

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

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The Honourable George Hickes  
Speaker*

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
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.
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.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	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.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
Vacant	Fort Whyte	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, November 28, 2005**

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

*PRAYER*

**ROUTINE PROCEEDINGS**

**INTRODUCTION OF BILLS**

**Bill 19—The Agri-Food and Rural  
Development Council Act**

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** I move, seconded by the Minister of Conservation (Mr. Struthers), that Bill 19, The Agri-Food and Rural Development Council Act, be now read a first time.

*Motion presented.*

**Ms. Wowchuk:** Mr. Speaker, this bill establishes the Agri-Food and Rural Development Council as an advisory body to the Minister of Agriculture, Food and Rural Initiatives, to deal with many of the opportunities that exist and can be developed in rural Manitoba that will assist agriculture producers, secondary food sector and other rural industries.

The bill repeals an outdated piece of legislation, The Agricultural Productivity Council Act which received Royal Assent in 1966, but was never proclaimed and nor was a council established.

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

\* (13:35)

**PETITIONS**

**R.M. of Piney Windstorm Damage**

**Mr. Jack Penner (Emerson):** I wish to present the following petition.

These are the reasons for the petition:

A severe windstorm swept through the Rural Municipality of Piney on July 31, 2005, causing extensive damage to approximately 60 residential properties of the Sandilands forest.

The R.M. of Piney was forced to declare an immediate state of emergency in response to this storm.

The estimated cost of cleanup is estimated to be between \$360,000 and \$1 million.

The R.M. of Piney can only afford to allocate \$20,000 toward the recovery and cleanup effort.

Individual property owners and residents have been forced to incur significant costs related to the cleanup of their property, which they cannot afford.

The Province of Manitoba has not yet declared a state of emergency in response to this storm.

The provincial road restrictions in the area are limiting the access of vehicles required in the cleanup and recovery effort.

The R.M. of Piney has contacted the Minister of Transportation and Government Services (Mr. Lemieux), the Minister of Intergovernmental Affairs (Mr. Smith) and the Premier (Mr. Doer) to request temporary lifting of the road restrictions and the provision of provincial aid for the cleanup of the area but has received no commitment for assistance.

Doreen Gerardy, Donald Hrynyk, Greg Desorcy, Alfred Alguire, petition the Legislative Assembly of Manitoba as follows:

To request the Premier of Manitoba to consider temporarily lifting the road restrictions on roads in the storm-affected area of the R.M. of Piney.

To request the Premier of Manitoba to consider providing aid to the R.M. of Piney and to the individual property owners to assist in the cleanup and the recovery efforts.

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

**Crocus Investment Fund**

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

The background to this petition is as follows:

The Manitoba Government was made aware of serious problems involving the Crocus Fund back in 2001.

As a direct result of the government ignoring the red flags back in 2001, over 33 000 Crocus investors lost over \$60 million.

Manitoba's provincial auditor stated "We believe the department was aware of the red flags at Crocus and failed to follow up on those in a timely way."

The relationship between some union leaders, the Premier (Mr. Doer) and the NDP seems to be the primary reason as for why the government ignored the red flags.

We petition the Legislative Assembly of Manitoba as follows:

To request the Legislative Assembly of Manitoba to consider the need to seek clarification on why the government did not act on fixing the Crocus Fund back in 2001.

Signed by Val Thompson, Jamie Townsend, Greg Nicol and many, many others.

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of honourable members to the public gallery where we have with us today students from the Lockport School, Happy Thought School and Selkirk Junior High. These students are under the direction of Suzanne Billings and are the guests of the honourable Minister of Education, Citizenship and Youth (Mr. Bjornson) and the honourable Member for Selkirk (Mr. Dewar).

Also in the public gallery we have with us today journalism students from the Red River College Princess Street Campus. These students are under the direction of Mr. Duncan McMonagle.

Also in the public gallery we have from The King's School 10 Grade 9 students under the direction of Mr. Tyler Hendren. This group is located in the constituency of the honourable Member for Radisson (Mr. Jha).

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

## ORAL QUESTIONS

### MRI Scans

#### Operating Costs

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, this Premier and his NDP government have consistently refused to contract with private clinics and have gone so far as to provide misinformation to the public about the costs of procedures performed in the public system.

We have seen this with pediatric dental surgery where the government claimed that procedures

performed at the Misericordia Health Centre would be \$5 cheaper per case than at a private clinic. In reality, Mr. Speaker, these procedures cost \$66 more to complete at Misericordia than at Maples Surgical Centre. Now this NDP government is claiming that MRIs performed at the Pan Am Clinic are two and half times cheaper than those performed at the private Maples Surgical Centre.

\* (13:40)

I would ask this Premier does he stand by the claims made by his Minister of Health (Mr. Sale).

**Hon. Gary Doer (Premier):** Mr. Speaker, I think the member, in his preamble, made another factual error. He stated that we, as a government, do not utilize "private clinics." Well, I think if he looks at the Western clinic, he will find that he is wrong.

**Mr. Murray:** If the Premier would listen to the question, perhaps we would get an answer, Mr. Speaker.

I would like to let the First Minister know that a Freedom of Information request showed that, once again, this Premier and his Health Minister are once again misleading Manitobans. The Premier and his Minister of Health have claimed that the cost of MRIs performed at Pan Am Clinic is around \$300. That is what they claim, yet a Freedom of Information that we recently received clearly shows that Pan Am Clinic will be charging \$625 an MRI under their contract with the Workers Compensation Board.

Will the Premier now admit that the cost of an MRI in the public system is now at least \$625, not \$300 as his Minister of Health has stated? Why does he not just come clean?

**Mr. Doer:** The member opposite, in his previous question, also talked about the dental surgery. As I recall the numbers there, the numbers were correct that were quoted in terms of cost because the issues were there.

Mr. Speaker, there is also the issue of location. The Maples clinic was not prepared to go to Beausejour for the 400 children. It was not prepared to go to Thompson. It probably is not prepared to go to The Pas. When we provide health care, we provide health care and MRIs and other procedures for every Manitoba citizen, not just for the people living inside the city of Winnipeg. I am actually surprised that the Conservative rural caucus does not start standing up for rural residents because they are taking a position

that will hurt rural people. It will hurt them dramatically.

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

**Mr. Speaker:** Order.

**Mr. Doer:** Thank you, Mr. Speaker. There is a difference between sizes and scope of MRI machines. I am not exactly sure the size and scope of MRIs, but certainly when we are looking at buying a \$3-million MRI machine that is capable of full body MRI scans that is different than other MRI machines. That is why the College of Physicians and Surgeons has this issue. I know the member opposite puts ideology before the College of Physicians and Surgeons, but I note the member opposite has never raised the question of why he would not support Beausejour over the Maples clinic.

**Mr. Murray:** Mr. Speaker, with those kinds of answers from the Premier, perhaps it is time. I must tell you that this Premier has just literally absolutely avoided answering the very questions that I have been asking. I know that the football game went into overtime but this is a very serious issue. The issue is when he talks about ideology that is what they believe. We stand for patients in Manitoba on this side and will do so.

The Pan Am Clinic plans on charging the Workers Compensation Board \$625 an MRI scan, Mr. Speaker. This price tag, by the way, does not include the professional fees, reporting costs or the lease fees that the WCB will be paying in the amount of nearly \$16,000 a month. Do the math.

Will the Premier come clean today and admit that he has misled Manitobans about the cost of MRIs in the public system and will he apologize to Manitobans?

**Mr. Doer:** Mr. Speaker, the numbers that are being cited by the member opposite dealing with a full-body scanning MRI machine at Pan Am, relative to a proposal that has not even been—

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

**Mr. Speaker:** Order.

**Mr. Doer:** —relative to a different proposal with a different machine that has not yet been approved by the College of Physicians and Surgeons.

\* (13:45)

I would think the member opposite would want to wait until, or if, the College of Physicians and

Surgeons deals with it, and then we can check and, Mr. Speaker, the last two times I think we looked at apples to apples comparisons, the cost of a non-profit system was less than the cost of a profit system.

Those were the numbers, Mr. Speaker, and the other issue is the issue of location. When the member opposite cited in his first question the issue of dental surgeries, I want to be honest with you. It does cost more money for the procedure for dental surgery to take place in Thompson than it does in Winnipeg. Having said that, it costs the citizens a lot less money because they do not have to travel into Winnipeg, something the member opposite does not understand.

### **MRI Scans Operating Costs**

**Mrs. Heather Stefanson (Tuxedo):** Well, Mr. Speaker, clearly this government and this Premier are grasping at straws, and they seem to be afraid to answer the questions. I wonder why that is, because they probably know they are wrong. They are so blinded by their ideology that they are willing to put misinformation on the record to justify their mismanagement of the health care system.

This Minister of Health has once again attempted to fool Manitobans about the cost of procedures in a public system. The FOI clearly shows that MRIs at the Pan Am Clinic will cost more than double what the minister has stated. Will the minister correct his misleading statements to Manitobans regarding the cost of MRIs at the Pan Am Clinic?

**Hon. Tim Sale (Minister of Health):** Well, Mr. Speaker, it is really interesting that in the Leader of the Opposition's (Mr. Murray) opening question, he has gone back to contracting again, and I would like to tell the House and make sure that the members opposite understand.

We wrote to the Maples clinic in the spring of this year, long before any discussions about MRIs, and said if you can provide us with a business case that does not take people out of the public system, does not take staff away from the public system but indeed increases volume, we will sit down and talk with you. They have never responded to that letter.

**Mrs. Stefanson:** Mr. Speaker, even the CEO of the Pan Am Clinic has admitted that the costs stated by the Minister of Health are incorrect. When asked if the \$300 price tag included all costs, the technologist, the operating time, the depreciation of the machine, Dr. Hildahl said, and I quote, "No."

I ask the Minister of Health why did he mislead Manitobans by providing these inaccurate numbers when the CEO of the Pan Am Clinic obviously disputes them.

**Mr. Sale:** Well, Mr. Speaker, I think even a simplistic analysis points out that the cost of the Pan Am installation exceeds \$3 million. The cost of the installation at Maples is reputed to be \$870,000. Clearly, if you are comparing two machines that are worth the same amount doing the same kind of work, you are going to get a different result than if you compare something that is worth over \$3 million to something that is less worth than \$1 million.

**Mrs. Stefanson:** Mr. Speaker, this Minister of Health obviously needs to have a conversation with the CEO of the Pan Am Clinic. In a radio interview on Thursday, Dr. Hildahl was questioned about whether the cost of providing MRI scans at Pan Am Clinic was comparable to the \$695 to be charged at the Maples Surgical Centre, and Dr. Hildahl responded, and I quote, "It would be comparable."

Mr. Speaker, who are Manitobans to believe, this Minister of Health or the CEO in charge of the clinic providing the service?

**Mr. Sale:** Mr. Speaker, Dr. Hildahl indicated that his incremental costs were between \$200 and \$300, \$225 to be exact. I will take Dr. Hildahl's word about his incremental cost.

\* (13:50)

Clearly, if you have an apple and an apple you can compare the cost. You cannot take a \$3-million machine and compare the costs to a \$870,000 machine. The \$3-million machine will do spines, internal organs, heart, lungs, all of the digestive tract. The machine at Maples cannot do any of those things so you cannot compare the operating costs of a small machine that is good for arms and legs with a machine that is good for the whole body in terms of skull and abdomen. The two are apples and oranges not apples and apples.

#### **MRI Scans Operating Costs**

**Mr. Gerald Hawranik (Lac du Bonnet):** The Minister of Health has stated that the cost of an MRI performed at the Pan Am Clinic is half of the cost of an MRI performed at Maples clinic. This statement has now shown to be false. Similarly, last week the Finance Minister was quoted as saying the provincial

debt was half the size that it really is. This, too, was shown to be false, Mr. Speaker.

I ask the Minister of Health: Did he consult with the Minister of Finance before he made such an outlandish statement?

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, this member—

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

**Mr. Speaker:** Order.

**Mr. Selinger:** Thank you, Mr. Speaker. This member has for several months identified the provincial debt at \$20 billion when it is, in fact, at \$10.5 billion. He has made a \$9.5 billion error and that is not a small error. In addition, this member has said that the cost of servicing the debt has gone up when, in fact, it has gone down. It was \$1,022 million in '99. It is now \$767 million. The cost of servicing the debt in 1999 was over 13 cents or 13 percent of the budget. The cost of servicing the debt now is just over 8 percent of the budget. It has gone down by 40 percent. The member is wrong on the debt. The member is wrong on servicing the debt, and it is time he acknowledged to the Legislature his inaccuracies.

**Mr. Hawranik:** Mr. Speaker, the debt is over \$20 billion in Manitoba, and I refer the minister to his own Public Accounts books, page 128. The Minister of Health (Mr. Sale) was out by half just as this Finance Minister is out by half. Checking the facts, last week the Minister of Finance took a wild guess as to the future economic performance in Manitoba. Last week, without bothering to check the facts, the Minister of Health took a wild guess at the costs of MRIs performed at the Pan Am Clinic.

Why does this Minister of Health, like his colleague the Minister of Finance, make inaccurate and false statements regarding the cost of MRIs at the Pan Am Clinic?

**Mr. Selinger:** Mr. Speaker, I am actually enjoying the member's attempt to get a two-for-one deal in his question. I can tell you that his math is as bad in his question as it was on the Finance questions. The net provincial debt is \$10.5 billion. The member was wrong by \$9.5 billion. It is about time he came clean and admitted to that. The cost of servicing the debt is 8.3 percent versus 13.3 percent.

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

**Mr. Speaker:** Order. I cannot even hear the member who has the floor.

**Mr. Selinger:** As I was saying, Mr. Speaker, the member was 40 percent wrong on the cost of servicing the debt. It has gone down 40 percent. He was \$9.5 billion wrong on the cost of the net debt in this province. The member clearly has misstated the facts with respect to finances. When he is so wrong on doing that, why does he persist in asking the Minister of Health questions for which he knows even less?

**Mr. Hawranik:** Mr. Speaker, obviously this Minister of Finance has not even read his own Public Accounts books. I refer him to page 128. The Minister of Finance was accused by the Auditor General in his audit report of the third quarter financial statements as misleading by omission. Last week, we heard the Minister of Health quote the cost of an MRI conducted at the Pan Am Clinic to be well under the true cost because he was omitting some of the costs.

I ask the Minister of Health has he followed the lead of the Minister of Finance and has he followed the lead by misleading Manitobans by omission. Will he stop misleading Manitobans and put the accurate and true costs of an MRI at the Pan Am Clinic on the record today, Mr. Speaker?

\* (13:55)

**Mr. Selinger:** Mr. Speaker, I repeat again, the member was wrong on the cost of servicing the debt. It is 40 percent less than what he stated.

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

**Mr. Speaker:** Order. The honourable minister has the floor.

**Mr. Selinger:** Thank you, Mr. Speaker. The member opposite makes a big deal about complaining about a debt that he gets \$9.5 billion wrong. We have invested \$9.2 million in clean water and waste water treatment projects in his constituency; \$2 million for the Brokenhead water distribution and sewage treatment; \$1.3 million for a clean water project in Lac du Bonnet; \$1.3 million in Manigotagan; \$12.4 million in schools and school upgrades including a Beausejour early years replacement school; \$11.6 million in health care including a Beausejour hospital—

**Mr. Speaker:** Order.

### Point of Order

**Mr. Speaker:** The honourable Office Opposition House Leader, on a point of order?

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, my point of order has to do with relevance. Clearly, this Minister of Finance is extremely desperate about where he has led Manitoba finance. He may want to make a speech on that at some point in time, but the question was regarding the MRI costs and it was directed to the Minister of Health (Mr. Sale). Now, if the Minister of Health cannot answer that question, perhaps the Premier (Mr. Doer) or the Minister of Finance could be relevant in responding to that question.

