

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

Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
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.
JENNISSON, 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.
McFADYEN, Hugh	Fort Whyte	P.C.
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.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 1, 2006

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PETITIONS

Civil Service Employees—Neepawa

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

These are the reasons for this petition:

Eleven immediate positions of the Manitoba Conservation Lands Branch, as of April 1, 2006, Crown Lands and Property Special Operating Agency, are being moved out of Neepawa.

Removal of these positions will severely impact the local economy with potentially 33 adults and children leaving the community.

Removal of these positions will be detrimental to revitalizing the rural and surrounding communities of Neepawa.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider stopping the removal of these positions from our community, and to consider utilizing current technology, i.e., Land Management Services existing satellite sub-office in Dauphin, in order to maintain these positions in their existing location.

Submitted on behalf of Valerie Grant, Amanda Gale, Amanda Cathcart and many, many others, Mr. Speaker.

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

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Eleven immediate positions with Manitoba Conservation Lands Branch, as of April 1, 2006,

Crown Lands and Property Special Operating Agency, are being moved out of Neepawa.

Removal of these positions will severely impact the local economy with potentially 33 adults and children leaving the community.

Removal of these positions will be detrimental to revitalizing the rural and surrounding communities of Neepawa.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider stopping the removal of these positions from our community, and to consider utilizing current technology such as the Land Management Services existing satellite sub-office in Dauphin, Manitoba, in order to maintain these positions in their existing location.

This petition is signed by Dorothy Tegg, James W. Tegg, Bob Benson and many, many others.

**Removal of Agriculture Positions
from Minnedosa**

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

These are the reasons for this petition:

Nine positions with the Manitoba Agriculture, Food and Rural Initiatives Crown Lands Branch are being moved out of Minnedosa.

Removal of these positions will severely impact the local economy.

Removal of these positions will be detrimental to revitalizing this rural agriculture community.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider stopping the removal of these positions from our community, and to consider utilizing current technology in order to maintain these positions in their existing location.

This petition signed by Barb Ebner, Heather Martin, Jennifer Sherb and many, many others.

OlyWest Hog Processing Plant

Hon. Jon Gerrard (River Heights): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background for this petition is as follows:

The Manitoba government, along with the OlyWest consortium, promoted the development of a mega hog factory within the city of Winnipeg without proper consideration of rural alternatives for the site.

Concerns arising from the hog factory include noxious odours, traffic and road impact, water supply, waste water treatment, decline in property values, cost to taxpayers and proximity to the city's clean drinking water aqueduct.

Many Manitobans believe this decision represents poor judgment on behalf of the provincial government.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to immediately cancel its plans to support the construction of the OlyWest hog plant and rendering factory near any urban residential area.

Signed by Caitlin Mayo, Scott Mayo, Colin Finney and many others.

*(13:35)

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Mr. Hank Marin from The Pas, Manitoba.

Also in the Speaker's Gallery we have Liberato Ibadlit who is a former vice-governor of Aklan province in the Philippines, Rolando Ibadlit from Toronto and Ding Raquin from Winnipeg, who are the guests of the honourable Member for The Maples (Mr. Aglugub).

In the public gallery we have with us Jake Martens from Grunthal. We also have Anne and Peter Wiens, who are the parents of the honourable Member for Steinbach (Mr. Goertzen).

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

Also in the public gallery we have veterans from the Women's Royal Canadian Service who are the

guests of the honourable Member for Fort Garry (Ms. Irvin-Ross).

Also we have from Swan Valley Regional Secondary School 9 Grades 9 to 12 students under the direction of Mrs. Lillian De-La-Fuente. This school is located in the constituency of the honourable Minister of Agriculture, Food and Rural Initiatives (Ms. Wowchuk).

Also in the public gallery we have Mae Blanchard, Anne Russell, Carol Jones and Anita Chapman. These are the guests of the honourable Member for St. James (Ms. Korzeniowski).

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

ORAL QUESTIONS

Red River Floodway Flood Protection Levels

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, we know from the scientific studies and estimates that there is a 39 percent chance the city will be flooded in the next 50 years with the current floodway design. We share the belief of the government that 1-in-700-year protection for Winnipeggers and Manitobans is needed.

The Premier (Mr. Doer) has committed to this House and elsewhere that this project will provide 1-in-700-year protection to Manitobans. The minister yesterday said, we will be at 1-in-700-year protection. Now we know that works within the city to bring protection to a 1-in-700-year level have been dropped from the floodway plans. The City of Winnipeg made a presentation, made by one of the City's top engineers, which says that without permanent raises in primary dikes, there is less than 1-in-700-year flood protection, and that the cost of doing these works in the city is estimated at \$256 million. It is not included in the current project, which means that the 1-in-700 protection level is nonexistent within the current plans and the current budget.

Will the minister indicate what commitments have been made by the Province to the City to bring protection up to the 1-in-700-year level?

Hon. Steve Ashton (Minister of Water Stewardship): First of all, Mr. Speaker, it is interesting the Leader of the Opposition is raising a

question that certainly goes back to one of his previous careers, and there have certainly been many in the last number of years over at City Hall.

I think it is important to put on the record, Mr. Speaker, that this issue did come up at the CEC and, certainly, there were a number of options identified to deal with this. This is an issue once you hit the 1-in-700-year protection, I am glad to see the Leader of the Opposition finally acknowledging what we have been stating clearly that it is this NDP government that is going to protect Manitobans from 1-in-700-year flooding in the city of Winnipeg.

Mr. Speaker, I think it is very important to put on the record that the \$665-million budget deals with other matters—

Mr. Speaker: Order.

Mr. McFadyen: Well, Mr. Speaker, the City is setting aside roughly \$4.5 million a year to build up toward the appropriate level. It is not even close to being enough. This is a provincial initiative to protect Manitobans. According to City estimates, using City funds to build up the permanent dikes at the current rates of spending will take 48 years to reach 1-in-700 year flood protection.

Why is the minister saying this project is on time and on budget when current estimates say that with current project parameters and current spending it will take 48 years to reach 1-in-700-year levels?

