there were aerators put in certain lakes, but I am not sure that there were ever aerators put in Pelican Lake. If there were, they clearly were not sufficient to do the job. One of the things that needs to be done is to look at this situation and to address it appropriately.

Let me give you another example. I can go on and on and on with all these lakes with problems. Up north, Wekusko Lake, not far from the mining town of Snow Lake, was a terrific lake for catching walleye, but in recent years, the number of walleye have fallen off quite dramatically.

Clearly, once again, it is a question of how you manage the fishery. The issues here, although we have more powers for the minister and the Department of Fisheries, that clearly their optimum management of Wekusko Lake and other lakes like it depends on more than just the types of regulations which are here. It depends on a good overall management plan for the lake to make sure that, in fact, it is producing the fish that it should be producing and can be producing.

I want to, having reviewed a number of lakes and there are many more where there have been concerns about the fisheries, but I think I do not need today to talk about all the many other lakes which are out there which have had problems with their fisheries, but I do need to say a few words about certain of the circumstances around this legislation.

One of the concerns here is the presence of some sort of an appeal process to decision making. I am

not sure that the appropriate process is necessarily an appeal to the minister, but I do think that the government should look at what sort of appeal process needs to be in place here in order to make sure that there is a proper framework of checks and balances in terms of the actions of government and the protection of the individual rights of individuals.

* (16:40)

Certainly, one has to be careful about the power of the minister being used to benefit one or another or to protect friends versus others, but it has to be used and there needs to be some sort of a fair appeal process that can look at the situation of the lake. Probably part of the problem here is that in many of the lakes there is not a good enough research base to know what the fish biomass is, and there is not a good enough plan to know whether the plan is being followed.

As an example, for many years on Lake Winnipegosis, the quota that was there was not an appropriate quota, adjusted yearly on the basis of the fish biomass of the lake. Rather, what was done was to have a quota based on some estimate of the fish production of the lake. Too often it was higher than it really should have been. Even in years where there were, as happened occasionally, higher levels of fish caught, the system would make sure that you optimize, the fishery was never functioning well. Clearly, one of the things that does need to be done is to put in place a much better process for planning and managing fisheries, involving people who live around the lake and who are involved in the fisheries.

My experience very often is that the people who have spent lots of time on the lake and know the fishery are the best at providing input into the management, but it needs that kind of forward-thinking approach which balances a real understanding of what the biomass is and the research base to produce that evidence with the local understanding of conditions on the lake and what can be done to optimize the fishery, because local people understand the local conditions on the lake.

I will sum up that we welcome attention to the fishery in Manitoba, but we are concerned that what is in the legislation here may not necessarily provide the better management that we all seek for the fish and that concern that there are some elements

missing and a concern that maybe there should be some amendments or changes during the committee stage which could improve this legislation to put in an appeal process of some sort and look very carefully at this clause which deals with exempting any fish or any class, because we want to be quite careful that there is not a level of arbitrary decision making which could put at peril the future of the fish in a number of our very important lakes. Thank you.

Mr. Kevin Lamoureux (Inkster): Well, contrary to what the Member for Portage la Prairie (Mr. Faurichou) says, I have had opportunity to watch my daughter fish just last year. No, I have not had the privilege of being able to fish in the last little while, but I will tell you, nothing beats seeing your daughter fishing when she has caught a little bit of a perch. I think that she must have caught, over the summer, probably close to a hundred little fish. Most of them were thrown right back in because they were somewhat small, but it is an absolute delight.

There were a couple of points that I want to emphasize, Mr. Speaker. The one that kind of really interested me was when the Leader of the Liberal Party was talking about the importance of coming up with an overall plan for our fishery industry in the province of Manitoba. This is an industry that does merit attention. I would call upon the government to give it the attention that is necessary. It provides the livelihood for hundreds of Manitobans throughout the province. One could go right back to the history of our province from its beginnings and the important role that fishing played from back there to the role that it plays today and, ultimately, will play well into the future of our province. When he made reference to the fact of what we want to be able to see is a government that is going to take more of a proactive approach at protecting our lakes and ensuring that our fishing stocks are going to be there well into the future, I do not think that is much to ask for.