**Mr. Speaker:** The honourable Minister of Finance, on the same point of order?

**Mr. Selinger:** Yes, thank you, Mr. Speaker. The member opposite has premised his question on misstatements of information based on finance. The member built his question on a premise that was false. I simply was putting the record straight on the false premise that he put forward.

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

**Mr. Speaker:** Order. According to what I heard in the preamble of the honourable Member for Lac du Bonnet (Mr. Hawranik), there were statements made to finances of Manitoba, and I have to rule that this is a dispute over the facts.

### Workers Compensation Cases MRI Scans

**Mr. Ron Schuler (Springfield):** Mr. Speaker, at committee this fall, the Workers Compensation Board president and CEO, Doug Sexsmith, stated that the Workers Compensation Board has an agreement with the Pan Am Clinic around MRI services where the fee paid for the MRI will vary with the time line.

My question for the Minister of Health (Mr. Sale): Can he explain why the fees paid by the Workers Compensation Board vary with the time line?

**Hon. Nancy Allan (Minister of Labour and Immigration):** I just want to assure the member opposite that the Workers Compensation Board provides services to the most injured workers and the most vulnerable workers in our province, Mr. Speaker. The WCB pays a clinic fee to any free-standing clinic. It is the same for all of the clinics

across all the jurisdictions in Canada. There is a mix of public and private systems. It is no different than any other jurisdiction. That clinic fee is the same for all clinics regardless of whether it is Pan Am, Maples or Western surgical.

**Mr. Schuler:** According to an FOI, the terms of the contract between the Workers Compensation Board and the Pan Am Clinic are as follows: The faster the service, the higher the fee. In May of this year, the Minister of Health said, "We have made it very plain that bumping is not acceptable. In fact, it is illegal under the Canada Health Act."

Will the minister guarantee that there will be no bumping of patients in the public system as a result of the faster service, higher fee contract?

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, the director of the Pan Am Clinic, Dr. Wayne Hildahl, has assured us that the arrangement that he has with WCB will not result in any patients being bumped or anyone being pushed down a waiting list as a result of his contractual obligations that have been entered into between Workers Comp and the Pan Am Clinic.

\* (14:00)

**Mr. Schuler:** This contract states that the Workers Compensation Board will pay the Pan Am Clinic an additional \$100 per case for the expedited MRI scans, or faster service, higher fee. This cash incentive opens the door to the possibility of WCB patients leapfrogging over patients in the public system.

I ask the Minister of Health again: Does this not set the stage for bumping of patients in the public health care system?

**Mr. Sale:** Mr. Speaker, arrangements between the Workers Compensation Board and a variety of public and private clinics have been in place for years. This is not unique. It is not particularly new, and I am satisfied that Dr. Hildahl has made it very plain that there will be no bumping, no queue jumping. There will be no adverse impact on the public sector waiting list because WCB has purchased volume at the Pan Am Clinic. It has purchased capacity. It has helped to pay for the machine, and that was taken into account when the volumes were planned. Dr. Hildahl has assured us of this. I trust Dr. Hildahl.

### Workers Compensation Cases MRI Scans

**Mr. Glen Cummings (Ste. Rose):** Mr. Speaker, it is not a case of trusting Dr. Hildahl. It is a case of trusting this government and this minister.

Across Canada, Mr. Speaker, workers compensation boards often utilize private clinics to expedite treatment of injured workers. In Manitoba, WCB cases were treated in the private Pan Am Clinic to allow workers to return to the workplace more quickly. This NDP government bought the clinic, and now Workers Compensation cases are being expedited through the public health system. I ask this Minister of Health will the WCB cases be bumped ahead of patients waiting for MRIs in the public system.

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, our government has never been fined under the Canada Health Act for queue jumping or any other sorts of abuses of the Canada Health Act. The previous government was fined \$1.2 million for their abuses in the 1990s. We need no lectures from the member opposite.

**Mr. Cummings:** Well, Mr. Speaker, we do not need a lecture from that side of the House either. We want an answer. The question is very simple. The Pan Am contract was written in such a way that WCB cases may be given preferential treatment over ordinary Manitobans. This has the potential to create a further backlog and increase the wait times for ordinary Manitobans.

I ask this Minister of Health: Will WCB cases be expedited ahead of patients waiting for MRIs in the public system?

**Hon. Nancy Allan (Minister of Labour and Immigration):** Mr. Speaker, the WCB makes its own decisions in regard to the provision of health care services for some of the most vulnerable workers in our society. They want to make sure that those injured workers get returned to health and to work as soon as possible because that is what is best for workers who are injured in the system.

The WCB has a clinic fee that is exactly the same for all of the private clinics that they deal with, Mr. Speaker. There is a mix of public and private in all of the jurisdictions all across Canada. We are not doing anything unusual here. We are getting injured



workers back to health and work, and that is what is good for the economy.

**Mr. Cummings:** Mr. Speaker, what is unusual is that we cannot get a simple yes or no from this government.

In May, this Minister of Health stated that he would keep a very close watch on the potential bumping of patients in the public system, bumping by WCB patients, which is illegal under the Canada Health Act. Under his watch, a contract has been signed that opens the door to bumping. Can the minister assure Manitobans that bumping will not occur?

**Mr. Sale:** Mr. Speaker, for the third time, bumping will not occur. It is very clear to anyone who has thought about it that, if the Workers Compensation Board purchased part of the value of the machine, they have an entitlement to have some of its use. That was the whole premise of the contract. They have purchased capacity like they did since 1917 in various parts of Canada and since the mid-twenties in this province. They have always purchased capacity. They have always paid the fair value for that capacity and nothing is different. The arrangement with Pan Am is no bumping, no queue jumping. The volume available to the WCB will not be exceeded at the expense of the public.

#### **Workers Compensation Clients MRI Scans**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, we have no problem with expediting Workers Compensation Board cases. That is allowed under the Canada Health Act but not at the expense of ordinary citizens, and the Minister of Health has stated that time and time again. As a matter of fact, he stated it, and I quote, in an article of May earlier this year, "We have made it very plain that bumping is not acceptable. In fact, it is illegal under the Canada Health Act."

Mr. Speaker, if this is illegal under the Canada Health Act, then why did he allow the Pan Am Clinic to enter into an agreement with the Workers Compensation Board that clearly provides incentives to bump ordinary patients in favour of Workers Compensation Board cases?

**Hon. Tim Sale (Minister of Health):** Once more, Mr. Speaker, the Workers Compensation Board has always purchased capacity in the public system as well as in the private system. In this case, they have purchased capacity on behalf of their clients at Pan

Am. They have also contracted, from time to time, with Maples.

There is nothing unusual about Workers Comp purchasing capacity. The fact that they partnered with us to purchase that capacity means that a state-of-the-art machine is available today at Pan Am Clinic to take people off the waiting list at St. Boniface, contrary to what is happening at the Maples, who apparently are not even interested in a waiting list, according to their owner, Dr. Godley.

**Mrs. Stefanson:** The only thing Dr. Godley is concerned with is reducing the waiting lists in Manitoba and that is what he wants. That is pathetic.

This Minister of Health cannot have it both ways. In most provinces across Canada, privately run clinics are used to expedite Workers Compensation Board cases so that these cases are not allowed to bump ordinary citizens waiting in the public system.

Does the minister not see that such a contract between Workers Compensation Board and the Pan Am Clinic leaves the door open for Workers Compensation Board cases to bump ordinary Manitobans?

**Mr. Sale:** Mr. Speaker, if I share with someone else in the purchase of a piece of equipment, then I would expect that I would have some share of the use of that piece of equipment. That is exactly what happened in this case. We have expanded the public sector's capacity to deal with waiting lists.

There are six MRIs in this province today. There were two when we formed government. There are 30 000 scans done a year. There were 6400 done when we formed government. We have vastly expanded the capacity of the public sector, and the contract with WCB allowed us to expand it further. That is why Dr. Hildahl said today, "I am taking patients off the waiting list at St. Boniface Hospital to shorten the waiting list." That is what the agreement with Pan Am and with Workers Comp allows us to do.

**Mrs. Stefanson:** Mr. Speaker, this NDP government has used every false argument and half truth to justify their ideological opposition to a private MRI setting up in Manitoba. They have claimed that MRIs performed at Pan Am Clinic cost around \$300, completely false according to Dr. Hildahl, the CEO of the Pan Am Clinic. In reality, the cost of the MRI scans at Pan Am is comparable, according to Dr. Hildahl, to the \$695 being charged at Maples

Surgical Centre. We have now learned that additional fees are being paid to expedite Workers Compensation Board cases through the public system and at the risk of bumping ordinary Manitoban patients.

\*(14:10)

Will the Minister of Health now admit that he has misled Manitobans? Will he apologize to Manitoba patients?

**Mr. Sale:** Mr. Speaker, when the opposition was in government, Workers Compensation used MRIs at St. Boniface Hospital, exactly the same situation as we have today. When they were in government, the MRI was at St. Boniface. In fact, there were only two and Workers Compensation used part of one of them for all of their work, exactly the same situation as today. The only place that is queue jumping, the only place that threatens to queue jump, is the Maples, who are threatening to queue jump on the basis of a patient's wallet.

#### **Provincial Revenues Funding from Federal Sources**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, last week at the AMM meeting the Conservative MLA for Arthur-Virden said he was quite exasperated by the large amount of money being provided by the federal government to this provincial government to help people in Manitoba. In this year's provincial budget, Manitoba receives 34 percent of its revenues, or \$2.8 million, from the federal government and, of course, this may now actually be higher. When direct federal transfers to individuals, including farmers and Aboriginal people, are included the total help to Manitoba is huge. We are truly a favoured province.

Is the Premier, like the MLA for Arthur-Virden, upset that Manitoba is receiving all this assistance from the present federal government?

**Hon. Gary Doer (Premier):** I think we have now had the declaration of a new candidate to run in the federal election. I welcome him, Mr. Speaker.

**Mr. Gerrard:** Mr. Speaker, many Manitobans cannot understand why the present provincial government, even with the large sums of money from the federal government, is managing the affairs of this province so poorly.

Why does Manitoba have the highest high school drop-out rate in Canada? Why does Manitoba

have the second-highest incidence of poverty in Canada? Why does Manitoba have an international trade deficit, interprovincial trade deficit? Why does Manitoba have the lowest value of building permits per capita of all provinces? Why is Manitoba's labour income per capita 15 percent less than the Canadian average? Why is Manitoba's capital investment per capita 22 percent below the Canadian average? Why is the Premier doing such a poor job of managing the affairs of Manitoba?

**Mr. Doer:** Mr. Speaker, I am sure the member opposite has read the Gomery inquiry report. Why was he in Cabinet and set up the sponsorship program in the province of Québec?

#### **Home Heating Costs Rate-Shock Protection**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, the cross-subsidy issue between electrical users and natural gas users is a bad idea. It is a bad public idea. Ed Schreyer says so. In fact, I think I am going to start the annual Homer Simpson award and give it to the Premier this year for this.

Mr. Speaker, the Premier said earlier in Question Period, "Stand up for rural Manitobans." Well, I challenge the Premier to stand up for rural Manitobans that use heating oil.

Up north, where they use heating oil, it went from 68 cents a litre to 91 cents a litre, in excess of 30 percent increase. This government does not care about northern Manitoba. This was a half-baked idea from this government, and that is the reason why we challenge the government to make the changes necessary so that the rebate would be fair to all Manitobans that are in need of energy subsidy this year.

**Hon. Gary Doer (Premier):** Mr. Speaker, I thought Mr. Simpson, who is the obvious hero of the member opposite, I have never watched the show before, but I heard that he works in the nuclear industry which is being supported by the Liberal Party of Manitoba, I suppose now as the new energy policy of the government.

Mr. Speaker, in terms of the question, there is a 20 percent rate increase proposed for natural gas consumers. I would note that since—

**An Honourable Member:** Homer Simpson is above you on this one.

**Mr. Speaker:** Order.

**Mr. Doer:** I have never watched the show. The member opposite will have to enlighten me. In fact, I think that is where he gets his research, obviously, from Homer Simpson. Thank you.

**Health Care Services  
Eastman Region**

**Mr. Gregory Dewar (Selkirk):** Mr. Speaker, despite the gloom and doom of the members opposite, rural Manitobans know that our health care has improved, new hospitals in Gimli, Brandon, Beausejour, Swan River and many, many more.

My question is to the Minister of Health. Can the Minister of Health tell the House what action he has taken to improve health care in the Eastman, Ste. Anne area?

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, apart from new CT scanners in Portage, Brandon, Dauphin, Steinbach and four other places, and in addition to all the work that has been done in the Brandon centre and in Selkirk, 1400 more surgeries there and a new ambulance garage going up in The Pas, I was delighted to be in Ste. Anne last week where they opened their \$1.4-million addition, including two new labour and delivery rooms, fire alarm systems, new flooring, beautiful decor and a very lovely quiet room that has been named in honour of the former director of that facility, who was unfortunately killed this fall in a tragic motorcycle accident. It was a very, very big community group that came to celebrate the great improvements to their hospital.

**MRI Scans  
Wait Lists**

**Mr. Peter Dyck (Pembina):** Mr. Speaker, on Thursday, November 24, I received a call from a very concerned mother regarding her 26-year-old son who is a loans officer at one of the local lending agencies. He was hit by a vehicle last summer, has seen several doctors since then and none of them are able to diagnose his problem. He is told that the wait for an MRI is in excess of two months. A two-month wait is unacceptable, and this young man needs help now. Does the minister consider a two-month wait acceptable?

**Hon. Tim Sale (Minister of Health):** Well, Mr. Speaker, MRIs in Manitoba are done on the basis of urgency, and I am delighted to know that if somebody needs an MRI today for a medical

emergency they will get it today. Our surgeons and diagnosticians prioritize MRIs.

The only MRIs for which there is a 12-week waiting list are purely elective, non-urgent MRIs. If there is specific information in this case that indicates the urgency of this situation has either changed or was misrepresented in the first place, I would be glad to receive the specific information from the member, Mr. Speaker.

**Mr. Dyck:** Mr. Speaker, due to this accident this young man has been forced to take a leave of absence from his job. He has numbness in his legs and twitches uncontrollably. This young man does not have time to wait two months for an MRI. I would ask the minister whether this, in fact, is a case where it is acceptable that a two-month wait is acceptable time?

**Mr. Sale:** Mr. Speaker, neither the member opposite nor myself are competent to judge the urgency of the case. As I said in my previous answer, if the member will supply me with the specific information, I will ensure that the system responds quickly to that information.

**Mr. Dyck:** Mr. Speaker, the doctor has, in fact, been in touch with the department on this and is urging them to consider moving this MRI ahead. I would ask the minister and I appreciate his comment, but we do need to move ahead on this so this young man can get back to his job.

**Mr. Sale:** Mr. Speaker, I am delighted to know that a physician is advocating on behalf of the physician's patient. As I have said in my previous two answers, if the member will provide me with the specifics of the case, I do not know the names, I do not know the physician's name, I do not know where they are from, I will take that information to our system and see that it is promptly addressed.

**MRI Scans  
Operating Costs**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, the answers that have been given by this Minister of Health with regard to MRI costs have not been adequate for Manitobans. Indeed, in my constituency, Manitobans are asking the question why it is that the Minister of Health does not provide the accurate information that should be put on the record with regard to costs of MRIs. Today, patients across Manitoba are waiting for service, and it has

gotten to the point where Manitobans are prepared to pay the cost of that service.

\* (14:20)

I want to ask the Minister of Health whether he will come clean with Manitobans and tell them the true cost of MRI services at the Pan Am Clinic for ordinary Manitobans.