Mr. Ashton: Mr. Speaker, the member opposite clearly does not know the facts when it comes to the floodway expansion, and it has been very obvious over the last week. I note it is interesting that he has not risen today in his place and acknowledged that he was wrong yesterday. In fact, the Prime Minister of Canada, the Conservative Prime Minister of Canada, has made it very clear, including yesterday, about the federal government's commitment to fund the floodway expansion. I think it will be very important for the Leader of the Opposition to put that on the record because he was clearly wrong yesterday.

He is also wrong today, Mr. Speaker, because if he had attended any of the public meetings on the floodway, he would have seen that plans are in place, indeed, for the 1-in-700-year protection, and that the Floodway Authority has been working with the City of Winnipeg. There were options of \$7 million—

Mr. Speaker: Order.

*(13:40)

Mr. McFadyen: Well, Mr. Speaker, the Prime Minister indicated yesterday his concern, a concern shared by us, that \$135 million in overruns eight months after the announcement was made, \$135 million in overruns are a concern to the federal government, a federal government that was elected to clean up the kind of lack of accountability and mismanagement of public funds that are occurring under the watch of this government. He is concerned about it as we are, as taxpayers are. That was what the Prime Minister said yesterday, that notwithstanding the bungling and the mismanagement of this NDP government they are committed to protecting Manitobans, and we stand with them on that commitment.

Mr. Speaker, now that we know that there is nothing in the current plans that is going to get Winnipeg to 1-in-700-year protection, will the minister admit, just like their promise to end hallway medicine in six months, just like their promise to exceed Kyoto targets, that the 1-in-700-year, on time, on budget commitment by this government is just another NDP sham?

Mr. Ashton: Mr. Speaker, the Prime Minister is clearly dealing with a number of projects across the country where there are additional cost pressures. In fact, I think Minister Emerson, a former Liberal minister, now a Conservative, who is in charge of the Vancouver Olympics is looking at 23 percent cost increases on that project. If the member opposite would care to talk to anybody, perhaps some of his former colleagues at City Hall, he will find out. I think the City of Winnipeg is looking at a 30 percent increase.

In our case, Mr. Speaker, phase 1 is on budget, and we have done the prudent thing and looked at what is happening out there in terms of the marketplace. But, I want to make it clear that the Leader of the Opposition is dead wrong again. We are going to get built a 1-in-700-year flood protection and, indeed, these issues have been raised with the City and will be.

Mr. Speaker: The honourable Leader of the Official Opposition, on a new question.

Red River Floodway Cost Overruns

Mr. Hugh McFadyen (Leader of the Official Opposition): No amount of bluster from the minister

is going to hide the fact that the current project is not going to provide Winnipeggers with 1-in-700 year protection.

Today, Mr. Speaker, in the media, we see comments made by the Premier (Mr. Doer) last week that he has instructed the Floodway Authority to go back and cut corners in order to keep the project on budget.

Has the minister told the authority that the first corner they should cut is a sweetheart deal that they made with friends of the NDP?

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, I think, a few days ago, I did point out that when the Leader of the Opposition was the architect of policy for the Filmon government, they did not have any major projects.

I want to apologize, Mr. Speaker. There was one; it was called the casinos and they built two of them. They then had the casino expansion, and it took the Auditor General to find that they were \$105 million over budget. So they have no credibility when it comes to that.

I also want to point out that since members opposite have no experience in the last 36 years with major projects, I do not think Manitobans would disagree that where you have upward cost pressures of saying to the people who designed the project, 1-in-700-year flood protection, yes. But, if you can find efficiencies, do it. By the way, the project management agreement was in place for phase 1, and that is on budget. The project management agreement is not the source of any cost overruns.

Mr. McFadyen: Well, Mr. Speaker, the minister has made it clear that they are not prepared to override the sweetheart deal they have made with friends of their party. So, if he is not prepared to override the sweetheart deal they made with friends of the NDP, if he is not prepared to cut corners on the deal they made with friends of his party, how many lives, how much property is this government prepared to put at risk in order to honour their deal with their political friends?

Mr. Ashton: Maybe the Leader of the Opposition should have a bit of a reality check. If he looks at, for example, what has happened in The Construction Industry Wages Act, which was agreed to by our minister of the labour consensus, the current Minister of Labour (Ms. Allan), I think he would see that the project management reflects what has been happening in the labour market out there and reflects

the fact that we have a hot construction sector. They maybe did not experience this when they were in government, Mr. Speaker. We have had a 20 percent increase in construction in Winnipeg in just the last year alone.

Mr. Speaker, we will protect Manitobans, and the Conservatives better get ready for one thing. We are bringing the word "megaproject" back into the dictionary in the province of Manitoba.

* (13:45)

Mr. McFadyen: It is members of the heavy construction industry who are saying that they are not bidding on floodway projects because of the rules put in place by this government. They are not putting bids in because of the chilling—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. McFadyen: Because they are not bidding, costs are going up. That is what is driving it. Some people say \$60 million, others say \$65 million. Whatever it is, Mr. Speaker, it is completely unacceptable, waste and abuse of taxpayer funds.

Mr. Speaker, given that the only signature the Premier (Mr. Doer), the master negotiator—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We remind members we have guests in the gallery, we have the viewing public, and I need to be able to hear the questions and the answers in case there is a breach of a rule or a departure from our practice. I am asking the co-operation of all honourable members.

Mr. McFadyen: Thank you, Mr. Speaker. I just want to ask the minister: Given that the only signature the Premier, the master negotiator, has been able to get with the federal government was the autograph on the Falcons' jersey that he presented to the Prime Minister yesterday, and given the lack of progress with the federal government, given the scandal of cost overruns, what steps will the minister be taking immediately to prevent this important project for Manitobans from spiralling into even more of a debacle than it already is?

Mr. Ashton: Well, Mr. Speaker, if Manitobans have any doubt that this Conservative Party, if they were ever to get back to power, would want to go back to the 1990s, back to the way they have been the last 20 or 30 years, it is, I think, the sham of the last number of days. This Leader of the Opposition stated

yesterday in a press release that essentially we should not have proceeded with the floodway even though we had phase 1 commitment in terms of funding. The member questioned that.