We get a sense from the government today that they no longer want to be able to sit inside the Chamber, they would rather be outside of the Chamber and they are prepared to push really hard, Mr. Speaker. We will find out to what degree, probably over the next day or two. We wonder if they would apply that same effort to our fishing stocks throughout the province, to our many bodies of water throughout the province, that would

probably have a little bit more optimism about the future of fishing in our province.

He made reference to a memorandum of understanding in regard that was signed off back in the year 2000, and we still have not gotten anywhere in terms of some of these lakes, whether it is Lake Winnipegosis or Winnipeg or Manitoba. These are really lifelines in good part to industrial or commercial, I should say fishing yet we still need to get a better sense in terms of the overall direction the Province wants to take us in this whole area.

Like many Manitobans, we feel very proud of the fact that we have so many lakes throughout the province, Mr. Speaker. I believe it was licence plates from the past at one time used to highlight the fact that we had so many lakes. I believe it was somewhere in the neighbourhood of 100 000 bodies of water scattered throughout the province. When you take a look just at size, Lake Winnipeg is likely bigger than a number of countries throughout the world and that is why time and time again the Liberals and others have advocated to do the necessary environmental studies, to work with the different levels of government to be able to come up with some sort of a vision that includes some long-term thinking.

I think that Manitobans are growing more and more concerned about the state of Lake Winnipeg and Lake Winnipegosis, in particular when the member from River Heights made reference to Lake Erie. We all are familiar with the Lake Erie days of decades back when people thought that lake was going to die as a lake as fish and others were just starting to die off within the lake. We have had individuals talk about Lake Winnipeg heading in a similar direction if, in fact, we do not take some sort of immediate action.

* (16:50)

I can remember having discussions with people like Ed Price [*phonetic*], a commercial fisherman whom the member from Elmwood will recall. Well, that I will leave off the record, Mr. Speaker, but Ed was very passionate about the number of fish in Lake Winnipeg back then and what we are talking about. I can recall, I guess it would be back in 1986, when I first met Ed and he had come up with his vehicle at the time and it had all these bugs all over. It was just like a blanket full of bugs and that is what made me

raise the inquiries to why all the bugs? Where do they come from? He gave me a better sense of what it is that he did for a living and the importance of commercial fishing in Lake Winnipeg and other lakes. So, whether it is Ed Price [*phonetic*], I have had other individuals that have really tapped into our wonderful resources and made a living off it. I can recall talking to other individuals along the community, along our lakes.

The Leader of the Liberal Party made reference to the fresh fish markets. How many Manitobans use these freshwater markets, Mr. Speaker, will take the drive out to Gimli and along the shoreline to be able to purchase some of that good old Manitoba fish? There are so many individuals that are directly employed today within that industry. These people are genuinely concerned about the future. They are concerned about the size of mesh that is being used and they want the government to give more direction, to work with some of the different stakeholders that are out there.

One could define the stakeholders of being some of the communities like Gimli, as an example. There are many Aboriginal communities, Mr. Speaker, that have a very strong vested interest in ensuring, as they have in the past, that the fish population, the fishing stock and the livelihood for many Aboriginal communities, is maintained, as the founding stakeholder, I would ultimately argue.

There are other individuals who use it, and I do not want to underestimate the average person. I made reference to my daughter, to seniors. We provide licences, for people to get a licence in order to go and do some fishing. It is a wonderful recreational activity. So not only are we talking commercial, but the role that the commercial, because of the size and the numbers of fish that come out of our bodies of water, we have to be collectively concerned because not only does that impact the larger numbers of fish but it has an impact on the individuals that do that for recreational purposes.

We have people throughout the world that will fly into Winnipeg, to then fly into different parts of rural Manitoba and secure guides to be able to take them into some of these fishing grounds. We have lodges. There is so much activity throughout rural Manitoba dealing with fish. There are a great deal of jobs. These, too, are stakeholders, Mr. Speaker.