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, patients are waiting a lot shorter time than they were when they were in government. They are not waiting nine weeks for cancer radiation therapy. They are not waiting months for heart surgery. They are waiting 33 percent shorter times for MRIs. They are waiting 50 percent shorter times for MIBI stress tests. Patients in Manitoba are getting better care sooner and closer to home because there is an MRI in Brandon. There will be an MRI in Boundary Trails. There are CT scanners, state of the art, in Portage, in Brandon, in Dauphin, in Steinbach, and on and on and on. Patients are getting better care sooner, and we are going to cut down those waiting lists further through the plans that we announced recently.

**Mr. Speaker:** Time for Oral Questions has expired.

## MEMBERS' STATEMENTS

### Manitoba Women's Advisory Council

**Ms. Bonnie Korzeniowski (St. James):** Mr. Speaker, on November 25, 2005, I was pleased to join the Minister responsible for the Status of Women (Ms. Allan), and other members of the Legislature, in paying tribute to the Manitoba Women's Advisory Council. This year marks the 25th anniversary of the council.

In 1980, Manitoba was one of the first provinces to establish a government-appointed Women's Advisory Council. Manitoba Advisory Council on the Status of Women Act was passed in 1987 to ensure its permanence as an independent arms length organization. In 1992, the act was renamed The Manitoba Women's Advisory Council Act. The goal of the council is to promote the equal participation of women in society. The council's work has focussed on issues that have social, legal or economic impact on women's lives in various Manitoba communities.

The council plays a vital role by consulting Manitoba women on emerging and existing issues and making recommendations to the government. Some of these issues include the implementation of

midwifery, regulatory review of the child care system, raising awareness on domestic violence and consultations on women's health. The theme of this year's celebration was past, present and future. Many former council chairpersons and members were in attendance. The council reflects the diversity of women in this province. The current chairperson, Crystal Laborero, is the first Aboriginal woman to serve in this role.

Mr. Speaker, on behalf of my colleagues, I would like to thank all the council members and staff who have given their time, energy and expertise on behalf of Manitoba women. I wish them success in all their future endeavours to enhance the status of women in Manitoba. Thank you.

### Dr. Frank Baldwin

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, I rise in the House today to congratulate Dr. Frank Baldwin, who was awarded the first ever Lieutenant-Governor's Greenwing Conservation Award. This newly created award recognizes individuals who have taken on a leadership role in promoting and preserving the conservation of Manitoba's wetlands. Partnered with Duck Unlimited Canada, the Lieutenant-Governor's Greenwing Conservation Award realizes the importance of securing healthy wetland environments for the people of Manitoba and our wildlife.

Dr. Baldwin has been very instrumental in protecting and preserving Manitoba's wetlands. Between 1991 and 2005, he served as a board of directors for Ducks Unlimited Canada and was active in developing the Great Greenwing Adventure, an action-packed week at Oak Hammock Marsh, where 10 teenagers from across Canada and 2 from the United States learned about wetlands, wildlife and conservation.

Dr. Baldwin is also instrumental in the development of Adopt-a-Class, which puts Grades 4 to 6 students across North America in touch with environmental education so they may learn the importance of our wetlands. With this program, sponsors in the community can link with a classroom to cover the costs of in-class wetland educational material. As much as 70 percent of Canada's original wetlands have been lost, however, Dr. Baldwin's continued dedication, support and commitment have been influential in the conservation, restoration and

management of our wetlands and associated habitats for waterfowl.

On behalf of all members of the Legislative Assembly, all members of the Progressive Conservative caucus and his very proud daughter, Olivia, I would like to congratulate Dr. Frank Baldwin on being the deserving recipient of the Lieutenant-Governor's Greenwing Conservation Award. Thank you, Mr. Speaker.

#### **Parc La Salle School**

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, this past September I had the distinct pleasure of participating in a dedication ceremony for a new garden and mural at Parc la Salle School in my constituency of St. Norbert. This ceremony was also meant to recognize the many efforts of all volunteers who dedicated their time and efforts to these projects and many other successful projects undertaken at the school.

Parc la Salle is a neighbourhood school that focuses primarily on early years education. With a strong emphasis on student participation, the projects of the mural and the garden were immediate hits with all concerned. Students, along with their parents, worked diligently in raising funds for the proposed projects and contributed their ideas and suggestions for what they might look like. Without their efforts, Mr. Speaker, the mural and the garden would not have been possible, and I would like to thank all of them for their good work.

Mr. Speaker, I would like to mention the unique nature and concept for this garden which is greatly enhancing the front of the school. Each class in the school is responsible to plant a tree in the garden and then take care of the tree during their stay at the school. The name of the garden is the Legacy Garden in honour of the students who have created a legacy for all future students attending this school and for all community residents.

I would like to take the time to thank the artists who created the beautiful mural on the school walls, Michel St. Hilaire and Mandy Van Leuwen for adding a touch of colour to an already glowing school.

I would particularly like to congratulate Laureen Van Ewyk, Nadine Young, Stacy Dheilley and all other volunteers of the parent association and also the principal of this school, Doreen McNiven, who worked very hard with all parties to make this project the success that it is.

Mr. Speaker, I would like to extend congratulations to all volunteers at Parc la Salle School for not only involving students in the planning and beautification of their school, but also for having made the mural and the Legacy Garden such a glowing success. Thank you.

#### **Domestic Violence Prevention Awareness Month**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, November is Domestic Violence Prevention Awareness Month. November has been set aside to help spread the message that domestic violence cannot and will not be tolerated in our families, homes, communities and in our society.

The prevention of domestic violence is crucial for our society to undertake in order to create safe, healthy and non-violent environments for women and families. Domestic violence is a very serious problem with devastating effects on women and families not only in Manitoba but also across Canada and around the world. Perpetrators of domestic violence attempt to control and demean their victims. The effects of these physical, emotional and psychological attacks are felt deeply by victims' families and their support networks.

Sadly, Mr. Speaker, domestic violence transcends ethnicity, race and economic status. Violence against women is blind to skin colour, income and all culture backgrounds. While domestic violence is a widespread problem, there are several fronts where community members, organizations and women's groups are working hard to eradicate violence against women. Prevention and education are also important tools for addressing domestic violence. Informing women and families of the resources that are available to them is one step toward helping women live safer, healthier and happier lives.

Mr. Speaker, I would like to take this opportunity to thank the many women's shelters, volunteers, counsellors, law enforcement agencies and support networks that exist to help women who have experienced or are experiencing domestic violence. The work that these individuals and organizations undertake is greatly appreciated and is invaluable to the plight to eradicate violence against women. Thank you.

#### **East Interlake Water Conservation District**

**Mr. Tom Nevakshonoff (Interlake):** Mr. Speaker, I rise this afternoon to inform all members of the

recent establishment of the East Interlake Water Conservation District. This brings the number of conservation districts in Manitoba to 17. Since 1999, our government has expanded the Conservation Districts program from nine to seventeen, covering 60 percent of agricultural areas in Manitoba.

As a representative from the Interlake, I am pleased to see the expansion of this important initiative started by Ed Schreyer over 33 years ago. Watershed planning has been an important component of our government's water protection measures. Canada stewards approximately 20 percent of the world's freshwater with approximately 13 percent of Canada's freshwater entering and draining into the Hudson Bay through Manitoba.

Mr. Speaker, Canadians are among the highest per capita water consumers in the world. We consume 343 litres per day, per person, with Manitobans amongst the highest per capita water consumers in Canada. Winnipeggers consume 400 litres per person per day.

\*(14:30)

One cannot underestimate the important role that water conservation districts play in protecting our water resources. There are over 400 volunteers who participate in the program as board members. They ensure that watershed management programs are tailored to meet the demands of different communities and incorporate it into development strategies. They also work to raise awareness about water conservation issues and educate youth about the importance of water stewardship.

Mr. Speaker, the water conservation districts program would not be possible without the co-operation of municipalities throughout rural Manitoba. I would like to commend the reeves and the municipalities involved for their participation and co-operation. A special word of thanks must go to Harold Foster of Arborg for his hard work in making the East Interlake Water Conservation District a reality.

In conclusion, water conservation districts are an important component of our water stewardship in Manitoba. I encourage the reeves and the municipalities on the west side of Lake Winnipeg to get involved.

Thank you, Mr. Speaker.

## GRIEVANCES

**Mr. Speaker:** The honourable Member for Ste. Rose, on a grievance?

**Mr. Glen Cummings (Ste. Rose):** Yes, Mr. Speaker. I would like to use my opportunity to do a grievance in the Chamber and speak about a couple of issues, in fact, several issues that are concerning me about the actions or inactions on the part of this government. Of course, the first and most obvious concern that I have, the most current concern that I have with the lack of action on the part of this government is that there is an ongoing dispute in Turtle River School Division that I believe the Minister of Education (Mr. Bjornson) and the Minister of Labour (Ms. Allan) need to now seize the opportunity to work with both parties in order to bring them to the table so that we may have a better understanding of what separates the parties and do more towards bringing the children back into school.

Unfortunately, during the course of this dispute, there has been a situation that is quite untenable for some of the students that has arisen, those who are dealing with extreme distances. Of course, that is a little easier to understand and, certainly, you would expect that it is an issue that would be difficult to deal with because in this school division there are students who travel 40, 45, and I understand perhaps one or two travel up to 50 miles to school one way. That is 200 miles during the day that someone would have to drive if they were going to take those students to school, then go back and pick them up again at the end of the day.

Now everybody I think, in the division understands the reality of a work stoppage, so they would appreciate that that is an issue that everyone is doing their best to deal with including the school board, but going further, Mr. Speaker, there are some students in the area who just do not have access to transportation. They do not have neighbours close enough that they can hitch a ride with them or car pool, and they do not have a family member with a vehicle available to take them on short notice and at appropriate times during the day so that they can take in their classes.

Now that is the more understandable and the more easily explained problems that can be associated with a work stoppage, but even more difficult for the school division and certainly for the parents and the children involved is where we have some vulnerable, special needs students who need their aides in the classroom in order to make it

through the day, and they have not been able to function within the framework as it currently exists, so their education has been well, not terminated, it has certainly been suspended.

I think that even the most avid union supporter and the most competent management negotiator would admit that these issues are very troublesome, not something that is easily dealt with at the bargaining table, but something that puts additional pressure on both parties to this dispute. As I said last week, I believe that pressure needs to be translated back into this Chamber to those of us who are responsible. I, as a representative for the area, obviously, I take my share of responsibility for doing what we can to get both parties back to the table but, Mr. Speaker, I think the ministers responsible for Education and Labour also have a fiduciary responsibility that goes beyond just providing the information that could be available about services that are available.

We do not know whether or not there are activities afoot, perhaps even as we speak, that might bring this situation to a better closure. But I want, again, to put it on the record to both of the ministers that I just mentioned that the fancy word "fiduciary" simply means that we have a moral responsibility, an ongoing obligation, to do the best we can under these circumstances for the children that I described a moment ago, because those who are closer to the school, those who have access to transportation, perhaps they can manage during these times, but there are aspects of the school year that are rapidly going by and are not going to be made available to the students in the division.

So I am literally pleading with the government of the day and with those ministers who hold the responsibilities of Labour and Education that they do a little bit more, in fact that they do a whole lot more behind the scenes if that is where it needs to happen, but they do more publicly to assure the parents, assure the board, assure the labourers who are involved in this, the employees, they are not labourers. They are employees because they represent a variety of responsibilities within the division, assure them that the authorities responsible for the process that they are now in are doing everything they can to deal with the situation and help them with the situation.

The next step beyond conciliation, are we there yet? Can we require the two parties to sit down to work? Can we provide other resources that would

assist these students that I am referring to and assist the school division who is trying, and I would suggest trying very hard, to provide the services that these students need?

The unique part of the problem is, Mr. Speaker, that this is a small division with a very large geographic area and, as I said a few moments ago, when you have some children who are travelling 50 miles one way to school, you know they are going to have trouble getting there if the normal services are not available. Only those who have supportive parents and neighbours will be able to keep a regular school year, and those who are involved in other activities beyond the precise school day will very likely be required to forgo those activities because the burden on some of these families is going to become much larger.

For those who might care to look at what I am saying in Hansard, who live within the Perimeter, let me be a little bit more explicit. When you have a work stoppage in communities where the total population of the community might be around 200 or even around 1000 or 1200 maximum, you have a situation that can be extremely volatile and one where it sets neighbours, family and friends apart in how they are able to deal with the day-to-day requirements of dealing with a work stoppage. So I know that both ministers, while they have so far been unwilling to acknowledge publicly my concerns about this situation, I am pretty sure that they will be getting advice behind the scenes on what they can or should be doing relative to this.

Mr. Speaker, before I relinquish my opportunity to speak let me simply close by talking about the fact that in Question Period as we looked at the issue around MRIs, I found that the government was unwilling to be forthcoming with information about what was actually occurring in the management and in the organizing of the service that needs to be provided. I ask the government simply to take the blinkers off, to widen their horizons on how they see these issues.

\* (14:40)

It does not matter if it is MRIs, which the public have a right to expect prompt service with in the public system, or whether it is in the public education system where I believe we are doing a disservice to all of those we are supposed to represent in this House if we do not make sure, absolutely sure, that they have made available to

them every service that can be made available and every opportunity to know that we in this House support both sides in getting back to the table in this case, or even better getting back to work in the long run to make things happen to the benefit of the students, much the same as we want things to happen to the benefit of those who are on waiting lists within this province. Thank you, Mr. Speaker.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you please call Bill 11.

### DEBATE ON SECOND READINGS

#### Bill 11—The Winter Heating Cost Control Act

**Mr. Speaker:** Resume debate on second reading, Bill 11, The Winter Heating Cost Control Act, standing in the name of the honourable Member for Russell (Mr. Derkach).

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 Russell?

**An Honourable Member:** Stand.

**Mr. Speaker:** Agreed? It has been agreed to. It will remain standing in the name of the honourable Member for Russell.

**Mr. Bidhu Jha (Radisson):** Mr. Speaker, I rise to speak in support of Bill 11 which is addressing an issue which Manitobans all over would be very pleased to endorse. It deals with an issue which is on top of mind for hundreds and thousands of Manitobans. They would welcome this particular bill that addresses the issue of the cold climate and the excessive heating bills that most of the Manitobans who will be getting this bill endorsed will be affected.

It is very, very ironic for me to speak to when I see the opposition trying to oppose this bill, which is going to be literally helping, literally helping hundreds and thousands of homes where there are citizens, where there are seniors, there are people in low-income groups that will be benefiting. How can the opposition make this point to stop this bill which is going to help people?

So, Mr. Speaker, this is something that I personally believe that this bill addresses the issue which is universally good for all. I think it is only for

two years, and this bill is going to be reflecting the values of our party, which is for all people.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

I think we must look at this in the true light of what this bill is trying to do. *[interjection]* If the members would try to listen, there are studies which say if this is not controlled or this is not legislated, rates could go high, as high as 44 percent. Now, would you like to endorse 44 percent of the heating bills to some of the homes where there are seniors, there are people who are in low income and fixed income groups? So I think this is very sad for me to see the opposition does not endorse this bill, which is a good bill for all Manitobans.

I would say the natural gas is used to heat over 230 000 homes in Manitoba. So let me ask you: Do you think that these 230 000 homes should be able to go and pay the market price, which is absolutely ridiculous for you to even think?

These are extraordinary times. Natural gas prices are at historical heights. The past few years the price of natural gas has been unstable. In the past year it doubled on international markets and it remains volatile. The Public Utilities Board has said that the rates of natural gas, as I previously mentioned, could rise by 44 percent if Centra Gas were allowed to change up to the market prices.