We already have increased flood protection at 1-in-140 years because of the fact that we are building that project. We have other Conservatives like Brian Pallister who has said, we should shut it down. Does that sound familiar? History will show, Mr. Speaker, whether it be in terms of hydro development or any of the major projects of the last 30 years, NDPers build it; Conservatives shut it down.

Red River Floodway Flood Protection Commitment

Mr. Cliff Cullen (Turtle Mountain): The City of Winnipeg told the Clean Environment Commission last year it requires an increase to the height of its dikes and upgrades to its infrastructure to protect the city. This is a significant and costly component that is required in order to protect the city from a 1-in-700 year flood.

I am going to give the minister an opportunity to clarify his position, Mr. Speaker. Would he please outline what portion of that \$665 million was earmarked for flood protection within the city of Winnipeg?

Hon. Steve Ashton (Minister of Water Stewardship): You know, Mr. Speaker, the Leader of the Opposition and the critic are again, I think, misleading Manitobans when it comes to the—*[interjection]* The Leader of the Opposition suggested earlier that we—*[interjection]*

Mr. Speaker: Order.

Mr. Ashton: Mr. Speaker, 48 years for the 1-in-700 year protection. If the member opposite would care to look at the CEC hearings, he would see that the City of Winnipeg itself identified a \$7-million option on an annual basis in any of the situations that were in place. He will know that all the public meetings, it was clearly identified the major works that will be put in place to get to the 1-in-700 year flood protection, are the main component of the floodway expansion and what the City of Winnipeg has been talking about. The Floodway Authority is indeed very much under consideration. The members opposite should understand that we are going to build a 1-in-700-year protection and, indeed, we have been working, co-operating with the City to make sure all of those elements are—

Mr. Speaker: Order.

Mr. Cullen: Mr. Speaker, the reference to the \$7-million project did not give the city of Winnipeg permanent protection from the flood.

Clearly, there cannot be a 1-in-700-year flood protection without significant upgrades to the City's infrastructure. The City indicates it will cost \$256 million to make the upgrades within the city itself.

Mr. Speaker, does this government intend to financially support the infrastructure upgrades required within the city, or will the city be abandoned to tread water?

* (13:50)

Mr. Ashton: We are building the floodway expansion with no help from members opposite, Mr. Speaker, and that is indeed the major element of the 1-in-700-year flood protection.

What has happened is the City has identified a number of projects they would like to see done, including replacing the Redwood Bridge. I know the Leader of the Opposition would know this. He would also know and members opposite should know that it is irresponsible to leave on the public record any suggestion that it would take 48 years to get to that point because the member knows that any of the issues, whether they were in the scope of the original floodway expansion or not, or the Clean Environment Commission hearings or not, those issues have been identified. The Floodway Authority is working with the City on that and we will get 1-in-700-year protection by working with the City and working with the federal government. That is how you get things done in this province.

Mr. Cullen: Well, Mr. Speaker, the City is making commendable efforts towards flood protection to the tune of almost \$5 million per year, but at a cost of \$256 million even the City's own records indicate it is going to take 48 years to make the upgrades.

We ask the minister: Is he content to wait to the year 2054 before he can actually guarantee a 1-in-700-year flood protection for the city of Winnipeg?

Mr. Ashton: Mr. Speaker, we are not looking at a 48-year time frame. We are not looking at it on the floodway expansion. We are looking at it in terms of waste water. You know, the City of Winnipeg, when the Tories were in power and the waste water treatment issue, had a 50-year plan to deal with it.

We have a plan of 1-in-700-year flooding protection. This spring we are at 1-in-140 years. Next year, 1-in-300 years. We will be at 1-in-700 years. It will not take 48 years. The members opposite know that. They should not be trying to scare Manitobans. They should work co-operatively like we are with the federal government and the City of Winnipeg to get the flood protection that Manitobans deserve.

Bill 34
Civil Servant Protection

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, my question is to the Minister of Finance regarding his bill zero, the NDP gag law, otherwise known by this NDP as Bill 34.

Pat Jacobsen complained to the Minister of Labour. Mr. Speaker, she complained to the Minister of Labour about conduct of WCB and the conduct of Wally Fox-Decent, the chair of WCB. Given the provisions of this NDP gag law, will the Minister of Finance admit that Bill 34 would not protect Pat Jacobsen's job, that she would have been fired by the minister and she would have had no protection?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, the member is just completely wrong. Any head of an organization like the Workers Compensation Board, under the provisions of this bill, would have direct access to the Ombudsman. If, after they made their complaint to the Ombudsman about any form of misconduct, they believe that they were the victim of any kind of reprisal, they would have direct access to the Labour Board, a quasi-judicial tribunal. This bill squarely would protect somebody in the position of being the head of the Workers Compensation Board for any honest, good faith allegations they made about misconduct. The bill is very clear in that regard. All the member has to do is read it.

Mr. Hawranik: Mr. Speaker, Pat Jacobsen complained to the minister. Under the NDP gag law, protection is only given to those who complain to the supervisor, to a designated officer or the Ombudsman.

Since Pat Jacobsen complained to the Minister of Labour, I ask the Minister of Finance: Why would he not protect the job of his employees who complained to the ministers? What is he trying to hide?

Mr. Selinger: Mr. Speaker, in a case of a concern about gross misconduct by any member of the

broader public service in Manitoba, they will have direct access. They do not have to go to their supervisor. They do not have to go to the chairman of their board. They can go directly to the Ombudsman, who is an impartial officer of the Legislature, who operates without fear or favour in the public interest and reports to the Legislature if they believe anything has gone awry with their investigation.

In the event that after they make their complaint to the Ombudsman they are not happy, they feel that somehow they have been a victim of a reprisal by anybody within the organization they work, including the minister, they can go directly to the Labour Board. That is how it should be done; that is how it will be done.