I would argue that we have a significant senior base. We have people that are going into retirement that enjoy tremendously the opportunity to be able to go fishing, not only just during summertime but year-round. People need to realize that fishing is done year round throughout the province.

It is a wonderful, wonderful natural resource that we have in the province, and I would suggest to you, Mr. Speaker, that what we do need to see, as the government at least has attempted to do back in 2000, is to try and work with the types of stakeholders that I have just made reference to. To sit down, to bring them around the table and to try to come up with something that is going to ensure that the preservation of the industry as a whole, or fishing as a whole, in our province is maintained well into the future. We cannot afford to stand by and do little.

So, when we look at the bill, and the explanatory notes in the bill, allow for the regulation, registration and the licensing of people marketing for fish. Whether it is increasing the maximum penalty of offences under the act from \$10,000 to \$100,000, some of this stuff is most appropriate. It is one thing to have regulations or to have laws on the books, but if there is no real financial incentive in many areas to stay straight and follow the regulations and laws that we pass then, quite often, they might be overlooked. They might overlook them because of the possibility of a fine. If you have a maximum fine, for example, as \$10,000, some commercial fishermen might not necessarily see that as a huge amount of dollars. So we are making a stronger statement.

We talk about giving improved powers to be able to enforce seizure for officers where there have been offences committed. Again, this is something that could really make a difference. As I could go through many of the different principles of this bill, what I would suggest to you, Mr. Speaker, is that there really is a need for us to ensure that the government has done its homework on this bill. That is why it would have been nice maybe possibly to get a few more numbers from the minister. We ultimately look forward to it going to committee and it would be great to be able to get some feedback from the public in regard to Bill 38 because, ultimately, there is very little doubt it will go into committee and ultimately become law.

As the member from River Heights has pointed out, would it not be nice to be able to have the

opportunity to be able to get other possible input, public input that could make the legislation a little bit better and more importantly look at the protection of the industry as a whole for the years to come. I think that the legislation could have been broader. I hope that, once this bill ultimately is passed, because I suspect that they are not going to be making the types of amendments that some would like to see, we will see the government reintroduce a bill that will, in fact, address more of the issues that are out there within the fishing industry.

There are areas of concern. It is nice to hear the member from River Heights make reference to Pelican Lake. Pelican Lake, I have really had the opportunity to get a little bit more familiar with over the last couple of years because we have actually bought or acquired a cottage in that area. It has been a wonderful, wonderful experience. You get a better sense of our lakes. I never was one that was overly attracted to drive out to our lakes and rivers but what I am finding is that that attraction is starting to grow. In the opportunities in which I have had to go out to Pelican Lake, there have been times in which I was and have been and still am concerned as to some of the things that I have seen.

The fishing is absolutely critical. It plays a critical role, not only from people in Pelican Lake but communities that are around it. It brings in, I believe, a lot of tourism. It brings in a lot of economic activity for those areas. Over the winter myself and the Leader of the Liberal Party, I should not say over the winter it was just a couple of months ago, we were made aware of just a number of fish that were dying off in Pelican Lake because of low oxygen levels.

There are things that the government can do. The member from, I believe, Emerson, talked about getting oxygen into the water and the difference that it could make. I do not want to claim to know all the intricacies of how to keep a lake alive and healthy, but it does not take away from the fact that, like most Manitobans, I am concerned about the overall condition of the lakes. Is there, in fact, something that we can do to be enhancing that natural resource? What can we do to assist our commercial fishermen? What can we do to assist our recreational fishermen? The idea of stocking some lakes has worked well in the past. I do not think that we can underestimate the importance of continuing, if not even possibly expanding that area. By stocking or assisting in

stocking lakes with fish, the economic impact of that I believe is actually fairly great, not to mention in terms of what it does for residents of the province that derive a great deal of satisfaction in going out into our many waterways and throwing the fish line in.

* (17:00)

When we talked about the dying off fish, if there are some things that we can be doing, I would be interested in hearing about that from the government. If there are areas in which it can be brought in in terms of legislation that would assist in enriching that aspect, then we should be looking at that.