Bill 11 would allow us to use means Manitobans have to protect natural gas consumers' rate stop for two years and help all Manitobans to conserve energy, reduce their usage and switch off gas to renewable energy like geothermal.

There are a lot of programs that this government has started, including alternative energy, wind energy, geothermal energy that is in the process. Hopefully, in the next two years, all these alternatives will be available for those people who are looking to conserve and improve the quality of life by using the alternative clean and green energy.

So I think, Mr. Speaker, this is something that we should take pride that the Minister of Energy, Science and Technology (Mr. Chomiak) has introduced, which is very innovative to me. I think we should, again for the record, when people talk about the environment and other issues, I take pride. I have just returned from overseas, a visit to India, where we talked about the leadership of Canada, and particularly our Premier (Mr. Doer), who was the first one in Canada to have the Kyoto Accord ratified and now the whole country is following that. I think



it is a very, very, environmentally sound idea to see how we protect our future, but we also look very strategically to see how we protect consumers who cannot afford, during the tough times of extreme climates that we have in Manitoba during these next winter months and up to two years' time.

So I think this is very important for us to understand and have the value of this bill for all Manitobans, for now and in the future. The federal government announced a \$500-million program in October 2005 to deal with rising heating costs. This program has not been passed in the House of Commons and is now in limbo because of the impending winter elections.

Bill 11 makes sure that we have the tools to help Manitobans without this important federal support. So, Mr. Deputy Speaker, this should be applauded by all who know the reality that the election could be called today, and then this bill, particularly the \$500-million program, may not be there. So we have innovation. We have innovation here by the minister to say that we will have our own bill for two years to make sure that the consumers who cannot afford it will have this comfort. "Cross-subsidization" has been used; this word has been used by the opposition. I think that this is clearly trying to have a good bill be perceived to be a bill that is not. The purpose of this was not which is intended by several dialogues and discussions I hear from the opposition side. So they are suggesting, clearly suggesting, that let this be dropped at the market price. Now, if this goes to the market price, then the whole idea of trying to have the Hydro be looked after by people of Manitoba and for people of Manitoba will not be there.

I think the idea of trying to make the energy bills affordable is something that is innovative, leaving this whole thing, not forever, but it is only for two years, which is the critical period. During this process, as I mentioned, there are some alternatives that will be developed, and then we will have a much better clean, green strategy of energy. I think Bill 11 is a great strategy to deal with the natural gas price, in particular, in the tough times. It protects Centra Gas customers from rate shock by preventing rate increases during the winter heating season, November 1 to April 30, during this year, 2005 to '06, and next year, 2006 to '07. It also allows the government to prevent rates from spiking between seasons. This provides time for Manitobans to plan for long-term solutions.

It also creates a stabilization affordability fund at Manitoba Hydro. The purpose of the fund is help all Manitobans control and reduce their heating costs by conservation, efficiency and switching to renewable, clean energy alternatives.

The idea of heating energy costs being controlled is not something that we should be looking at the way opposition parties have portrayed or spoken. We believe Manitoba Hydro, which offers the lowest rate in North America, is the best thing that we can be proud of. Our industrial rate is very low, only one half of Ontario's rate. Hydro withdrew its electrical rate increase in October 2005. This has helped people against the double whammy already applied by the volatile gasoline and natural gas prices.

\* (14:50)

I think, Mr. Deputy Speaker, this particular bill is a very, very responsible bill. It speaks for all people. It speaks for 230 000 homes that would welcome this particular bill. I think, from the core of my heart, I would request all of us to leave the politics aside and come and support this bill.

Thank you very much, Mr. Deputy Speaker.

**Mr. Ralph Eichler (Lakeside):** Mr. Deputy Speaker, I want to say a few words with respect to Bill 11. First of all, I want to correct the member from Radisson in a comment that he made in regard to stabilization and tough times. When we think about what the farmers have been going through, they are definitely in tough times, and it is time this government addressed that issue. I know that they are trying to do this through the backs of Manitoba Hydro in helping a few of the city people who are fortunate enough to have natural gas within the perimeters of the city. There are a few small communities outside the area as well that have natural gas, but what about the farmers who are trying to make ends meet? I know that talking to several farmers on this particular bill, it is another tax that they are going to be penalized with.

Whenever we have an issue like this, we have an opportunity to let the Public Utilities Board deal with this issue and not the members of Cabinet. I know this bill serves just a short-term solution, not a long-term solution. It is going to deal with the issue for two years, but the long-term solution will still be there whenever we get ready to deal with this in two years, and I question whether or not this government will be ready or not, Mr. Deputy Speaker.

When you look at the debt of Manitoba Hydro, it was \$7.2 billion in 1999. In 2005 it is \$9 billion. This is an increase of 25 percent since that time. The interest on the debt has gone from \$411 million in 1999 to \$502 million now. Despite this increase, rates have also climbed by 2 percent plus they are asking now for another 5 percent and 2.5 percent in the upcoming years. Is this just going to create another slush fund for this political NDP government? Why does the NDP government think it knows how to run Manitoba Hydro more than the actual people who are running it, Mr. Deputy Speaker?

When we think about the utility boards and we put people in place to bring recommendations forward, we put people in place to make sure that the public is protected in the best way it can, and when the government gets involved in this, I sometimes wonder whether or not the Public Utilities Board has had the chance for input. I know the members opposite talk about how it is going to benefit 235 000 people. Well, what about the rest of the people within Manitoba? We have 550 000 homes in the province of Manitoba and whether or not we are going to be able to look after all Manitobans. In fact, the people on that side time and time again state that they are talking about helping all the people of Manitoba, where this bill does not do that, Mr. Deputy Speaker.

We also have referred to what Mr. Chomiak has said, and he said he does not believe in cross-subsidization—

**Mr. Deputy Speaker:** Order. Members of this—

**Mr. Eichler:** —Minister of Energy and Technology, Mr. Deputy Speaker. He does not believe in cross-subsidization, but what exactly does the bill do? It does exactly that.

I know that Bob Brennan has also said that the government's—will it be good for the Crown agency or not? I mean, we have the staff questioning whether or not this is really the right thing to be doing. When we talk about the Canadian Taxpayers Federation, they talk about this as well. Hydro people, the ones that made the money, the money should go back to the people who actually put the money in. When we are talking about the price of hydro being the cheapest in the world, well, it should be. That is our oil of Alberta, Mr. Deputy Speaker, and that is our right as Manitobans. We have a right to enjoy those comforts that are made right here at home, and to turn around and cross-pollinate

between one government to the other, one industry to the other, does not make a lot of sense.

But, having said that, I want to come back to the position that the government has taken on this particular bill, and I think they should re-evaluate where they are at. If they want to do something for all Manitobans, then they should rebate the money back to the hydro people who originally paid the bill and take another real look at the natural gas issue and deal with it in another way.

So, having said that, we would like to just make it very clear that we are not sure the government is doing the right thing on this particular bill.

**Mr. Daryl Reid (Transcona):** Mr. Deputy Speaker, it is my honour to rise to speak to Bill 11, The Winter Heating Cost Control Act. I want to say first, that I listened very carefully to the comments of the member opposite. I guess, at the end of the day, because the members opposite, the few of them who have spoken to this bill to this point in time and, I guess, it begs the bigger question: Why are the members opposite not speaking to this bill? The Conservatives across the way were saying that they are not sure about this bill. They are not saying whether they are for or against protecting Manitobans from the high costs associated with natural gas prices here in the province of Manitoba. Eventually, you are going to have to get off the fence and decide whether you are going to be with Manitobans or you are going to be against Manitobans with respect to natural gas costs in Manitoba.

I am proud of our government's accomplishment over the years that we have been in office. We have taken a number of important steps in the province of Manitoba with respect to energy, energy conservation and energy development in our province. We are on the verge, I suppose we could say, with respect to the development of further hydro-electric projects in the province of Manitoba. We are quite proud of the fact that over the course of our previous government's history, we have been the builder government of hydro-electric projects in the province of Manitoba, something that we can proudly point to as a New Democratic government. Again, during this government's time is the fact that we are working towards further development of hydro-electric projects in the province of Manitoba.

In addition to that, for the first time in the province's history, we have worked to develop

partnership arrangements with First Nations communities in the province to make sure that they are part of the new opportunities here in Manitoba and that everyone will be able to benefit from those projects as they go forward, not only from the revenues generated from those projects but from the long-term job opportunities that will be associated both with the construction and the maintenance of those facilities.

*Mr. Speaker in the Chair*

I am proud of our Minister of Energy, Science and Technology (Mr. Chomiak) for the work that he has done with respect to the development of wind energy in the province of Manitoba. We have committed, just a short time ago it seems, to the development of wind energy, and we now have some 62 wind turbine generators in St. Leon, Manitoba, generating some 99 megawatts in that particular wind farm. We are proud of the partnership arrangements that have occurred that will benefit the people living in and about the St. Leon area, but more importantly for the energy that is being generated from that, that will then be sold to export. It allows other opportunities which I will not go into with respect to allowing for the conservation of the water-generated hydro-electric energy. That is another part of the benefits of wind development and wind energy in Manitoba. Mr. Speaker, it was just recently that our minister also announced that Manitoba Hydro is committed to developing a further 1000 megawatts of wind power over the next 10 years. I think that is a laudable goal. I think that we should be working towards that and we have committed to do that.

Our government has announced just recently that we have concluded an agreement with the province of Ontario, although I believe there are further steps that are ongoing with respect to that development of those power sales. We have concluded the first step in the power sale to the province of Ontario for a 400-megawatt sale worth some \$500 million in new export sales for the province of Manitoba, again, generating revenue for the province of Manitoba from a resource that we have in great abundance in our province. That is in addition to the revenue that we generate from the electricity sales to our American neighbours to the south and the opportunities that it provides for Manitobans.

Mr. Speaker, I want to turn my focus, my attention, here to the natural gas prices. I look around this Chamber, and every one of us, I believe, has a

mix of residential buildings and properties within our communities. We have—*[interjection]* You want to talk about rural, let us talk about the equalization of electricity rates that our government has done as a result of actions that our government took to recognize that there is a need for fairness in the electricity rates, so that no matter where you live as a resident in the province of Manitoba, you will have equalized hydro rates, something that our government is proud of. Whether north, or rural Manitoba, or the city of Winnipeg, or Brandon, or our larger centres, you will have equalized hydro-electric rates, and I am proud that we were able to do that.

\* (15:00)

Mr. Speaker, let us go back to this bill, The Winter Heating Cost Control Act, dealing with the natural gas prices. Now, I listened to the comments and the questions that members opposite had during Question Period here over the last number of days that we have been sitting, and I was quite interested in the comments they were saying. Liberals are saying today that this bill is a bad public idea. The Conservatives—

**An Honourable Member:** The Homer Simpson.

**Mr. Reid:** The Homer Simpson, I guess the member opposite spends a lot of his time in McDonald's and watching Homer Simpson on TV, but that is perhaps what he has to do with his time, so I will leave that to him to decide which is the best use of his time.

Mr. Speaker, I also listen to the comments of the members opposite, the Conservative Party, saying that they do not know where they stand in this. They might be for it, they might be against it.

**An Honourable Member:** They are Liberals.

**Mr. Reid:** That is what it seems to be. It seems to be that they are Liberals in this case, or the traditional value that Liberals have demonstrated in this House and, time after time, with respect to the issues that they have before them, for which they cannot make up their minds. Some days they are one for it, one against it, one sitting on the fence, when there were three members. Now they have one for it, one against it, so they have no neutral player in this process, Mr. Speaker.

But I do know one thing for certain, members opposite voted against the equalization of hydro-electric rates. Mr. Speaker, I think that is the wrong

move. I would be interested to see how they are going to vote on Bill 11. Natural gas has become an inherently unstable-priced product. Natural gas is not something we can take for granted. It is an essential product that we use for heating our homes and for cooking our food products. I think it is incumbent upon government to take the steps necessary to make sure there is some stability in the price, for not only the senior citizens of our province; but, if you look at the other vulnerable groups in our province, the non-profit organizations in our province and Manitobans in general, we want to make sure that they have some stability and some ability to plan out ahead what the future holds for them with respect to their home heating opportunities.

We looked back just a short time ago, Mr. Speaker, now that we are coming to the end of the hurricane season and what many have called the cause of the rise in the price of not only gasoline and diesel fuel, but also natural gas energy. Hurricane Katrina and the other Gulf storms that had a serious impact on the production of natural gas and oil being generated in the Gulf of Mexico, many believe that is to be the cause of the interruption of the supply and, of course, the price spike.

Manitoba is not a producer of natural gas, and therefore we must rely on other sources of natural gas. One of the interesting things that I recall, and one of the advantages of being in this House for a number of years, Mr. Speaker, is the fact that you can recollect events that have occurred in the past. I remember very clearly when the previous government, which seems to be contrary to their philosophy, they went out and purchased Centra Gas and had that done.

**An Honourable member:** It was a good move.

**Mr. Reid:** They say it is a good move. Nobody is doubting that it was a good move. The problem is that you did not secure supply with the distribution and transmission system that you purchased. So you left Manitobans without security and supply. It is nice to have the pipes in the ground; but, if you cannot push gas through it to the homes, how are you going to have any security of your supply? That is part of the reason why we are having some effect, with respect, to that supply now. You do not plan long-term for what the impacts were going to be for the province of Manitoba when you purchased Centra Gas and made it a part of Manitoba Hydro.

Mr. Speaker, we have, with respect to Bill 11, the ability and the tools through this bill to increase

the energy efficiency of our energy consumption here in the province of Manitoba, since natural gas prices are now at an historical high. I guess the question that I have in my mind with respect to how members opposite are going to vote on this bill is the fact that, if the Public Utilities Board had not taken the steps necessary to limit the increase of natural gas now and our government had not introduced this bill, Manitobans would have been faced with a 44 percent increase in the price of their natural gas costs throughout the course of this winter. Is that the kind of price, because the Liberals, I know, have said that they want to have the free market system reign and let Manitobans absorb this 45 percent increase in the price of natural gas. That is the position the Liberals have taken in the House. I guess the question is, is that what the Tories want as well. They want Manitobans to have to suffer with this rate shock that the members opposite want to be raining down upon the natural gas consumers in the province of Manitoba.

Mr. Speaker, we have taken steps through this bill to do a couple of very important things. First off, we have taken a step that will allow for the bill to be made up of two parts. The first part is to prevent the rate shock and to protect Centra Gas consumers from that rate shock by only allowing for that one increase, which, I believe, was 6.3 percent effective November 1, but preventing the second increase that would have occurred towards the middle of the winter months, the prime heating season, when Manitobans would have been most affected by such a huge increase. Other provinces to the west of us have seen double-digit increases in their natural gas bills, and that is a very, very serious impact on those that are living on fixed income in our provinces, in particular, and our young families that are struggling to make ends meet, and these heating bills would have seriously added to their burden.

Mr. Speaker, we have also, through this Bill 11, created a second part that will create a stabilization and affordability fund at Manitoba Hydro, and the purpose of the fund is to help all Manitobans control and reduce their heating costs through conservation and efficiency programs and switching to clean energy alternatives. We are encouraging Manitobans to take the steps necessary to add further insulation to their homes, for example. We are taking steps through this bill to encourage Manitobans to improve the quality of the doors and windows in their homes to prevent heat loss. We are encouraging them to invest in geothermal heating systems for new

housing developments like Waverley West, for example, where geothermal will be a main part of that housing development. We are encouraging Manitobans to invest in high-efficiency, energy-efficiency furnaces, something I know that 20 years ago I invested in for my own home, and I know that it pays huge dividends if you make that investment because it will considerably reduce the energy consumption in heating your family home.