* (13:55)

Private Sector Protection

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, the minister does not get the point. Pat Jacobsen went to the minister. She did not go to the Ombudsman. This NDP government legislation is disguised as whistle-blower protection legislation. It will not protect civil servants who complain to any government ministers or, in fact, any MLA. Those who complain to the minister or an MLA could be fired without recourse.

So I ask the Minister of Finance: Will he protect whistle-blowers who come forward to MLAs about information about Crocus? Will he protect Crocus whistle-blowers?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I take it we have thoroughly dealt with the case of the Workers Compensation Board as the member has moved his question to another organization. Whistle-blower legislation will be available to all the members in the broader public service.

Now the member raises the issue about the Crocus Investment Fund. If he would have just simply read the bill, there are whistle-blower provisions required under the new labour-sponsored venture capital legislation which we have brought forward in this Legislature.

I remind the member it was on April 8, 2004, that he promised—[interjection] That was '04, two years ago and a month, he promised to bring forward his own bill. We are still awaiting it. If he thinks he

can do better, bring forward your bill like you promised. Do your homework, be accountable for what you said you are going to do.

Health Care System Pain Clinic Expansion

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, in 2002, the Minister of Health announced a \$2.5 million expansion of the pain clinic at the Health Sciences Centre so that more patients with chronic pain could be treated. It did not happen in 2002, it did not happen in 2003, it did not happen in 2004 and it was re-announced in 2005 that the expansion would go ahead of the pain clinic at the Health Sciences Centre.

I would like to ask the Minister of Health if, in 2005, the pain clinic expansion that was promised in 2002 actually went ahead.

Hon. Tim Sale (Minister of Health): Mr. Speaker, under the wait-list commitments that we made in November, we announced a substantial expansion and support for pain clinics. I was delighted to be at the Pan Am Clinic with the staff there and with Dr. Intrater and the work that had been done to plan for and make available the expansion at Pan Am Clinic. I am delighted that expansion has taken place, that we added to our wait-list commitments in Manitoba four Manitoba priorities, including pain and three others. So, yes, there is expanded capacity in the pain clinic area.

Mrs. Driedger: Mr. Speaker, the Minister of Health indicated that they announced an increase of finances to the Pan Am Clinic. They made that announcement in January, saying that satellite clinic would be opened in February. We phoned over there today, and we were told by the Pan Am Clinic that the satellite pain clinic is not open yet. Call back in a month.

In 2004, there were 1,200 patients on the waiting list for the pain clinic. In January of this year that number increased to 1,400. I would like to ask the Minister of Health how in his propaganda piece he can say that they are actually shortening waiting lists for the pain clinic when, in fact, over the last couple of years that number has gone up.

Mr. Sale: Mr. Speaker, I was very pleased to report to Manitobans the progress that has been made in a number of areas, whether it is pediatric dental surgery or a thousand more hips and knees that we did this year as compared to last year. I am proud we

are meeting the benchmarks nationally in cancer access to radiation therapy and in cardiac care.

We make no bones about the fact that there is more work to be done in a number of areas. We had the courage as a government to add four additional areas to the national five priorities which were announced. The pain clinic commitment was made. The doctor who is in charge of the Pan Am Clinic has been very, very actively recruiting the appropriate physicians. This is not an area in which there is a surplus in Canada, for some of the reasons we have talked about before, Mr. Speaker.

Mrs. Driedger: Mr. Speaker, this minister makes all kinds of announcements over the years, does not follow through, then has the gall to put in his quarter-million-dollar propaganda piece that things are getting better and that he is decreasing the waits in the pain clinic when, in fact, that is not happening.

I would like to table some documents for the minister. In 2004, people had to wait two years to be treated for chronic pain. In January of this year, that wait has skyrocketed to three years on average. That means there are actually some people waiting six years to get into the pain clinic with chronic pain.

I would like to ask the minister how he has the nerve and the gall to put a quarter-million propaganda piece out there that says he is decreasing waiting lists for the pain patients in chronic pain when, in fact, those lists have skyrocketed.

* (14:00)

Mr. Sale: Mr. Speaker, we are a government that does not shy away from real problems in the system. We publish numbers that no other government in Canada publishes in terms of access to our system. We put on the Web site information about waiting lists that is not available in other jurisdictions. I am proud of the fact that we are accountable for our successes and for the areas where we have more work to do.

We have more work to do in the pain clinic area. That is why we made the announcement in November that we would expand it. That is why Dr. Hildahl is busy recruiting, Mr. Speaker. It is not an acceptable wait list. We are accountable for that, that is why we talk about it and that is why we have committed resources to it. We will make progress there just like we made in cardiac, just like we made in cancer, just like we made in pediatric dental, just

like we made in hips and knees, just like we made in MRIs. We are a government that fixes up the problem, invests resources and we make progress.

**Wuskwatim Dam
Independent Voting Process**

Mrs. Bonnie Mitchelson (River East): In the gallery today we are joined by concerned members of the NCN community.

On June 14, NCN members will be asked to vote on the contents of the 1,300-page project development agreement for Wuskwatim. This is a tremendously complicated legal document and it is the size of two telephone books, Mr. Speaker. The community members are indicating that they simply have not had enough time to review and analyze the PDA.

Mr. Speaker, my question is for the Minister responsible for Hydro. Why are NCN band members being asked to vote on a 1,300-page document when they have not had enough time to review and to analyze the contents?

Hon. Dave Chomiak (Minister charged with the administration of The Manitoba Hydro Act): Mr. Speaker, when the Wuskwatim project was first broached in the 1990s, there was a referendum in favour of it by the community. There was another referendum in favour of it by the community in 2002 or 2003.

Since that time, Mr. Speaker, there were 32 hearings of the Clean Environment Commission. NCN, the council and the band, et cetera, put together 20 public meetings with the information, small pamphlets and information to explain the complicated agreement. There is a whole series of meetings and visits with the town. There are some people in the community who are against the project. They will have an opportunity to vote yes or no on June 15. The direction of the people in the community, not in the old days as when the Conservatives built and asked no—

Mr. Speaker: Order.