There was one time of the year in which I was out at Pelican Lake. I know it has happened in other areas, where I walked there and virtually the water appeared as if it was green, it was a dark green. It would appear as if you could virtually walk on it. We know you could not do that, but the color or the darkness of the water to be perceived in that sense goes to show just how thick of algae and the other things that would have made up that green colour.

I do not want to claim to understand why it is that it was as green as it was, but it is the type of thing, it is the type of issue which no doubt other bodies are experiencing. Is there a role for government to be able to participate? I suspect that there is, because if that is not the case, then who is in essence going to pick up the ball? Again, the waters, our waters, are such a great natural resource that we should be doing what we can to protect them. That is the reason why it is that I thought I would in essence in good part stand up and comment on this bill, because like all Manitobans I am concerned about our lakes and rivers and would like to see the government take a proactive approach at protecting that great natural resource that we have and to come up with the initiatives that are really going to make a difference.

When I look at this legislation, I am not too sure if it is as all encompassing as it could have been. That is the reason why hopefully what we will do is we will see future legislation that will maybe attempt to address some of these other issues. Most importantly we would appeal to the government of the day to enter into and to have some discussions in regard to the other stakeholders. Not only is it important to have those discussions, I think that you

have to take it to the next step. With this government, I know as the leader had pointed out, they had that one memorandum of understanding. I believe it was in regard to either Lake Winnipegosis or Lake Winnipeg. It was signed back in 2000. Yet we have still not seen anything tangible coming out of that, from what I understand.

Not only is it important that the government take the time, invest the energies and resources in working with these different stakeholders. I think that they have a leadership role in working with those stakeholders in doing more than just coming up with memorandums of understanding, because, ultimately, actions do speak louder than words.

You know, one of my favourite barbecued foods is fish, of course. I must say we did try barbecuing one of the fish that my daughter had caught last year with a little bit of garlic and salt and so forth. It was a wonderful meal. I owe that to my daughter and to the member making reference to barbecues, because, however way in which one cooks a fish, I can tell you, they are great to be able to eat. It is important that we go out and we support the industry here in Manitoba as much as possible, go out to some of these fish markets, as I am sure members of this Chamber have. You will be pleasantly surprised.

I know in Winnipeg the goldeye is a great fish in itself. It is somewhat of a fish icon of sorts in our province. One of our semi-pro baseball teams took advantage of our goldeye fish and named its baseball team after the goldeye.

There is other fishing. Earlier I talked about fishing as a sport or as a recreation. The Member for Selkirk (Mr. Dewar) makes reference to catfish. Catfish, well, as we all know, we have I believe the giant catfish located in Selkirk, which is a wonderful place. It is important we acknowledge where we can and feel good about our province. I think Selkirk made a good decision in terms of really promoting catfish in Manitoba's waterways, because you know what? Some planted the question of relevance. The fishing industry and how this legislation is going to change it and the impact it is going to have can be actually fairly positive if it is done in the proper fashion. If it is done that way, it protects all aspects of the fishing industry, which includes the sport fisherman even, because, as I had pointed out, there are people that actually travel from abroad just to be

able to experience the wonderful fishing that we have in the province of Manitoba.

Well, it was not my intent to speak overly long on this particular bill. Having had the opportunity to say those few words, I suspect it will go to committee. I would suggest that the government actually, as I say, or as has been pointed out by the Leader of the Liberal Party, that they give the same sort of attention to our fishing industry as they do to, in particular this government, in terms of having summer holidays and do a little bit more for our fishing industry. Thank you, Mr. Speaker.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is second reading of Bill 38, The Fisheries Amendment Act.

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

Bill 39—The Residential Tenancies Amendment Act

Mr. Speaker: Bill 39, The Residential Tenancies Amendment Act, standing in the name of the honourable Member for Pembina (Mr. Dyck). What is the will of the House?

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

An Honourable Member: No.

Mr. Speaker: No.