I have also indicated, Mr. Speaker, that we have invested in the wind-energy development of our province, something I am quite proud of. We have also invested in biodiesel and the expansion of the Minnedosa plant, and a huge benefit that is going to be for Manitobans as we move towards energy efficiency improvements involving biodiesel. We have, and I am quite proud to say, the lowest electricity costs in all of North America, something that I am very proud of as a government and I know Manitobans are proud of. The people of my community talk to me quite often about the fact that we have the lowest electricity rates in all of North America.

I think that this bill will go a lot further to helping Manitobans renovate their homes and save energy so that we can reduce our energy consumption first, and the effects of that energy consumption which is, obviously, emissions, greenhouse gasses, Mr. Speaker, but also, as importantly, to make sure that we keep the costs down for those families.

We have, through our Power Smart program in Manitoba, already saved more than 250 megawatts of electricity, Mr. Speaker. That is a pretty good step, and we are able to export that energy to other consumers in North America, again generating revenue for the province Manitoba through Manitoba Hydro and for the benefit of all Manitobans. We have invested, and I believe that the rebate program will mean that \$500 rebates are now available for homeowners who are working to upgrade their insulation levels. It was not just for electricity consumers; this will be all energy consumers in the province of Manitoba. So those rebates will apply for both electricity and natural gas users in Manitoba.

Mr. Speaker, there are a lot of important parts to this bill, which I support, and I have mentioned many of them here today, but I believe other members of the House may want to have an opportunity to speak to Bill 11 and the importance of Bill 11 for the province of Manitoba. I will be watching quite

closely, as will my constituents, to see just exactly where, because we already know where the Liberals are, they are opposed to this bill, but, more importantly, to see where the Conservative Party is with respect to the bill, whether or not they will stand with the people of Manitoba to help them control their energy costs as this government has tried to do.

Thank you, Mr. Speaker, for the opportunity to speak to Bill 11, a bill that I support.

\* (15:10)

**Mr. Peter Dyck (Pembina):** I, too, am pleased to put a few comments on record. I have been listening to members opposite, the Member for Transcona (Mr. Reid) has spoken regarding Bill 11, the members from Minto, Wolseley, and so on. What I find interesting is the MLA for Transcona just indicated that they are concerned about energy conservation. Now, this to me is a real paradox when, by lowering the natural gas price, they are encouraging the use of it. Now, I have talked to members in my area who say, "Listen, there is now absolutely no incentive for me to use less natural gas because it is going to be equalized." So here are these members opposite, they are talking about energy conservation, and then they are saying that, "Boy, this bill really belongs in place because that is going to happen."

Well, I would submit to you, Mr. Speaker, that the exact opposite will happen because there is absolutely no incentive for anyone to use less natural gas. So this is totally contrary. In fact, I mean, I would assume that members opposite have thought this through, but I would suspect that they have not. In fact, it reminds me, and I do have to put this quote on record, the former premier, Ed Schreyer, said in his quote and he says, "the most retrograde step the government could possibly take." Here is a government who is trying to tamper with controls. Well, that is what the PUB is for.

So, Mr. Speaker, I just fail to understand. I absolutely fail to understand in their arguments, and I have been listening carefully to their arguments, that they need to do this and have Manitoba Hydro subsidize, and that is what is happening, Manitoba Hydro is subsidizing Centra Gas so that, as they have indicated, you are not going to have this rate shock. So then again, in talking to people who have both hydro and natural gas, they are saying, "Well, jeepers, there is absolutely no incentive for me to even cut back on Centra Gas. I may as well keep on using it and burning it up."

Now, the other argument that I have found very interesting, and I am sure that members opposite—well, I do not want to belittle them in anyway, but they talk about hedging. Now, the Minister of Transportation (Mr. Lemieux), of highways, I think and I would hope that he would know what hedging is.

Mr. Speaker, I happen to have done a fair bit of hedging in my life, but if the minister of science and energy indicates that they have hedged, if they have truly hedged natural gas, then there is absolutely no need for this bill. I know of people who have hedged natural gas. They hedged it a year ago for three years, and there is absolutely no rate shock because you can hedge it. Now, the CEO for Manitoba Hydro, Mr. Bob Brennan, and his staff are intelligent people, and I know that they know how to hedge their commodities.

So, if the minister says that they have hedged it, and yet, though he says that there is a need for this bill, I think that is absolutely counterproductive. It makes absolutely no sense. So I would ask him very seriously to reconsider the comments that he has made because, so far, on the two points that I have made regarding, now, we are going to be conserving energy by doing this, it is absolutely contrary to the arguments they are making. It makes absolutely no sense. They say they have hedged the commodities out here. If you have hedged the commodities, there is no need to increase.

So, Mr. Speaker, I fail to see their argument. I know that is what this Chamber is all about here, is giving the arguments as to why a bill should be put in place and why a bill should not be put in place. I am indicating to you that there is no need for this bill if truly what they say and what they have put on record time and time again is taking place. I just find this really interesting.

The Member for Transcona (Mr. Reid) talked about the Power Smart program. I believe that was put in place under our government, and, yes, it is a good program. We have used it. We have used it on our farm. We have had the experts out there to take a look at areas where we can conserve energy, and so we should. I know that in many buildings they have put different light bulbs in place so that there is less usage of the energy source. It makes good sense.

So, Mr. Speaker, I do not want anyone to think that this Power Smart program all of a sudden is something that has been totally invented by this government. This was there a while ago and I

support it. I think it is a good thing because, certainly, as Manitoba Hydro is involved at looking at ways of conserving energy, they will bring that information that they find, they will bring that to the consumer.

The other point, Mr. Speaker, that I need to make is that the members, in their debate and in their argument, have been talking about and saying that they need to support the 225 000, 250 000 people who have natural gas.

**An Honourable Member:** Right.

**Mr. Dyck:** But how about the 550 000 who do not, who are now subsidizing it? Now, I just heard the Minister of Transportation (Mr. Lemieux) say "Right." He is absolutely in agreement with that. But how about the 550 000; that is half of those customers in Manitoba who do not have access to natural gas? Ah, he shakes his head and he says, "Well, I really do not care about those people. I guess they live in rural Manitoba, so they do not have access to it." Well, that is his position. It is going to be those people who will be subsidizing this subsidy on natural gas to be able to, as they would call it, equalize that price. So, again, Mr. Speaker, the logic of this somehow escapes me. I do not understand where they are coming from in the position that they are taking.

The whole area, and I want to come back to it, of the burning of fossil fuels, an encouragement to burn fossil fuels, I do not understand it. I just fail to understand their logic because they are encouraging it to take place.

Now, the Member for Transcona (Mr. Reid), in his argument, said, "Well, this will encourage the ethanol plants." As a producer of grain, I think it is wonderful that we have ethanol plants out there, or the biodiesel plants, because right now the prices that those producers out there are receiving for their commodities are at an all-time historic low. They cannot keep on doing this, so, consequently, if they can take some of that grain, some of those oilseeds out of production, put them into either ethanol or into biodiesel, I think it is wonderful. I think it is great. It is a renewable resource that we can access. So, Mr. Speaker, on that point, I am pleased that the member mentioned the ethanol plants, the biodiesel plants. I think it is great. I think it is great and I think we need to have more of those. Let us utilize the products that we have out here.

The other comment that the Member for Transcona brought forward was on wind power. Again, I have some of these windmills in my area. *[interjection]* Oh, the minister of highways is indicating he is wind-no, something he said about wind there. *[interjection]* Oh, talk wind, okay. No, I think it is great. I have some of these generators in my constituency, and for those that have them on their property, it is an extra revenue for them, for the municipalities. It is extra revenue.

But, Mr. Speaker, on the other hand, I would also indicate to you that that is private-sector investment. The private sector is putting up these windmills. *[interjection]* The minister of highways says, "Do you want to sell it?" Well, I would say to the minister, and I am glad he brought up that topic because under their watch the debt of Manitoba Hydro has grown from \$7.2 billion to \$9 billion. Unbelievable. They talk about selling it. They have sold it to the banks. Now, obviously, they have no idea how business works. When I in my business have more debt to a bank than what my business is actually worth, I have actually sold it to the bank. The debt-to-equity ratio has really decreased since this government has come in place.

So, Mr. Speaker, while they continue to laud the importance of this bill, there are a number of flaws that I see in their arguments that they are putting forward. Again, in conclusion, I want to indicate to them that if they had truly, truly, as the Minister of Energy and Science (Mr. Chomiak) has indicated, if they had truly hedged natural gas, there would be no need for it, because I could show you a copy of a hedge of someone who last year, a year ago, bought natural gas for three years and will not have an increase in price. If Manitoba Hydro, responsible for Centra Gas, had done this, there would be absolutely no need for it.

On the other hand, the other argument that they are putting forward is one of energy conservation. Again, Mr. Speaker, I believe that this is a flawed argument because they are promoting the use, the burning of fossil fuels. It makes absolutely no sense.

So, Mr. Speaker, I welcome the comments from the members opposite. They are pretty close to I think what they would call themselves as being, the green party. You know, they are the environmentalists. They are the conservationists, yet, though, this bill would very, very clearly indicate the exact opposite. Either that or I submit to you they have no idea what they are doing.

Maybe with those few comments, Mr. Speaker, that is where I should leave it, that they really do not know, in essence, what is taking place here. Thank you.

**Mr. Speaker:** Any other speakers?

\* (15:20)

**Mr. Jack Reimer (Southdale):** Mr. Speaker, I just wanted to put a few words on the record in regard to Bill 11, The Winter Heating Cost Control Act, that was introduced just a little while ago. A lot of the comments that have been put on the record already in regard to the reasoning behind this and the direction that the government seems to be taking with this bill seem to be at odds to each other, in the sense that the government is coming forth with this bill in a sense to cross-subsidize the gas with the hydro by using Hydro's revenue to subsidize the users of natural gas here in the province.

I guess, right off the top, Mr. Speaker, you have to ask the question, "Well, is everybody affected by this?" and I guess the answer is no, because a lot of people in this province do not use natural gas. Some of them even use electricity, heating oil, wood, in fact, in some areas, you know, for heating, and they are not going to be able to enjoy this so-called rate reduction that the people that are going to be having natural gas are going to enjoy.

The raiding of Manitoba Hydro is not new to this government. They use this as their cash cow. They use it as a slush fund to get them out of jams, get them out of predicaments, that they feel that they can just go to the bank and borrow the money from, or not borrow the money, actually take the money from Manitoba Hydro, but Manitoba Hydro ends up borrowing the money because they have to give it to the Province that is trying to appear that they are going to help the consumer with the cross-subsidization with the natural gas. This is something that I think that comes about with political gerrymandering around the Cabinet table. We believe that PUB should be setting the rates and not the Cabinet table but there is always the ability of this government to dip into the Hydro honey pot, if you want to call it, and just keep putting this Crown corporation further and further into the glue.

I think the Member for Pembina (Mr. Dyck) pointed out that Manitoba Hydro in 1999 had a debt of \$7.2 billion and in 2005 it is up to \$9 billion. This is an increase in debt of over 25 percent. Now, you

have to ask yourself that, if they have gone up in debt, then there has to be something to show for this, but there has been no new capital projects, no new developments to show for this. I do know that the interest on the debt has gone from \$411 million a year to over half a billion dollars a year now. When you look at the total debt of Manitoba, Manitoba Hydro occupies 45 percent of Manitoba's total debt, which is over \$20 billion.

So, Mr. Speaker, we saw last time when this government went to Hydro and borrowed money, if you want to call it, or making a withdrawal from the Hydro cash fund. Hydro had to go out and borrow the money, and the amount of money that was at that time, in 2002, they had to borrow the money at a total cost of around \$276 million. This is all added to the Hydro, and at that time Hydro had to increase the rates. They had to increase the rates seven and a quarter percent since then.

So, Mr. Speaker, this government's record of doing the so-called right thing by using Hydro has cost the taxpayers and the ratepayers, I should say the ratepayers, of Manitoba a lot of money over the years. They continue to feel that this is a solution to a short-term problem. The bill is only, I believe, a two-year bill. The prices of the natural gas will be cushioned for two years. We do not know what is going to happen after the end of two years, but two years seems to be a magic number for this government because of the mandate that they are in right now and the fact that there is a possibility within two years we may be going to the electorate again and they will use this cross-subsidization between hydro and natural gas to show how much they are looking after ordinary people in a sense. Then, when the end of the bill comes into effect, we can look at possibly some very, very significant upward pressures on the price of the commodity.

The members have said that the PUB endorsed this idea of cross-subsidization, but when you look at the actual wording that the PUB states, they state, and I quote, "A business case could be made for cross-subsidization." It does not endorse this type of cross-subsidization, and we saw a former premier of the province of Manitoba, Ed Schreyer, coming out very, very strong against this decision. In fact, he called it perverse, the most regrettable step the government could possibly take. This is something from their own backyard, if you want to call it, and it is coming down hard on them, saying that these things are going into areas that they should not be possibly looking at.

But this government, like I say, they create a slush fund. They use the Hydro revenues, again, to get the attention of people. Out in the rural areas and in the northern area where natural gas is not the common commodity to be using for heating and cooking and for business, is not available, Hydro is subsidizing these people, and they are going to be paying the electrical rate that goes along with keeping Manitoba Hydro competitive.

Mr. Speaker, there are a lot of areas in here that the members have talked about, but at the same time it leaves an awful lot of questions that still have to be looked at in the long run. What is going to happen after two years? If prices go up, possibly a rate shock, there will be a strong outcry from the population at that time.

The members have mentioned that it is a bill that encourages conservation, but I think that is sort of passing strange when you are passing a bill or you are using one renewable energy source to subsidize a non-renewable source and saying that this is a good conservation bill that the people would benefit from. Natural gas is not a renewable source. Hydro power that we have here in Manitoba is, and we are using that to subsidize and encourage the use of a non-renewable commodity, Mr. Speaker. It is an odd situation that the government is looking at, but, again, like I say, this is more of a political decision than a decision that is made on the pure merits of trying to help and to look at solutions that people can identify with.

But, in areas within the city where you have a high consumption of natural gas, the use of hydro to subsidize, I guess, is an area where some people would say, "Well, who is going to pay for it eventually?" It is always the ratepayer, no matter whether it is the ratepayer who uses gas or it is the ratepayer who is going to be using electricity. Somewhere along the line the ratepayers are going to have to pay for this decision that the government is making. So, Mr. Speaker, it is interesting, the amount of conversations and the direction that this government is going, how they can feel that this is something that the government is going to help in the long run.

\*(15:30)

As I mentioned before, a lot of the Manitoba debt is something that I think a lot of people are not aware of, the huge amount of money that is owed by Manitoba Hydro to foreign, whether it is



bondholders or notes that hold money against Hydro. That interest has to be paid on that debt and that interest is well over \$1 million a day. It is about \$1.2 million or \$1.4 million per day that is being paid on that debt that Manitoba Hydro is carrying.

If you look at an interest of over \$500 million a year, think of where that money could be going in our various systems of needs in the province that we could look at in regard to reducing taxes or helping in other areas that are in need.

So debt is something that is growing tremendously under this government. In fact, I believe it was mentioned today in Question Period on page 128 that the total debt of the Province now is over \$20 billion, and it is growing over the previous year. It is up over \$533 million over last year.

So debt is something this government is very, very familiar with and, in looking at this cross-subsidization, somewhere along the line it has to come back to be paid for. Again, like I say, Mr. Speaker, it is the ratepayers of Manitoba, whether it is gas, natural gas, or electricity, who will somehow be paying the bill on it.

So, with those short words, Mr. Speaker, I will sit down because I know that there are other people who are wanting to have some sort of issues on this bill. Thank you.