Mrs. Mitchelson: I would like to ask the minister whether he has had time to read fully the two telephone book documents that he released just some short time ago, whether he has read them and whether he is confident that members of the community have had an opportunity to read and absorb all of this information.

Mr. Speaker, those same members of the community are asking for an independent process to be established for the vote. NCN members want to ensure that the needs of all members are being met during the voting process.

Why has the minister not appointed an independent body to oversee this very important vote?

Mr. Chomiak: Mr. Speaker, last time members opposite talked about appointing an independent body, it was by one of their own members and it was regarding their own convention election for their own leader. Their own Member for Springfield (Mr. Schuler) was going to call in the RCMP in an election.

I think the member for the constituency of Rossmere should have some faith in the people of their own community who have had an opportunity, and will have an opportunity, to vote under the auspices of the federal act that allows them their own authority to conduct their own elections. I think they have that opportunity. That is what we do in a democracy. That is what your party did for an election campaign when the members said that the RCMP should be called in. There are different sides to the issue and at least they get a free vote amongst their own residents. They have had—

Mr. Speaker: Order.

Mrs. Mitchelson: Mr. Speaker, I know that the Minister responsible for Hydro was extremely supportive of a democratic and fair process in the Ukraine, and I would hope that he would be as supportive of that kind of a process right here in Manitoba.

Mr. Speaker, NCN band members have travelled here today—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mrs. Mitchelson: These members have travelled here today because the development that is happening in their community will have an everlasting impact on their way of life and they are concerned their voices are not being heard. It is the responsibility of this government to address the concerns of all members of the NCN community.

Mr. Speaker, what is the minister prepared to do today to ensure that the needs of these concerned

NCN members will be addressed and that a fair and impartial process will be established for the vote?

Mr. Chomiak: Mr. Speaker, there was an 11-year process of discussions ongoing. There are people in favour, there are people opposed. In our democratic system, people have the opportunity. There is a public meeting today being held by Wuskwatim, one of the 20 public meetings in the last month, with respect to this vote. There have been two ratification votes. The discussion started under the previous government.

In the old days there was no consultation. Acres were flooded, hydro projects were put up and now we are paying multimillions of dollars in damages. The people have been consulted, the people will vote and what the people of the community say will be considered.

With respect to Ukraine, Mr. Speaker, I think it is pretty malicious of the member to even compare a prime minister having a journalist executed and having his body hidden, with the people of the North who I think are grown up enough to do their own thing—

Mr. Speaker: Order.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Inkster has the floor.

House Procedures Respect for Agreement

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, on June 9, 2005, every MLA inside this Chamber voted in support of an agreement in which this Premier agreed in terms of House procedures. That agreement allowed for proper disposal of the budget votes and legislative agenda which met certain criteria. It was a form of closure which all parties supported.

The question I have for the Premier is: Does he feel his agreement that he entered into is worth the paper on which it was written? Does the Premier believe that this Legislature should be respecting that agreement? Will he keep his word with regard to that agreement and not try to bring in other forms of closure?

Hon. Gary Doer (Premier): I believe it is our agreement, Mr. Speaker.

Mr. Lamoureux: Mr. Speaker, I think that is one of the best answers the Premier has given this session.

It is our agreement. Our agreement means yours too, Mr. Premier.

My question to the Premier is: Given that he has now acknowledged, even though the votes will show that it is our agreement, will he stand by that agreement and not invoke other forms of closure in order to get his legislative agenda across? Will he stand by his agreement?

Mr. Doer: Well, Mr. Speaker, one who signs an agreement in 2003, after they spent weeks arguing about where they should sit, and then immediately has a press conference after saying the agreement he signed was not adequate enough to protect the democracy rights in this Chamber, his disappearing ink that he uses for signing his agreements is well known to members on this side.

Mr. Lamoureux: Mr. Speaker, I have the personal integrity to live up to my agreements. If I sign something, I will live up to it. I am living up to this agreement that this House voted on, all members, including this Premier, signed off on.

My question to the Premier was very specific. I live up to my agreements. Will the Premier live up to his agreement, this agreement, and instruct his House Leader not to invoke any other form of closure, as we witnessed yesterday from this majority government? Will this Premier respect the agreement?

Mr. Doer: Yes, Mr. Speaker.

* (14:10)

University of Manitoba Convocation Ceremony

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, I was pleased to hear of the exceptional number of high-quality graduates and professors receiving awards and degrees at the University of Manitoba convocation ceremonies.

Would the Minister of Advanced Education and Training please inform the House of the significance of this most recent ceremony?

Hon. Diane McGifford (Minister of Advanced Education and Training): These are indeed red letters for post-secondary education in the province, with more than 3,000 students graduating, a historic record, Mr. Speaker. This year we will have graduated over 200 nurses, over 70 Ph.D.s, hundreds of engineers, hundreds of teachers, hundreds of masters' degrees in every possible subject.

Mr. Speaker, we are indeed preparing Manitoba for the economy of the future. As well, I want to add that students graduating from the University of Manitoba are from Manitoba, from across the country and from around the world. The University of Manitoba is putting our province on the world map.

Whiteshell Cottage Owners Increased Costs

Mr. David Faurshou (Portage la Prairie): The reason I rise today is that this NDP government and the Minister of Conservation through their mismanagement have broken their obligations to Whiteshell cottage owners in Manitoba. Whiteshell cottage owners have been left in the dark regarding services and financial issues pertaining to their properties.

My question is to the Minister of Conservation: Why has he and the NDP government not fulfilled their obligations to the Whiteshell cottage owners association?

Hon. Stan Struthers (Minister of Conservation): Mr. Speaker, I have met on numerous occasions with Mr. Ted Ferens, the president of the Whiteshell cottage owners association and their executive. We have had some good meetings. I have attended, three years running now, the annual general meeting of the Whiteshell Cottagers Association and have very good relations built with those folks. We have put in place a partnership, a team of people who is open to membership of the Whiteshell Cottagers Association, of businesses that are operating in the Whiteshell and in other parks in Manitoba, to establish a fair process for establishing the park district service fee. So we are taking steps that are inclusive. I know that is foreign to the member opposite, but they are included.