Mr. David Faurchou (Portage la Prairie): I would like to participate in the second reading debate in regard to Bill 39, The Residential Tenancies Amendment Act. I would like to see this act go forward to committee to hear public consultation in regard to the content of Bill 39.

Bill 39 is once again an act that works in co-operation with other acts that this government is trying to push through the Legislature in fairly short order. I do not believe everyone yet has the comprehension of the ramifications of the legislation

before the House. I will speak specifically of Bill 49, which changes the parameters as to how mobile homes and the properties they are situated on are effectively assessed and taxed by municipal jurisdictions.

Mr. Speaker, Bill 39 essentially facilitates changes to The Residential Tenancies Act that allows for the breakout of the property component from that of the mobile home component so as that if the renter is effectively renting the mobile home on a piece of property as an all-inclusive rental agreement, now this act changes that particular situation because if the taxation is increased by the rural municipalities or the urban municipalities, be that as it may, greater than the one and a half percent or one and three-quarter percent, whatever The Residential Tenancies Act allows for in any given year, the landowner essentially would not be able to without this amendment effectively pass on that increase in property tax that the municipalities are requiring.

* (17:10)

Mr. Speaker, essentially, why is the government putting forward changes that allow for this type of reassessment of properties where mobile homes are located? In fact, I do not know of any mobile home parks that essentially are owned by public institutions. They are privately owned by corporations, and the services within the mobile home park are provided for by the property owner. The municipalities do provide the services, but not inside the mobile home parks, so I am wondering why the government is pressing ahead to make these changes to The Municipal Act that makes Bill 39 so necessary.

Mr. Speaker, I will say, though, that within this Bill 39 the government mixes good with bad, and tries to slip through legislation on Manitobans. There are other parts of Bill 39 where it gives the landlord the ability to give up or dispose of personal property left behind by former tenants. Right now the landlord has to store those personal properties and, for the most part, if they are left behind in the first place, the properties were left behind for a reason and they should be able to be disposed of in fairly short order by landlords once the tenant has moved out.

Also, Mr. Speaker, it allows for a greater flexibility within the landlord-tenant agreement where, in the case of an individual that potentially

has a medical emergency and for some reason, such as the example given would be a stroke, the individual can no longer come back to their rental properties, and currently, as it stands now before this legislation is put forward, the individual, if they are not residing there or can no longer reside there because their health and their capacity to live independently is diminished, they are still legally bound to pay the rental on those properties even if they are unable to return to those rental properties. This bill gives a greater flexibility in the case that someone becomes incapable of living independently, the terms of the rental contract can in fact be a little more flexible. With those few short words, I am looking forward to public participation in regard to Bill 39, and I appreciate the opportunity to have participated in second reading.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I would like just to say a few words at this stage of the discussion of Bill 39, the amendment to The Residential Tenancies Act. Clearly, one of the fundamental needs here is to balance the interests and responsibilities of landlords on the one hand and the interests and responsibilities of tenants on the other.

I would like to, in talking about this, draw the House's attention to two parts which, hopefully, can be looked at at committee stage and with the presenters at committee stage so that these two sections of the act, at a minimum, can be looked at with some attention to make sure that the fundamental objective here, which is balancing the interests and the responsibilities of landlords and the interests and responsibilities of the tenants, is met.

The first area where I want to raise a concern deals with the termination, with a move to a personal care home or on the basis of incapacity. Now, the existing phrase is as follows, if a tenant of a rental unit has been accepted into a personal care home, the tenant may terminate the tenancy by giving the landlord a notice of termination that is not less than one rental payment period, effective on the last day of the rental payment period.

The new act says: "Termination for a move to a personal care home or incapacity, 93(1) if a tenant of a rental unit (a) is accepted into a personal care home or residential care facility; or (b) gives the landlord a certificate from a physician confirming that, for health reasons, the tenant is no longer capable of

living independently; the tenant may terminate the tenancy by giving the landlord a notice of termination that is not less than 1 rental payment period, effective on the last day of a rental payment period."