**Mr. Speaker:** Any other speakers?

**An Honourable Member:** No.

**Mr. Speaker:** Okay, seeing none, this bill will remain standing in the name of the honourable Member for Russell (Mr. Derkach).

\* \* \*

**Hon. Steve Ashton (Deputy Government House Leader):** Mr. Speaker, would you please call Bills 15, 12, 13, 16 and 17 for debate on second readings, followed by Bills 4 and 18.

#### **Bill 15—The Emergency Measures Amendment Act**

**Mr. Speaker:** Resume debate on second reading, Bill 15, The Emergency Measures 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? *[Agreed]*

**Mr. Tom Nevakshonoff (Interlake):** It is a pleasure to rise in the House today to speak on Bill 15, The Emergency Measures Amendment Act. Once again, it shows the foresight and vision of this government in addressing something that is most critical to the people of Manitoba, which is the management of emergency measures.

We have had no shortage of emergencies in the last little while here. Mother Nature has been very unco-operative with us, to say the least. As the Premier (Mr. Doer) says, we have gone from drought to monsoon to monsoon. This season was very typical of that. This past growing season, I believe, was the second-worst year on record in terms of excess moisture. So, certainly, just dealing with the emergencies after the fact, after you have got a full-blown disaster on your hands and the legal mechanisms finally kick in place, that is not necessarily the best way to approach things, Mr. Speaker. This bill addresses that situation.

In essence, what it does, and I might add that this is revolutionary legislation in that I believe it is the first legislation of its kind in North America, which again proves that this government truly is setting the pace in terms of vision and forethought. This legislation, which will create an interim category, in essence, which will allow for municipalities to put in place emergency prevention orders, is not reacting, it is being proactive, Mr. Speaker, in that when we envision that a crisis is on the horizon, rather than having to wait for archaic and restrictive legislation to come into play, this legislation will put in place the mechanisms where we can take steps in the interim in order to lessen the impact of the disaster when it falls upon us. A good example would be, for example, evacuations of people or, if necessary, sometimes the forced evacuation of people.

Quite often people are hesitant to leave their homes in a crisis; they would rather stay and try and defend their property, which is entirely understandable, but in the big picture that is not always the best course of action. We only have to look at the situation in New Orleans this past hurricane season when Katrina hit them. There were a number of people who did exactly that. They wanted to stay, and they did. They were quite prepared for it. They had their AK-47s out, oiled and ready to fire, and the marines went in with orders to shoot to kill, shoot-to-kill orders, Mr. Speaker. In

fact there were a number of cases of action between the military or the police or whatever dealing with people such as this that did, indeed, lead to fatalities.

So, really, Mr. Speaker, that is not how to deal with an emergency. You cannot have anarchy falling upon us. You cannot have a Wild West mentality when faced with a situation such as that. So, if you can come in in a timely manner, in an orderly manner and have all of those people taken out and cared for properly, then certainly that is preferable to the alternative, the Wild West way of doing things that we see happen so often south of the border.

The second aspect of the bill is to clarify the role of all the various different government departments. What this bill does is put in place the mechanisms and the requirements that all departments of government have some measure of emergency planning within their departments. Of course, the Emergency Measures Organization will continue to co-ordinate the overall effort, but it is good if all departments give some thought to this. Chances are not all departments will be involved in an emergency, but it is always good to have a plan in place. As they say, 20-20 vision, and so forth. Hindsight is 20-20, but that really is not the proactive and forward way of thinking necessary to deal with emergencies.

\* (15:40)

We have increased the penalties for disobeying evacuation orders in this regard. If people are willing to take the risk and pay a fine, if it is not that much, they can balance their wishes against the needs of society. Obviously, we need to have adequate penalties for thinking such as that in place so that if somebody does cross the line they will bear the consequences for their action. I know a year or two ago we had dealt with this at the municipal level as well, Mr. Speaker. We passed legislation that put in place the requirement that municipal governments would also have emergency measures plans on record. It is not to say that a lot of them did not, but some of them did not, and maybe some of those plans were not quite what was required. So we have taken that step, and now this legislation dovetails nicely along with it so that the Province and municipal governments very clearly understand what their responsibilities, obligations and rights are going into a major potential disaster.

I would like to speak just for a few moments about the situation this past summer. As a rural representative and MLA for the Interlake, I have the

distinction of having all of Lake Winnipeg within the borders of my constituency and, certainly, it presented us with no shortage of challenges this past summer. But I would like to make the point that NDP governments, both past and present, Mr. Speaker, have always been proactive in putting in place proper mechanisms to prevent the full impact of disaster falling upon the heads of our people.

I think back to the early 1970s to begin with, Mr. Speaker, when the Right Honourable Ed Schreyer was premier of this province.

**An Honourable Member:** Oh, what does he say about Hydro?

**Mr. Nevakshonoff:** Well, the members of the opposition are chirping a little bit about Hydro. Okay, let us talk about Hydro. The Jenpeg control structure that was put in place, the two-mile channel, the eight-mile channel, all of those mechanisms facilitated greater outflow from Lake Winnipeg. That is without question. That is what was done with construction of those facilities so that now if we do have a period like we have just endured, with all major rivers running at peak capacity into the lake, at the very least we have the ability to outflow from the lake in a sustainable manner, and we did so this year.

We were outflowing over the Jenpeg control structure since January of this year in anticipation of a major flood event around Lake Winnipeg. If it had not been for the foresight, not only of Mr. Schreyer in building those structures, but in the foresight of our staff within the department today in anticipating these higher water levels, the situation around Lake Winnipeg would have been a lot worse than it was this fall. It did exceed the maximum range of regulation, as we know, sometimes in excess of a foot. But without the foresight, as I said, of Mr. Schreyer and our staff this year, we would have been faced with a major disaster around Lake Winnipeg. That lake would have flooded like it has seldom done so in the past and this government and Mr. Schreyer's foresight led to the situation today where it was very well controlled, I might add.

But, in addition to that, this government also stepped up to the plate to add to that infrastructure. We stepped up in a substantial manner, with \$8 million in resources to build up the dikes that were put in place many years ago, over 30 years ago, I might add. Those dikes have eroded and they have sunk and so forth. It was long overdue that we take this action. Certainly, the previous government did

nothing, as usual. That seems to be their legacy, was a do-nothing government, so many things left undone or simply ignored. But that, certainly, was not our way of doing business and is not and will not be into the future. We will put in place proper mechanisms where necessary.

The members of the Liberal Party have been quite critical of this action. It is really rather deplorable, their shallow mindset when it comes to something like this. The Member for Inkster (Mr. Lamoureux), I have heard him heckling in the past: "Oh, they are sugar dikes. They are just washing away. They are eroding," and so forth. But, hey, Mr. Speaker, they took a severe pounding not once but twice this fall. Twice this fall they took a severe pounding.

I just want to put on the record I was at the AMM convention in Brandon this past weekend. Mr. Speaker, I spoke with the reeve of Winnipeg Beach, is it, Mr. Don Pepe.

**An Honourable Member:** The mayor.

**Mr. Nevakshonoff:** Is he the reeve or he is the mayor? Sorry, the mayor of Winnipeg Beach, and I asked him how the dikes held up and so on and so forth, and he was just very, very impressed and very thankful to this government and very complimentary. He said the dikes held up remarkably well. Of course, they took some beating and there was some erosion. What do you expect? They are not made out of sugar. Actually, what they are made out of is good Interlake clay, the best building material available, on hand at the time. We did not want to spend \$80 million on this project. We worked with what we had, and we put these dikes in place, and it goes without saying that they were very effective.

I want to go a step further in regard to the role of the Liberal Party. I look to Ottawa and I would ask them to maybe get into the 21st century, join us in the third millennium here and also start thinking in terms of prevention instead of damage control after the fact.

We put these dikes in place. They have worked wonderfully well. I go back to New Orleans, Mr. Speaker, what happened there. There was an opportunity for the American government to build those dikes up. It was pointed out to them by numerous sources. No less that the Army Corps of Engineers recommended that those dikes be elevated, and they gave them a price tag, whatever it was, \$50 million, I think, or something in that

neighbourhood. The President said, "Too much. We are quite busy fighting wars over in Iraq. They are very expensive. We do not have time or money for preventative measures such as this." They left those dikes in place and what happened? Hurricane Katrina came along, a category 5 hurricane, and washed out those dikes. Over 1000 people lost their lives in the city of New Orleans, and probably \$2 billion to \$5 billion in damages to that city were incurred instead of a \$50-million cost.

So that just goes to show, Mr. Speaker, that an ounce of prevention is worth a pound of cure, and it would be really nice if the independent members in the House here, the Member for Inkster and his leader, would go back to Ottawa, talk to their Liberal cronies and see if they can convince them to come into the 21st century with the rest of us and maybe look at the Disaster Financial Assistance funding mechanism and start participating in projects such as this instead of just criticizing and chirping because that does not help the situation whatsoever, just making noise and being interviewed and so on and so forth.

What we need when it comes to disasters, we need all political parties to put their differences aside and start pulling together in trying to deal with problems such as this, and it would be nice if the Liberal members in this House would go to Ottawa and ask their political masters there to maybe participate and cost-share in critical infrastructure such as this.

\* (15:50)

There are other issues in that regard as well, like the cottagers are ineligible for disaster financial assistance. That is part of the terms of reference as well, and that just makes no sense as far as I am concerned. If they have invested, they bought properties and so forth, and a lot of them live at their cottages practically year-round, maybe those terms of reference should be adjusted as well. So there is some positive work for the Liberal members of this House to go back and maybe convince their big bosses in Ottawa that Manitoba is in need here. We have gone through three serious crises in a row. We have managed them to the best of our abilities, but Ottawa has a role to play here as well.

I look to my own municipality, Mr. Speaker, and I can see similar actions being taken by this government. Again, we were trying to bring Ottawa into it, and it took practically five years to get them

to the table. I am referring to the Fisher River scenario. I have two First Nations communities, Peguis and Fisher River, that have been chronically flooded year after year after year from water coming from upstream of them.

**An Honourable Member:** How much money do you want from Ottawa?

**Mr. Nevakshonoff:** The Member for Inkster (Mr. Lamoureux) wants to know how much money we want from Ottawa. Well, every year those two reserves flood, Mr. Speaker, and it costs millions and millions of dollars to move everybody, to sandbag, to come back in and repair the damage. We just keep doing it over and over and over again. What is the sense?

What we have done was we acknowledged, first and foremost, that we had some responsibility. The provincial government licensed all kinds of municipal drainage, increased the flow of the Fisher River so there is some responsibility there. We stepped up to the plate, and we offered to cost-share 50-50 on a project that is technically the fiduciary responsibility of the Government of Canada. This is a First Nations community, the Fisher River is a navigable waterway, both a hundred percent jurisdiction of Ottawa, but they did nothing. They never turned a wheel in the 30 years that, well, 30, 40, 50 years so finally a government stepped up to the plate. This government stepped up to the plate and we put a program in place. We are looking at fixing, I believe, six structures on the river itself because the structures are the main problem. They are too low, the ice piles up and the next thing you know, you have a flood. So improving those crossings, first and foremost, will improve the situation.

We have cost-shared on brushing projects to increase the flow and another problem that also occurs is the lateral drains that come into the river. You get back flooding if the river floods and those drains suddenly reverse and actually enhance the flood by allowing water to back-flood laterally away from the river. It is very simple to address; you put a block in there and you put a control gate, problem solved.

So, all of these things combined, we had our staff in there for a number of years. We put together a very good plan a number of years ago and went to Ottawa and said look, we are willing to cost-share 50-50 with you on this prevention program. It was

five years, Mr. Speaker, before finally, they have agreed and I know there is a contract that has now been signed. I do not know if any money has come across yet or not, which is always the million-dollar question, but, hopefully, in the days to come they will, indeed, recognize their fiduciary responsibilities and step up to the plate.

I know that Manitoba does not have very many seats. You know, there are only three or four Liberals, I think, if that, elected from the province of Manitoba here, so there is really not much for them to gain in Ottawa. We can always hope that it is not just politics and their own self-centered desire to stay in office that drives them there, that they actually do care about all Canadians, in particular, western Canadians, rural Canadians and First Nations people, something that seems to be considerably lacking, I might add.

When I look to the issue of water, another thing, and it is a topic that is—my whistle is getting a little dry here. Another thing, another good prevention mechanism this government has focussed on, again, following in the footsteps of Mr. Schreyer is the Conservation Districts program, which is before us in another bill. I will not go into length on this topic, but this is fundamental. Proper watershed management and strategizing beforehand are key to not only good farming, but also to preventing floods, like I just described on Peguis and Fisher River, not to mention water quality issues on Lake Winnipeg and other lakes across our province.

I have to think back to 1999, when we came into office, and I was a new MLA green as grass and naively assumed that a lot of this stuff was done already. I thought, hey, we are on the verge of the third millennium here, the 21st century, surely we have some decent planning mechanisms in place, surely the government of the day that represents the vast majority of rural Manitoba would have stayed awake at the switch, but, sad to say, that was not the case.

When we came into office, Mr. Speaker, their ineptitude and lack of vision and zeal to cut spending and so forth had actually led to a situation where a judge in this province had thrown The Water Rights Act out the window, had said the provincial government was so remiss in their duties, in their responsibilities, that they no longer deserved to have the right to administer water in our province and threw The Water Rights Act out the window.

That was one of the first acts that we reconstituted when we came back into office, The Water Rights Act, to give the provincial government the authority to control drainage, to license all drainage. Obviously, if you have a provincial trunk drainage network with a bunch of municipal drains coming into it, the province has to have jurisdiction over those municipal drains so that they can control the quantity of water coming into the provincial system. That is not rocket science. But, obviously, 10 years in office, the Tories went completely off the wall on this and were in that very embarrassing situation that a judge had disallowed their jurisdiction.

A lot of that had to do with big budget cuts, of course. We know their zeal to cut taxes and privatize and download services and so forth. It was not just them, but it was Ottawa as well, let us not forget. I think Paul Martin was the Prime Minister, or the Finance Minister at the time, when the health and social transfer was cut to this province to the tune of several hundred or billions of dollars. I do not know what the exact number is, but it was a substantial hit.

Of course, the provincial government had to follow suit and reduce their spending as well. One area that they cut drastically was water services, and members opposite have acknowledged that. I believe the Member for Emerson (Mr. Penner), is on record as saying, "Yes, we cut the budget and we fired staff." Seventy percent of staff in the Water Resources Branch was terminated by that government, as was the funding. The funding was reduced by approximately that amount as well.

So that is not vision, Mr. Speaker. I do not know what it is. That is what gets you on the opposition bench, I guess I would say in short. Mismanagement, lack of responsibility, lack of vision and so forth has led to the fate that they are enduring today: six years on the opposition bench and probably another six years because the facts are there. The facts are there. The budgets were cut. The Water Rights Act was thrown out the window. If members opposite would care to stand and explain how that sad state of affairs came about, I would be willing to listen, as I am sure all of us here would.

\* (16:00)

So the essence of this bill, Mr. Speaker, is prevention, is foresight, is thinking ahead and planning and trying to make sure that you have the proper mechanisms in place so that, when something does go wrong, which invariably will when you are

dealing with Mother Nature, Mother Nature determines whether or not the rain is going to fall or not, or how much of it, we have to deal with that. So this will assist our staff and the people of Manitoba when the next crisis comes along.

We have done a number of things in that same vein, just in terms of highway fatalities, to give you an example, Mr. Speaker. A lot of our young people were dying prematurely on the highways because they got their licences and they got behind the wheel with a full driver's licence, just simple little things like that where—and all members of the House were in agreement on that issue, where we put in a graduated driver's licence program, where they had to go through certain levels and over time they achieved their full driver's licence. The statistics show that the death rate for young adults, 16 to 25 years of age, has dropped considerably as a result of that foresight, as a result of the government thinking ahead and planning and putting in place the proper mechanisms to make sure that disasters such as these or tragedies, in that sense, are staved off.