Mr. Faurshou: While the minister states that he has had meetings with the Whiteshell cottage owners association, he has not allowed them to participate, as the previous administration allowed for, their participation in discussions regarding services and financial matters pertaining to their own cottage properties. Not for three years has the cottage owners association been consulted, resulting in hundreds of thousands of dollars of overcharges in park services.

I ask the Minister of Conservation: When did he realize that his mismanagement had led to gross overcharging of services to the cottage owners?

Mr. Struthers: I would invite my friend from Portage la Prairie to sit down with Mr. Ted Ferens. I am sure Ted will tell him that when they called the first meeting, Mr. Ferens was at the meeting of the group that was meeting to discuss these fees. Mr. Ted Ferens and the cottage association decided to leave the meeting that we had arranged for them to participate in.

I have been very clear with the Whiteshell Cottagers Association at their annual meetings, in meetings with their executives, that they are welcome back. They can come and sit at the table with all the other cottagers from all parts of this province, from the business owners, from everybody who has been involved in setting these park district service fees and be part of the solution. The Whiteshell Cottagers Association executive determined that they would not do that, Mr. Speaker.

Mr. Faurshou: I do appreciate the minister recognizing Mr. Ted Ferens, president of the Whiteshell cottage owners association, because it was in consultation with him that these questions were crafted.

Mr. Speaker, mismanagement and poor financial practices of this government with respect to the Whiteshell cottage owners has not ended there. The representatives from Manitoba Conservation are on record as saying that they have not even drawn up a budget for the Whiteshell in the last three years. When asked why not, the department blamed its own staff. Do you not think it is time for the Minister of Conservation to own up to his responsibilities of mismanagement within his department?

Mr. Struthers: It would have been nice if the members opposite, when they had their chance to be in government, showed some kind of support to the infrastructure for the Whiteshell Cottagers Association. Mr. Speaker, \$6.2 million being spent on water infrastructure alone in the Whiteshell cottages, and I am amazed that members opposite would not stand up and say that it is a good thing.

Mr. Speaker, we have yurts in Nutimik Lake, an innovative new way of camping that members opposite did not have the creativity to think of. It is just the same old, same old for members across; no changes, no betterment, no improvements.

We are working on the lagoon at the Falcon Lake area. We are working on the lagoon at the Whiteshell, West Hawk Lake lagoon. We are making substantive improvements to—

Mr. Speaker: Order.

**Agriculture Industry
Beef Levy**

Mr. Ralph Eichler (Lakeside): Mr. Speaker, this NDP government's plan to collect a \$1.2-million levy on Manitoba cattle sales was given a June 1 implementation date. Yesterday in the House this government would not provide an update on its preparation for collection of this tax.

Mr. Speaker, will the Minister of Agriculture listen to the 92 percent of producers surveyed who opposed this tax and withdraw this regulation today?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Well, Mr. Speaker, I am pleased the member is continuing to or has again raised the issue that is very important to producers. I can tell the member that we are proceeding with additional members to the council and we are putting in place the mechanism to collect the levy. I would encourage the member to recognize how important it is that we have the opportunity to increase slaughter capacity in this province, and I would encourage him to support Manitoba industries rather than supporting Alberta industries and continuing to export to Alberta.

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

Speaker's Statement

Mr. Speaker: I have a statement first and then I have a ruling.

First of all, I would like to ask the members for their co-operation. We have two recycling bins on each side and those are for the Hansards that members have, if they do not need them. Some members require extra copies, and we use those bins for recycling Hansards to members. There have been pop cans and paper cups that have been thrown in there, and they are destroying the Hansards that we are trying to recycle.

So, on this side for now, pop cans and for now, you will see blue recycling bins. Those will be there until we get matching bins built for the pop cans and the paper cups. I just ask the co-operation of all honourable members to help us to do the best we can in recycling.

* (14:20)

Speaker's Ruling

Mr. Speaker: I have a ruling for the House.

Following the prayer on May 5, 2006, the honourable Member for River Heights (Mr. Gerrard) raised a matter of privilege contending that the office of the Auditor General was being underfunded, which had the effect of delaying reports, which in turn impaired the ability of MLAs to do their jobs effectively. At the conclusion of his remarks, he moved "THAT this matter of privilege be referred to a standing committee of the legislature." The honourable Government House Leader (Mr. Mackintosh), the honourable Member for Russell (Mr. Derkach) and the honourable Member for Inkster (Mr. Lamoureux) also offered contributions to the Chair. I took the matter under advisement in order to consult the procedural authorities.

I thank all members for their advice to the Chair on this matter.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity and, second, has sufficient evidence been provided to demonstrate that the privileges of the House had been breached in order to warrant putting the matter to the House.

The honourable Member for River Heights asserted that he was raising the issue at the earliest opportunity, and I accept the word of the honourable member.

Regarding the second issue of whether a prima facie case was demonstrated, it is important to determine whether parliamentary privilege has been breached in the actions complained of.

I would like to note for the House that a virtually identical matter of privilege was raised in the Canadian House of Commons on March 9, 1972, when five motions for privilege were brought before Speaker Lucien Lamoureux concerning the failure of the federal Auditor General to table his annual report as required by law. It was contended in the motions of privilege brought forward that the then-government had failed to properly fund the office of the federal Auditor General which had an impact on staff and resources for that office, and which created delays in submitting reports, and that the delay of the report affected the privileges of members by impeding them in the discharge of their duties.

Speaker Lamoureux ruled on March 10, 1972, that there was no prima facie case of privilege, as the complaint about the facilities of the Auditor General's office does not relate to privilege but rather to a matter of administration. Speaker Lamoureux stated in ruling "I remind Honourable Members that this is not a decision on the substance of the matter but one only on procedure, which is the limit of the Speaker's responsibility in such matters." He also indicated that the matter could be raised under different circumstances on another occasion.

I would therefore rule with the greatest of respect that the matter raised is not in order as a prima facie case of privilege. This, however, does not prevent the member from raising the issue in other areas, such as questions in the House, or during discussions held by the Public Accounts Committee or other such decision making bodies for the Legislative Assembly.