Now, the concern that I have here is that because of the long waiting times that are there for personal care homes in some instances, that people are making applications to stay or to live in a personal care home a year or two, sometimes, before they actually need to be there, and so they are predicting that a year or two or three down the line they will be in a situation where they are not capable of living independently as they were previously.

Because of this and because people are projecting this, people are under the circumstance that it may be that a year or two later their health has improved instead of deteriorated and they no longer have to move immediately to a personal care home, but because the bed is available and because they expect that this condition of their health may not continue, they decide to move and they may not be able to get a certificate from a physician saying that they are no longer capable of living independently.

All I would say is that the situation needs to be considered so that there is some fairness here in dealing with tenants where they are waiting for some time to get into a personal care home, that the tenant maybe needs to give the landlord a notice in advance, perhaps, that they have applied to go into a personal care home so the landlord has some awareness of the situation.

But one has to be careful in that respect because one does not want the landlord to abuse the situation by saying, "Well, you have got to sign a five-year lease," and all of a sudden you are in a position where the person who is the tenant, in fact, may be moving out into a personal care home within a month or two. So I think that in some ways the old wording was perhaps better, but there maybe needs to be some attention here to make sure that the balance, in the final analysis, is appropriate.

The second section that I would like to talk about deals with the circumstances surrounding personal property and sale or disposal of unclaimed property. Where a person decides to move and leave behind the property, I mean, I think that this is most of the time that the provisions are fine, but there are

concerns that every once in awhile, because of a mental or a physical illness of such a nature that the person had no intention of vacating the apartment, or the rental property, and under those circumstances there needs to be a little bit more notification or effort to find the tenant than is found in this bill. The landlord can remove abandoned property and so on and so forth, has to give a copy of the inventory to the tenant and it is sufficient if the copy is mailed to the tenant at the tenant's last known address.

The problem here is if there is a major physical or mental illness or something totally unexpected happens in an individual's life, it would appear to me there should be a provision here that there needs to be a little more effort on the part of the landlord. Whether this is to make sure the local police department is contacted, some sort of a search of the local hospital occurs and one has some assurance that somebody who has a precipitative mental or physical illness is not put in a position where all of a sudden their possessions are taken and sold or disposed of just because they were for a period of time incapacitated by a major physical or mental illness.

Mr. Speaker, those were the points that I wanted to raise and deal with and I think they should have some attention when we go into the committee stage and at the third reading stage.

*(17:20)

Mr. Jack Penner (Emerson): I just want to put a few notes on the record regarding Bill 39, The Residential Tenancies Amendment Act.

I have heard a number of the comments that have been made by the honourable Member for River Heights (Mr. Gerrard). I do say this in respect to this bill. This bill, in my view, in a sort of a backdoor way, opens the possibilities for assessments being levied, not only possibilities, but this will give the right of the Province to assess values of trailer homes that are currently residential in trailer parks.

It allows for the assessed value to be put and it will allow then for the taxation of trailer parks or trailers in parks, or mobile homes or homes that have been put in residential parks, and the tax to be applied. It would also allow the assessment of fees in lieu of service taxes to be applied as the bill is

currently written. It is clearly a backdoor attempt by the NDP government to assess all trailer park homes in the province of Manitoba and apply taxes or allow for the application of taxes on trailer homes as we know them.

I think there are two other bills that are pertinent to this application. I would suspect that many of the municipalities or people in the municipalities such as owners of trailer parks will be quite interested in how the application of the taxation and the assessment of trailer homes have now come into being.

We know there are some governmental groups that have lobbied for a number of years to be given the right of taxation on these kinds of mobile homes. However, previous governments have failed to do that and failed to recognize the request. This government is now saying, "Go ahead by all means." The assessments can now be done after this bill has passed and can also allow for the taxation of those homes under this bill. It would also allow the service fees for water, sewer, or lawn mowing or road maintenance and those kinds of fees to be charged by the owner of the property that these mobile homes would be sitting on. Therefore, it will initially be a sort of a two-tiered approach to taxation of mobile homes. I think there will be quite some surprises in the province of Manitoba once people realize what the NDP government has been up to in a sort of, I think even a bit of a devious way, to bring this taxation allowance about.