The floodway, a prime example. Now, again, members opposite, they had a decade to maybe consider that the current mechanism was not adequate, but it was not even on the radar screen in the 10 years that they were in office. Even after the flood of '97, after they got hit very hard, was it on the radar screen? I do not think so. It certainly was not and today it is a vastly different story, Mr. Speaker. We have successfully, on this front, negotiated with Ottawa that prevention as opposed to paying the costs afterward is the way to go, and I compliment our government on working on this project and being successful.

Mr. Speaker, I know that others want to speak as well. I would like to go on but out of respect for my fellow members I will conclude my remarks on that note, and I thank you for the opportunity to speak to this bill.

**Mr. Speaker:** Any other speakers? Seeing none, when this matter is again before the House it will remain standing in the name of the honourable Member for Pembina (Mr. Dyck).

#### **Bill 12—The Highways and Transportation Amendment Act**

**Mr. Speaker:** Bill 12, The Highways and Transportation 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? *[Agreed]*

**Mr. David Faurischou (Portage la Prairie):** Mr. Speaker, I appreciate the opportunity to participate in second reading debate on Bill 12, The Highways and Transportation Amendment Act.

This particular piece of legislation, although recognizing on this side of the House the need to bring up to date statutes that have been on the books for a number of years, make them more current, I will say that this bill goes, in my mind, contrary to not only updating but to bring in instead the language that I believe is far from the plain language that we are attempting to install in legislation so that the average individual can read the statutes and understand.

I am looking at the changes that one is attempting to make here in this amendment, and I will just read for a moment and attempt to understand what the minister is attempting to do here. It is 2(1): "*Subsection 8(3) is amended by replacing the part after clause (f) with 'on a departmental road, except with the minister's permission or in accordance with this Act or the regulations.'*"

Now, that is very, very straightforward. It goes on to say: "The minister may impose on permission he or she gives any condition that he or she considers appropriate." For the life of me, I have been attempting to understand what the minister wants to achieve with that language, and perhaps only legal counsel or those that draft this legislation can, because it is far from plain language. I look to the minister for his consideration to review the language in this piece of legislation to truly take forward the spirit of this Assembly in an effort to make certain that the statutes to which we pass through into law have adopted common language.

In any event, Mr. Speaker, I will continue on in the other portions of this bill where the fact that "*Subsections 8(5) and (6) are repealed*", and "*Subsection 8(7) is amended by striking out everything after 'within a time specified in the order'*". It goes on: "*The following is added after section 8.*" They go on, to which this act—and I do believe it is appropriate that they are attempting to instil responsibility within other departmental staff the ability to address issues of safety rather than the time it takes to get the minister's approval. In some respects, objects found upon the road are, indeed,

hazardous, and employees of the department should be able to react to make certain that some hazardous situations are addressed in a very, very timely fashion.

Mr. Speaker, this act does cause me some concern, though, when it states that the persons within the department, authorized employees, may remove from a departmental roadway anything that he or she believes is a hazard to the safety of a person on the road without notice to any person. I would suggest that leaves an extraordinary amount of latitude shouldered upon any person that is in the employs of our department of highways and transportation. This amendment goes on to say that the government may at any time recover from the owner the cost of removing a thing under this subsection (2), (3) or (5) as a debt due to the Crown.

Now, first off, there are no checks and balances left if this legislation goes through without amendment. Any person within the department can deem on his or her own accord what may be considered as a hazard. Further to that, they can order the removal or the displacing of the hazard as they concern and charge back to the owner of the object or considered hazard without any checks and balances at all.

I would suggest that, if it is to be deemed a safety hazard, at the very least, we should have a second opinion, if you will, from the police force in the particular jurisdiction to which this safety hazard has been considered. If, in fact, this is a safety hazard, and we know how prompt we can have a response from our police services, I would suggest that this legislation have some type of check and balance, especially when the cost of removal can be applied directly to the owner.

\* (16:10)

If we had our vehicle break down on the road and we were away picking up the part to repair it or arranging for someone else to assist us with a tow or in repair, and the highways department personnel comes along and just orders the vehicle towed and you come back to the spot where you left your vehicle, boom, what do you see? Nothing but vacant space.

Then it is up to you to find out where it went. It is then up to you to pay for it. Perhaps, the department personnel got the most recognizable towing company in the province to come out of Winnipeg, and they may have just travelled about

100 kilometres. When there would have been a local towing company that would perhaps only charge \$50 or \$80, the outfit called that comes out of the city, might have to charge \$200 or \$300 because of the time and the distance travelled. Again, there are no checks and balances back to the department. The department has no responsibility whatsoever. All the responsibility, if this legislation passes, is turned over to the vehicle owner.

I do not believe that, without some check and some balance afforded through amendment to this legislation, this legislation should proceed. Right now, as the legislation provides, there is recognition for a hazard upon a roadway and it does allow for the minister to take action. I will say that it does afford a time to respond in the case of a vehicle that has been left upon a departmental roadway. Also, too, it does not place so very, very quickly upon the owner responsibility to pay for expenditures ordered by the department because there is a procedure of notification and a time prescribed within the existing legislation.

So, Mr. Speaker, I hope the members opposite are listening in regard to some of the commentary.

**An Honourable Member:** I am listening.

**Mr. Faurshou:** I believe some honourable members from across the way have confirmed that they are listening, so I would trust that they will consult and perhaps bring forward amendment in due course.

I also want to place upon the record at this time, although I do believe that the statute charging \$5 for contravention of the act is perhaps a little less than even the court charges these days, and time and effort administratively by department personnel, but the increase to \$2,000, I think, perhaps is a little more than what just a mere update would be considered appropriate. Perhaps, once again, this government is leaving themselves more latitude for a backdoor taxation through another amendment to another statute here in the province of Manitoba.

I also believe, Mr. Speaker, that the language used in this amendment is really not in keeping with this Assembly's ability to describe what we want to describe. This amendment refers, in a number of different areas, the description as related to the term "thing," and I know the honourable Member for Interlake (Mr. Nevakshonoff) referred a number of times to the "thing" that they have done. Now, we are seeing the "thing" in legislation. I refer to 8.1(2) that,

when a person takes action in respect of a thing, which contravenes this act in 8.3, any authorized employee may do anything to remove the thing.

Mr. Speaker, I am reading this legislation. I think that most Manitobans would react as some members have in this Chamber, with laughter, because I believe that we are educated individuals and should be able to describe, as the existing statute, as it does in here. "To carry out, build, construct, reconstruct or place works, structures, fixtures or improvements" are, I believe, more descriptive in language than the use of the term "thing." So I ask the government, once again, to look at the legislation that they are asking all honourable members to adopt, because I think that we should lead in what we believe is proper conduct and proper language so that all Manitobans can follow and understand.

So, Mr. Speaker, I have pointed out a number of what I feel are significant deficiencies already in this legislation, and I also want to leave on the record a number of questions that I have as it pertains to how this legislation brings amendment to The Highways and Transportation Act. I wonder does it add cost to the taxpayers of Manitoba. Does it, by increasing the bureaucracy that we already have in place? Where does this projected revenue that is being deemed appropriate by this legislation, we are going from \$50 to \$2,000 with no minimum, and we want to know where this money is going to be placed? Is it going to general revenues or is it going to be left with the Department of Transportation for re-investment in transportation infrastructure?

In regard to the legislation, we are also not yet satisfied as to how it deals with temporary signage. As we are all familiar, Mr. Speaker, there is seasonal signage put up by our market gardeners, for instance, here in the province of Manitoba. When honey is in season, we will see a small roadside sign appear, telling of a market gardener that is selling honey a little ways up the road, and I am wondering whether or not this language in this act is going to jeopardize the roadside honey stand from putting a little sign at the corner of the road, that one highways employee might drive along and say, "This is a hazard," and remove the sign and then charge that honey producer the time and effort for removal of that sign because there are no checks and balances in this legislation that would prevent the highways department personnel from removing that roadside stand's signage and, consequently, charging as a debt to the Crown for the removal of that sign.

We also wonder about the cost of obtaining permits, what then will be, I am certain with this government, annual increases to those permits. Once again we see, as we saw in Manitoba Public Insurance Corporation, a doubling of the registration fees over the course of the last three years. So I am wondering, once again, Mr. Speaker, whether this is opening the door to another cash grab and backdoor tax.

\*(16:20)

Again, the legislation refers to supporting regulations. I know that the former Minister of Transportation, now Water Stewardship Minister, in passage of Bill 22, The Water Protection Act, put in place, in legislation, that regulations would be known before the passage of the legislation, or there would be publicized opportunity to comment on the regulations prior to implementation. I wonder whether or not the current minister of highways and transportation will do that.

Mr. Speaker, we are also curious as to the distinction of election signage. Is it considered temporary? Is it considered, possibly considered, by any highways department personnel as authorized by this legislation to remove the election signage and be exempt from elections regulation and legislation as to tampering with election signage? Then, do we look at potentially seeing a large bill from the highways department back to our election expenses, perhaps after we have attempted to balance the books, and then perhaps, if close to the designated legislated limit of expenditure as a candidate, that this unbeknownst bill may be forthcoming, because under this legislation there is no requirement whatsoever for authorized departmental staff to notify the owner of that particular property. In this case, the highways department personnel could remove election signs and then, away after the election, come forward with a bill that may make us in contravention of elections legislation here in the province of Manitoba.

So I bring to you consideration, Mr. Speaker, in debate of Bill 12, some of what we feel are significant and glaring deficiencies that must be addressed by amendment prior to consideration for support of this bill. I am really, really, truly concerned as to whether the minister wants to even proceed with this bill because I believe it is very, very poorly written and does lack focus and understanding of actual course of events that may or should take place in regard to what may be deemed

as a hazard or perhaps as lacking in permission or permit.

Also, too, we wonder whether all departmental staff, as this now-legislation is giving permission to, will be current with what sign has a permit and what sign does not have a permit. As it exists right now, there are individuals tasked within that department that know which signage has permit and which signs do not have permit. And now you cannot expect every person within the department of highways and transportation to know which signs are permitted and which are not. So we may find one person in the department that feels that a particular sign is not in good keeping with the regulations and he or she may remove it, and then, all of a sudden find that this sign, in fact, had a permit. But what happens at that juncture in time? Does then the department return the sign and be responsible for incurred costs of removal, or to re-establish that particular sign? No, Mr. Speaker.

In just talking and thinking about that, perhaps this may then give rise to another possible avenue to charge from the department, and that would be to get an annual sticker as we do with our driver's licences on our cars. Perhaps, all signage will then now have to have an annual sticker on it as it will be necessary to show all department personnel now that that sign has been permitted and is able to stay where it is, regardless of whether some highways department personnel feel it is contrary to the public's safety or not.

Mr. Speaker, I have a great deal of concern, as I have stated earlier, in Bill 12, and I would hope that this department reconsiders this legislation. I will also say, at this junction in time, to emphasize that every piece of legislation coming before this Assembly should be written in plain language so that not only we as legislators can understand and appreciate the intent of the legislation, but other Manitobans may have the opportunity to read and understand the intent of legislation. Clearly, I will say that certain clauses within this legislation are far from common language usage.

So, Mr. Speaker, with those words I will close my remarks on Bill 12. But I will say that there are certain concerns that I would like to take this opportunity to raise once again with the department of highways and transportation, and specifically the deficit in our transportation infrastructure that continues to mount under this current administration. I will not say that the previous administration was



blameless in this regard either. Governments must recognize that infrastructure and the debt within that infrastructure is real, the same as any borrowed money.

I know that the Minister of Finance (Mr. Selinger) continues to say that the net debt of this Province is only about \$10 billion. Well, Mr. Speaker, the Minister of Finance should be adding \$7.4 billion to that figure because that is what the infrastructure, and primarily transportation infrastructure, has risen to over the last number of years. That is as real, as I say, as borrowed monies because someday we have to replace the roadways, the bridges and other structures in our transportation infrastructure.

\* (16:30)

I think every member of this Assembly will agree that our roadways are in dire need of re-investment. Mr. Speaker, I will say, because there are increasing traffic volumes upon our roadways, we need to improve the highways infrastructure in order to safely allow the motoring public to traverse our highways here in the province of Manitoba. I wonder when this government is going to look at the importance of the main arteries and concentrate on the improvement of those roadways because they are vital to the economic engine of our province.

There is almost 30 percent of our gross domestic product that travels along 4 percent of our roadways here in the province of Manitoba, and I want to encourage this government to put in place a formula of reinvestment that prioritizes the roadways that are most important to continued economic activity which we all prosper from here in the province of Manitoba. Yes, I know this government wants to pride themselves in the importance, the social importance, of a roadway, but when it comes at the expense of the economic activity that ultimately generates the revenue that this province uses to reinvest I think that we should not jeopardize that situation.

I want to thank the honourable members of the Assembly for listening so intently to my comments this afternoon and to yield the floor as my time has elapsed to other honourable members who I look forward to listening to their participation and whether they share my interpretation of Bill 12 and its glaring omissions and deficiencies. Thank you very much, Mr. Speaker.

**Mr. Speaker:** Any other speakers?

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, it is a pleasure to rise today and put a few words on the record in regard to Bill 12, The Highways and Transportation Amendment Act, prohibiting placing a sign, structure, or other thing beside a highway except in accordance with the act.

Certainly, we on this side of the House support safety on our roads and for our drivers. I think that would go without saying, that everybody would support safety on the roads of our province. We want to make sure that roads are safe for travel, not only to the people within the province, but to the many tourists that we welcome to our province from across Canada and from the United States. Certainly, we would look at signs, I guess, as being distracting, but I think, like, signs can be distracting, but I am kind of wondering as well that if a sign is in a permitted area and you pay to have it there, so is it safe just because you pay for it? The other thing is if the sign is way off of the highway into a field that is a fair distance away, are we not increasing the distraction by having the people look further away from the path in front of them?

So I think there is a balance we need to look at here. We have to have signs, of course. Signs are important. Signs are what signify the towns and many rural areas around the province. I can think of many signs that are significant in certain communities. I am thinking of the—and not just signs but things which define a community, such as I am thinking of the Happy Rock at Gladstone or the threshing machine that is high above the old Trans-Canada Highway, I guess it is, near Austin where they have the agricultural museum.

So these are things that define a community and, certainly, they constitute a thing along the roadway and, certainly, would need a permit to be there but, again, Mr. Speaker, I think that there are some concerns with this bill and with permits in that if permits are required now, will permit costs increase as well? Because if we look along our roadways in the province, we see a lot of signs. We see a lot of signs that advertise small businesses. Many, many small communities rely on the signage along the provincial roads to attract people into the businesses that will be off the highway, into the towns. I am thinking of things like golf courses as well, that advertise people to come into their place of business.

Signs are a necessary thing. We do not want to have a negative impact on small business and I hope that this government is thinking this through, that

this is going to have a negative impact on small business if they cannot have a sign to display their business, if the permit is going to be increased in cost to the person and if that sign is to be removed, the cost of that sign.

When I am talking about removing this sign, I am also thinking of this bill, the reduction in the time that would be given to remove the sign or the thing as it may be. It was that, if there was a sign in contravention of the act, a person was given 30 days to remove the sign. Now, we see it has moved down to 15 days and, I think, Mr. Speaker, that may not be enough time. Thinking of some of the signs that are erected, they may not look too much, but they may be large signs that may be actually anchored into the ground with concrete structures. That may take some time to remove, and, certainly also, it may take more time to remove in the wintertime.