MEMBERS' STATEMENTS

Canadian Women in World War II

Ms. Kerri Irvin-Ross (Fort Garry): Mr. Speaker, I rise to pay tribute to the great number of exceptional Canadian women who served their country with valour and distinction during the Second World War. The spirited service of over 40,000 women in Canada's Armed Forces provided an immeasurable contribution to Canada's war effort.

The Second World War was unprecedented in world history. The size of its theatres and the enormous number of people mobilized taxed the Canadian forces to the limit. Canadian women did not hesitate and quickly responded to the urgent need. Thousands enlisted in the various branches of the service. The Canadian Women's Army Corps surged with recruits while many others joined the Royal Canadian Air Force Women's Division as well as the Women's Royal Canadian Naval Service.

Faced with systemic discrimination and antiquated stereotypes, these women persevered in their work. Filling many important and non-traditional positions, the women supported the home front and war effort in a variety of ways: as nurses and dispatchers, but also as mechanics, machinists, firefighters and signallers. Their diligence and the quality of their work soon put the prejudice to rest and quickly won them the respect and admiration of their colleagues, the Armed Forces and Canadian society as a whole.

Mr. Speaker, the legacy of Canadian women's service in the Second World War is a rich heritage of patriotism, bravery and determination. I ask that all members join me in recognizing the incredible efforts that the thousands of Canadian women made during the war, the challenges that they overcame and the significance of the contribution they made to the war effort and to our country. These trailblazers paved the way for generations of women to come. Thank you.

Springers Gymnastic Club

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I rise today to congratulate Springers Gymnastics for the excellent service that they provide to Charleswood residents as well as residents from many other areas. Springers has been an integral part of the community for many years. I am honoured to have been a part of many of the activities held there over the years.

I have been very impressed with the efforts of the staff and volunteers and the professional manner in which the club is run. They provide a valuable service to the community as well as providing jobs to many youth in their programs as coaches. It is timely that we recognize efforts made by such organizations. They encourage activity for the participants, and the value of this activity in keeping our young people fit is immeasurable.

In particular, I would like to recognize the accomplishments of Springers this past year. Springers sent a number of regional stream athletes to the Manitoba Winter Games in Beausejour. Springers athletes were part of the team that took home the gold medal. Springers sent a team of power tumblers to the T and T Western Canada Cup in Airdrie, Alberta, where one of their athletes placed first. Springers had seven artistic gymnasts compete at the Western Canadian Gymnastics Championships in Saskatoon. They had several athletes make the finals and place in the top 10. Springers sent one athlete, Sarah Flett, to the national Gymnastics Championships in Québec City. Sarah qualified for all-around finals, placing 19th all around and 12th in the floor exercise.

Springers Gymnastics adheres to levels of excellence in carrying out their gymnastic activities. The accomplishments that they have attained represent a lot of hard work. The discipline, motivation and ability to focus will be skills that each gymnast will carry with them for the rest of their lives. Along with a firm belief that you can

accomplish whatever you set your mind to, they will reach many of their goals.

I wish to congratulate all of the athletes and volunteers and wish them good luck in future challenges as gymnasts. Thank you, Mr. Speaker.

Wellington School 100th Anniversary

Mr. Andrew Swan (Minto): Mr. Speaker, Wellington School is celebrating a century of learning during the week of May 29. Students and staff have been preparing for months for this 100th anniversary celebration.

On Monday, May 29, the school unveiled the centennial mural at its official opening assembly. Students, under the direction of art director Rhian Brynjolson, painted several 4 by 4 foot canvases that were assembled to form two murals to be displayed on either side of the school.

This week, the school opens its doors to the public showing its archives and various multicultural displays. Events this week include a multicultural tea with live entertainment, a lemonade lounge featuring guest readings by students and finally a community barbeque on Friday.

Wellington School has a long and impressive history. In 1906, a three-storey, 10-classroom building was built to serve the surrounding area. In 1972, the old building was demolished in favour of a larger, more modern facility.

In the century that Wellington has existed, our city and province have changed greatly. However, the population of Wellington School has remained the same, a diversity of students from different backgrounds and cultural groups. When it first opened its doors, over half its population was of Icelandic descent. Indeed, some of the Olympic champion Winnipeg Falcons attended the school. Today, as then, its student population is comprised of a rich cultural mosaic.

Mr. Speaker, I congratulate Wellington School on a hundred years of excellence, and I wish all students and staff a memorable celebration of this important milestone. I encourage all members and the public to drop in to Wellington School this week to join my family and I in celebrating the rich history of this wonderful school and the significant role that it has played in Winnipeg's West End. Thank you.

* (14:30)

Beef Levy

Mr. Ralph Eichler (Lakeside): Today, I rise with reluctance with regard to the \$2 checkoff fee that has been proposed by the NDP government and was supposed to be implemented today, June 1. We have seen one disaster after another from this government, and we know that it has been very clear this has been one of them. Mr. Speaker, \$1.2 million is going to be taken out of the hands of the farmers within the province of Manitoba, and this government is saying they are going to use it for increasing slaughter capacity.

There have been a number of comments that have been put on the record in regard to the slaughter capacity, and they say it is going to go to Alberta. We had an opportunity, in the province of Manitoba, three years ago to do something. What have we seen from this government? Nothing but lip service. There is such an issue as Grow Bonds that could have been done. What this NDP government did was cancel that particular program, whereby any member of the community, whether it is a businessperson, whether it is a member of the individual community that believes in a project, they could have moved this forward. What the government did was to delete that program, not listen to the producers. Mr. Speaker, 92 percent of the farmers that were surveyed were opposed to the \$2 levy. What do they do? Refuse to listen.

Also, the government goes on to say that they are all for increasing the slaughter capacity, but yet they will not take the initiative to move forward. The Clean Environment Commission still has not been tabled yet, Mr. Speaker. They just want to go on and say they are going to do something and yet they really do not want to do anything. They are waiting for the border to open and say, well, they did everything they could.