So, having said that, I will certainly encourage all people that have an interest in this to come out before committee to voice their opinions and voice their views. It is certainly going to be our position to listen very carefully to what kind of feedback the government is going to get on this bill in respect of how, like I say, a backdoor way they are trying to put in place a taxation regime on mobile homes and property. Thank you, Mr. Speaker.

Mr. Kevin Lamoureux (Inkster): We do not see a problem in terms of passing this particular bill into committee, so just in case I do run a little bit long in the last 30 seconds or so, I would be prepared, with just a reminder, to sit down so that the question can be called on the bill.

Having said that, Mr. Speaker, the idea, and I appreciate the comments from the member from Emerson, and it talks a lot about the importance of

the details of the legislation and trying to see if there is other legislation in correlation that can have a more significant impact, that maybe it is not as transparent as we would like legislation to be. So I do appreciate his comments. It is interesting, at one time I was the Housing critic for our party, and one of the things that I found relatively shortly after being appointed is that you get a lot of calls. I got a lot of calls from landlords. I got a lot of calls from tenants. The primary concern that they would raise was a complaint about the other side.

It emphasized the importance of the Residential Tenancies Branch at the time and I still believe, Mr. Speaker, that is critically important today. I think I would have been more concerned if I was only receiving complaints from one side as opposed to both sides. I do believe that because there was a relative balance coming from both sides there had to be some balance, if you like, to the legislation. So the idea here is to streamline in good part the operations of the Residential Tenancies Branch. That could be a positive thing. I will have to again, much like the member from Emerson points out, watch for the details, get a better sense in terms of how it is that the government plans to do that.

The Leader of the Liberal Party made reference to a landlord being given more authority in order to be able to dispose of personal property. That is, as he has highlighted, very important. He talked about it from a tenant's perspective. But, from a landlord's perspective, I can recall landlords saying that they have, in essence, been left with a pile of, in some cases, garbage. They just do not know what it is that they could actually do with it. The bottom line there is, depending on the situation and the specific case, if there is fault on both at times the landlord and at times the tenant. So it becomes imperative once again that we have a sense that there is balance that is there. Again, it is something in which one has to look into the details of it.

We want to be able to see, Mr. Speaker, that the Residential Tenancies Board does represent adequately both tenants and landlords. That is the reason why we do not have a problem in terms of seeing this bill going on to committee.

With those few words, I will end my comments. Thank you, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 39, The Residential Tenancies Amendment Act.

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

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I would like to announce that in addition to the bills previously referred to the meeting of the Standing Committee on Social and Economic Development, tonight at 6:30 the committee will also consider 35, 38 and 44—

An Honourable Member: 44 has not been done.

Mr. Mackintosh: Not 44, but 35 and 38. I would like to announce that, in addition to the bills previously referred to Legislative Affairs tonight, the committee will also consider 37, Labour Relations.

I would like to announce that the Standing Committee on Social and Economic Development

will meet on Wednesday, June 9, 6:30 p.m. to deal with 39, The Residential Tenancies Amendment Act.

Mr. Speaker: It has been announced that, in addition to the bills previously referred to the meeting of the Standing Committee on Social and Economic Development this evening, Monday, June 7, 2004, at 6:30 p.m., the committee will also consider Bill 35 and Bill 38.

It is also announced that in addition to the bills previously referred to the meeting of the Standing Committee on Legislative Affairs, this evening, Monday, June 7, 2004, at 6:30 p.m., the committee will also consider Bill 37, The Labour Relations Amendment Act.

It is also announced that the Standing Committee on Social and Economic Development will meet on Wednesday, June 9, 2004, at 6:30 p.m., to deal with the following bill: Bill 39.

* * *

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 7, 2004

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Lamoureux 2990
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Bill 37–The Labour Relations Amendment Act
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Bill 38–The Fisheries Amendment Act
Faurichou 3001
Gerrard 3001
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Bill 39–The Residential Tenancies Amendment
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Faurichou 3009
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