I have some concerns with the bill, the rising fines from \$50 to \$2,000 and that is a significant increase in a fine. How will people be apprised of this if there is a sign in contravention that has been there for years and now they are asked to remove it and if they do not, there is a fine of \$2,000? I do believe in here, as well, that it says that each day, when a contravention of an order under subsection 8(7) or 14(8) continues for more than one day, the person is guilty of a separate offence for each day the contravention continues.

Mr. Speaker, if this is a sign or a thing that needs to be removed, requires equipment to remove it and is not removed on the 15th or 16th day and there is a fine of \$2,000, and for weather reasons or whatever reasons it cannot be removed the next day, does that mean that the person will be fined another \$2,000 and each day subsequent to that, that sign is not removed? I think that is very heavy-handed, and I think that the government needs to think this through a little bit more. However, having said that, there may be a method to the madness here in creating a situation where more fines can be collected.

It reminds me of the increase in revenues this government saw from increasing fines that were levied against farmers hauling their B-trains and excess loads on the much deteriorating roads of Manitoba that have reduced them so that they are not an RTAC status road and have weight restrictions. It is because the government has not kept up with the maintenance of these roads in terms of the technology and the industry that has grown for the farming community with the cessation of the Crow

rate and more farmers hauling their grain to market a longer distance than before, Mr. Speaker.

It reminds me of this type of thing where there are more fines going to be collected, and, certainly, we have to wonder what is happening to the excess fines that will be collected. Will they go into general revenue, will they go back into the Transportation Department or will they simply go somewhere that we cannot identify where they go?

I also have some concerns with the clarity as to what it means for these signs. Certainly, we do see a lot of seasonal signs that appear along our roadways. I am thinking of, particularly, market gardens in the summer. I am thinking of, the "you pick" strawberry farms where people put out the sign that day, picking today. These are temporary signs, of course, but do they need a permit for those and do they need to pay for those? You know, it is just another money grab from the Province.

\* (16:40)

Another thing that concerns me is there is nothing that addresses temporary structures. There are some other things that are placed along roadways that are very emotional, Mr. Speaker, and those are the cairns that people erect when they have lost a loved one at that spot on the road. It is a very emotional time for families. It is a time of grief. It is a time of recognition and memorializing the person, and often we see those a lot with these memorials or cairns erected along the side of the road at the spot where their loved one lost their life.

Is this heavy-handed government going to come along and bulldoze these cairns away because there is no permit or because they simply contravene the act and they do not want them there, Mr. Speaker? I think there needs to be some more thought put into this particular section in the bill because there are families who are grieving, and they do this as part of the grieving process to recognize where a loved one has actually died.

I did touch on this earlier, but the process of getting a permit, again are we going to see the permit fees increased? Certainly, it will be another money grab. There is not enough money in the Transportation budget to even pave one stretch of highway in this province in one year, so they are, of course, looking at ways to raise money through other means without raising taxes.

But I can tell you, Mr. Speaker, the people of Manitoba are smarter than that. They know that,

when there is less money in their pocket, that it is going to the government, it really is an increase in tax, whatever you want to call it. Less money in my pocket means I am paying more to the government and that is more tax. It does not fool anybody.

Mr. Speaker, we have another concern about the delegation of authority to authorized persons. Certainly, now, more people will be authorized to make the decision on whether a sign should be removed. This, of course, can be a subjective thing. Perhaps a person comes along and says, "I know the people that live here or the people that operate this business. I am taking their sign down, and, yes, I am going to give them a notice and they are going to fight about it because they do not want their sign to go down, but you know what? I have the power. I am going to take that sign down anyway." They might and then they bill the business owner for that. I think that we need to be very careful with that, and I think that there should be an appeal process here.

Now, you cannot just come along and take someone's sign down, someone operating a business, without them having some kind of an appeal process where they could say, "You know, I have a legitimate reason to have this sign here. I have paid my permit, and I did not know there was a permit increase. You have not notified me." Or whatever the case may be, because we know that there are always these circumstances that fall outside of the guidelines. There are always things that will happen that just do not just fall neatly into slots.

So I can foresee that there will be some difficulties with signs being removed, and if someone wants to take down a sign, that does not mean they have the right to take away the sign. The sign still belongs to the person that owns that sign. So if there is damage to the sign, then who is responsible for that? So I think that there needs to be an appeal process so that people whose signs get removed have a method of recourse, Mr. Speaker.

I think that some of the other questions that we may have with this bill revolve around the costs of implementing the legislation, the increase in the bureaucracy. How many more people will be hired as the sign police, Mr. Speaker? Is there provision for temporary signs? What kind of provision are we going to provide for the people that put up a sign along our provincial roads, garage sale today, or community sale, or things like this that happen all the time? I think that if there is a plan to increase permit fees, that should be up front and not tucked

away in some legislation that we do not see until after the fact.

We do not know that there are any regulations that have been drafted, Mr. Speaker. We simply know that this is the bill that is going to cost people money, and it is going to be the small business owners of Manitoba, the golf courses of Manitoba, the temporary businesses that set up, like fruit stands along highways to sell fruit in the summer. I do not know if this government has had any consultations with people that have signs along the highway or not, but it does not sound like that has happened because this is not the way this heavy-handed government works, is to consult people. They put in legislation first, and often the legislation is not well thought through.

I just want to say also, Mr. Speaker, that along Highway 2, and I have talked about Highway 2 before as one of the worst sections of highway in the province of Manitoba, it runs partly through my constituency, and there is a sign along Highway 2, and I believe it is erected far enough back that it would not need a permit, but—

**An Honourable Member:** Oh, what does it say?

**Mrs. Taillieu:** The sign says, "If you are frustrated with Highway 2, please call—" and, you know, I cannot say the name of the minister, but you know it rhymes with "two," and he is the Minister of Transportation—

**An Honourable Member:** Lemieux. Ron Lemieux.

**Mrs. Taillieu:** That is it. So I am wondering if there is an intention to get rid of this sign because the Minister of Transportation may be embarrassed that his name is associated with this terrible stretch and unsafe stretch of Highway 2. We have to be encouraging of people to call you know who about the condition of Highway 2.

Mr. Speaker, I do agree with the member from Portage la Prairie as well in that how are the people, the sign police that are going along and seeing which signs are where along the provincial roadways, how do they know that the signs have a permit or do not have a permit? How do they know which ones they will take down or which ones they will not take down, or will they just hire more bureaucrats to go along and inspect the signs? But, you know, I have some concerns about that because we can see where this is going. We can see that they are already thinking of this, you know, "Okay, we will have to license these signs every year, and now we can get

more money from these signs. Oh, yes. So every year, we can get more money from each of these signs that we give a permit to, and now we have to have another sticker on the sign, then we will charge these people every year." I can just see the way the wheels are turning over there, "Oh, this is a good idea, more money, more money."

But, you know, it does not fool Manitobans. I mean, they are just going to look at this as another tax. Certainly, Manitobans are smarter than this government gives them credit for, because they will see any increase for permits long the highways as an insult to them and to their small businesses that they diligently try and operate and make a meagre living at, Mr. Speaker.

I just would like to say that more thought needs to go into this legislation. We do support safety on the roads and we recognize that signs can be a hazard for safety conditions in certain areas on the highway. We do recognize that, but we need some common sense here in looking at what signs are appropriate where and what signs are not. Not everything just falls into nice little slots, so we have to look very, very seriously at not impacting on the economic well-being of some of the small businesses in our province that rely on these methods of advertising to bring business to their communities and to their businesses which may be off the road.

\* (16:50)

With that, I would like to say that I think that this legislation would require some more thought, some more review, more serious consideration. It is a very hefty fine. It is a huge money grab. I think we need to look at the temporary signs. We need to look at that 15-day removal time because that may be restrictive to some people at certain times of the year. I would encourage this government to be more business-friendly and to think this one through just a little bit more. Thank you very much, Mr. Speaker.

**Mr. Speaker:** Any other speakers? Seeing none, when this matter is again before the House, it will remain standing in the name of the honourable Member for Pembina (Mr. Dyck).

#### **Bill 13—The Conservation Districts Amendment Act**

**Mr. Speaker:** Bill 13, The Conservation Districts Amendment Act, and the debate remains open.

The honourable Member for St. James (Ms. Korzeniowski), are you speaking?

**An Honourable Member:** No.

**Mr. Speaker:** Is any member speaking? Okay, when this matter is again before the House, it will remain open.

#### **Bill 16—The Corporations Amendment Act**

**Mr. Speaker:** Bill 16, The Corporations Amendment Act, standing in the name of the honourable Member for Portage la Prairie (Mr. Faurshou).

What is the will of the House? For the bill to remain standing in the name of the honourable Member for Portage la Prairie? *[Agreed]*

#### **Bill 17—The Securities Amendment Act**

**Mr. Speaker:** Bill 17, The Securities 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? *[Agreed]*

### **SECOND READINGS**

#### **Bill 4—The Dangerous Goods Handling and Transportation Amendment Act**

**Hon. Stan Struthers (Minister of Conservation):** I move, seconded by the very capable Minister of Industry, Economic Development and Mines (Mr. Rondeau), that Bill 4, The Dangerous Goods Handling and Transportation Amendment Act; Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses, be now read a second time and be referred to a committee of this House.

**Mr. Speaker:** I know once in a while we like to have a little bit of fun, but the proper method of moving a motion is directly referring to ministers by their titles.

It has been moved by the Minister of Conservation, seconded by the Minister of Industry, Economic Development and Mines, that Bill 4, The Dangerous Goods Handling and Transportation Amendment Act, be now read a second time and be referred to a committee of this House.

**Mr. Struthers:** Bill 4, The Dangerous Goods Handling and Transportation Amendment Act, is one of Manitobans' important tools for environmental protection and enhancement. This Bill 4 contains a

number of amendments to The Dangerous Goods Handling and Transportation Act to improve industry regulation, public safety and environmental quality.

Basically, Mr. Speaker, think of Bill 4 amendments divided into three sections. First of all, one of the areas is reinforcing the polluter-pay principle by improving the department's ability to recover environmental remediation costs from polluters. One of the things that we need to understand is something that I think all of our parents taught us when we were young, and that was if you make a mess, you should clean up the mess. That is what the polluter-pay principle is all about.

The polluter-pay principle is something that has been accepted by nations all over the world. As a matter of fact, the OECD, the Organization for Economic Co-operation and Development, accepted this principle more than 30 years ago. Mr. Speaker, I think anytime that we can take measures to protect the Manitoba taxpayer from picking up the tab on polluters that make a mess, we should take that opportunity. So we want to strengthen our ability to do that.

The second area that we are looking at, Mr. Speaker, in this Bill 4, is to fully harmonize Manitoba's regulatory framework for transporting dangerous goods with other Canadian jurisdictions. I think it is very important to do this. It is very important because all of the industries that are involved in the transportation of dangerous goods need to know that there is a level playing field across the jurisdictions here in our great country. I think this is very important for the transportation industry and is very important, as my colleague from Morris indicated before, that we need to be friendly with business. Well, this is an example of how we can work with business to make sure that the playing field is level in terms of transporting dangerous goods.

The third area, Mr. Speaker, that this bill deals with is in reducing the potential exposure to civil litigation for statutory duties performed in good faith, for example, in responding to environmental accidents. Every year, my department, Manitoba Conservation, receives about 3000 calls regarding environmental accidents. Most of the time these environmental accidents are small. They are small spills, sometimes of a larger nature such as what we saw recently in places like Ferndale and Oakville and Saint-Lazare. What we need to do is we need to set

in place provisions that would protect people in my department and other provincial civil servants that protects them against the kind of civil liability that could hamper the making of good decisions in cleaning up environmental spills, whether they be small spills or larger catastrophic events.

This is not something that is new. This is not something that is specific or particular or different here in Manitoba. It is a very good measure on our part, and it is also found in other provinces such as Alberta, British Columbia, Ontario, Saskatchewan, and others. The reason why I wanted to make sure that we understood that that kind of protection is available in Ontario and in Saskatchewan, I think, is pretty obvious. There are goods that flow from Ontario and Saskatchewan through Manitoba all the time, and we need to be able to not only understand the importance of the polluter-pay principle and not only understand how important it is to harmonize with other provinces in this country, but also it is very important to make sure that we offer to our professionals, to our civil servants the kind of protection that is available to their counterparts in other provinces who neighbour our province of Manitoba. We do not want to leave our employees with the kind of exposure that would prevent them from making good decisions to clean up and help in the clean-up of the spills here in this province.

Mr. Speaker, in terms of the liability, I sometimes think of this as on the same level as the armchair quarterback. Today, after the Grey Cup yesterday, it is easy to sit in your armchair and talk about, as we all do, and I have participated in this today, but it is easy to sit the day after the big game and talk about what should have been done or what could have happened or what the coach should have done here or the quarterback there. My employees in Conservation and in other provincial departments do not have that luxury. When the incident happened out in Saint-Lazare, and there were people who were moved and people who were in danger, our officials had to act quickly. They could not be the armchair quarterbacks. So, when they moved quickly, they depended upon the safety and the protection that is offered here through Bill 4.

I want to talk a little bit about the first section of this bill, which is the reinforcing the polluter-pay principle. It is very much in tune with what the Auditor General put forward in his report on contaminated sites, an issue which I think very much

needs our attention and the attention of those companies out there who, in the past, have polluted an area, contaminated an area, made a mess of an area, and then have left, and we have had a number of those examples.

So I would highly recommend Bill 4 for the acceptance of this House, and I hope that all members speak in favour of it. Thank you, Mr. Speaker.

**Mr. Peter Dyck (Pembina):** I move, seconded by the honourable Member for Lakeside (Mr. Eichler), that we adjourn debate.

*Motion agreed to.*

\* \* \*

**Mr. Speaker:** The hour being 5 p.m., we will now adjourn, and this House will stand adjourned until 10 a.m. tomorrow (Tuesday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, November 28, 2005

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>		Dr. Frank Baldwin	
<b>Introduction of Bills</b>		Murray	702
Bill 19—The Agri-Food and Rural Development Council Act		Parc La Salle School	
Wowchuk	693	Brick	703
<b>Petitions</b>		Domestic Violence Prevention Awareness Month	
R.M. of Piney Windstorm Damage		Driedger	703
Penner	693	East Interlake Water Conservation District	
Crocus Investment Fund		Nevakshonoff	703
Lamoureux	693	<b>Grievances</b>	
<b>Oral Questions</b>		Cummings	704
MRI Scans			
Murray; Doer	694		
Stefanson; Sale	695		
Hawranik; Selinger	696		
Dyck; Sale	701		
Derkach; Sale	701		
Workers Compensation Cases			
Schuler; Allan	697		
Schuler; Sale	698		
Cummings; Sale	698, 699		
Cummings; Allan	698		
Workers Compensation Clients			
Stefanson; Sale	699		
Provincial Revenues			
Gerrard; Doer	700		
Home Heating Costs			
Lamoureux; Doer	700		
Health Care Services			
Dewar; Sale	701		
<b>Members' Statements</b>			
Manitoba Women's Advisory Council			
Korzeniowski	702		
		<b>ORDERS OF THE DAY</b>	
		<b>GOVERNMENT BUSINESS</b>	
		<b>Debate on Second Readings</b>	
		Bill 11—The Winter Heating Cost Control Act	
		Jha	706
		Eichler	707
		Reid	708
		Dyck	711
		Reimer	713
		Bill 15—The Emergency Measures Amendment Act	
		Nevakshonoff	715
		Bill 12—The Highways and Transportation Amendment Act	
		Faurschou	720
		Taillieu	723
		<b>Second Readings</b>	
		Bill 4—The Dangerous Goods Handling and Transportation Amendment Act	
		Struthers	726