I know the Member for Interlake (Mr. Nevakshonoff) sits at the back bench and chirps that the next Minister of Agriculture is going to be himself, and he is out there proclaiming that this is a great saviour for the cattle producers. He has a number of people in his area that are calling me on a daily basis saying, hey, listen to us, we do not want this \$2 checkoff, listen to us, please. What do they do? No, they trudge forward without any concern for the farmers within his own region.

So let us make it very clear, Mr. Speaker. If this government was sincere in moving forward with this particular issue, they would have done it before today.

School Patrol Awards

Mr. Rob Altemeyer (Wolseley): I was very pleased to attend the School Patrol Awards at the Winnipeg Convention Centre. Over 500 students were on hand for the event, representing each of Winnipeg's school divisions. The Winnipeg police department awarded 10 elementary schools with prizes for being the top patrol teams in their division. Four other trophies were awarded to the top patrol teams overall.

Mr. Speaker, the event was special recognition for the over 8,000 Grades 5 and 6 students in 188 schools city-wide that participated in patrols. As a former patrol myself, I know that rain or shine these students work as a team to look out for the safety of their peers and the community at large.

Mr. Speaker, I would especially like to congratulate the patrols at Greenway School in my constituency of Wolseley who received the first-place award for their division. It is especially fitting that Greenway School was awarded the top prize because 70 years ago Greenway teacher Louise Staples launched the first school patrol program in the history of Canada.

Also, at the awards we were very pleased to hear a presentation by a gentleman who in 1936 actually served as a member of the first school patrol team at Greenway, under the direction of Ms. Staples.

Mr. Speaker, I congratulate all of Winnipeg school patrols for their efforts to ensure the safety of their fellow citizens. I would like to thank the Winnipeg Police Service in particular for putting on this important event and all of the teachers, administrators, parents and volunteers who work behind the scenes supporting our school patrols. Thank you.

GRIEVANCES

Mr. Speaker: The honourable Member for Minnedosa, on a grievance?

Mrs. Leanne Rowat (Minnedosa): Yes, Mr. Speaker. I am grieving on a situation that affects very closely the constituents of Minnedosa.

I am going to start with a quote, Mr. Speaker: "Farmers are facing a crisis and expect leadership from government. What level of leadership has the minister's office demonstrated today that has in any way solved the crisis our farm families are facing today?" This quote was made by the current Minister of Agriculture (Ms. Wowchuk) on May 26, 1999.

I guess what is most disturbing is how disgraceful and how ineffective this minister has been in her role as the minister. Her record speaks volumes to her inability to work with the farm community, to negotiate with her Cabinet on behalf of the agriculture community. So I speak today in a grievance, specifically on her inability to understand that the current cattle checkoff program will not address the issues that our farm families are facing.

Mr. Speaker, an unprecedented number of cattle producers in Manitoba remain in opposition to this government's plan to collect \$1.2 million from ranchers through an ill-conceived head tax on Manitoba cattle sales. The government has stated repeatedly that it is committed to increasing slaughter capacity in Manitoba, yet for three years it has done nothing to help ranchers. In fact, it has hindered the recovery from the BSE crisis through greater regulation burdens, poorly devised loan programs, and now a tax on cattle sales that will deprive farmers of income.

Mr. Speaker, there recently were three Manitoba Cattle Producer-hosted meetings throughout the province, and a survey was presented to the producers that were in attendance. The survey indicated that 92 percent of its members opposed the NDP's plan to impose a non-refundable checkoff on cattle sales. However, the Minister of Agriculture continues to refuse to listen to their position.

In fact, Mr. Speaker, at the meeting in Brandon that I attended, the minister's closing remarks were: Do you not want a slaughter capacity in the province? It was an offensive comment, or a question made to the group because, obviously, a number of people have put money towards Ranchers Choice and are very committed to slaughter capacity. So, again, the minister just seemed out of touch and just did not get the fact that they were over 1,100 people there wanting to make sure the minister understood the seriousness of her actions.

Mr. Speaker, a constituent of mine, Pat Davis [*phonetic*], wrote to me recently. I am going to share with the House her comments. I also have her comments to table if the members opposite wish to receive them. It is from Pat Davis [*phonetic*], and she indicates: We, in Manitoba, are being held hostage by the Minister of Agriculture, as seen by the number attending the rally at the Keystone Centre in Brandon. This cattle commission of hers is not a good thing for the province. If Manitoba were

the best place for slaughterhouses, they would be here already. Producers were given an option to invest or not, and those who choose not are now being forced. For producers living close to the borders of neighbouring provinces, where will they market their cattle? Certainly not in Manitoba, and take off \$2 per head for her birdbrained idea. Does that put slaughterhouses in Manitoba on an even playing field, not to mention our cattle buyers? Do these people on the commission have any experience in the slaughterhouse industry? I think not, but they will collect their big salaries regardless. This is supposed to be a free country, but this is not freedom of choice. This has to be stopped. We do not raise cattle on our farms, but I cannot help but wonder what will be next on the agenda. The powers granted to this commission are too wide ranging. Please give this matter your utmost attention before our farming community is faced with another disaster.

Mr. Speaker, I share in Pat Davis's *[phonetic]* comments. After three years of inaction, the best that this government has devised is another tax on cattle sales. This is no solution to the slaughter capacity in Manitoba. Unfortunately, many producers will feel fully justified in selling their cattle in neighbouring provinces where there are no such levies.

Despite their name, the New Democratic Party has shown only contempt for Canada's democratic process. They have consistently refused to allow cattle producers to vote on whether the cattle checkoff should be refundable. Our farm families should have the right to receive a refund on their investment should they be dissatisfied with the management of the funds. This government is afraid to grant them that right because it knows how inept its management abilities truly are.

Based on the Crocus Fund fiasco, Mr. Speaker, and that was also mentioned at the farm meeting in Brandon, based on that and the government's inability or non-compliance to an inquiry, it just shows how far this government will go to not do the right thing.

This NDP government has failed to lay out its plan for how it will administer the money. It takes from the struggling producers. The minister's department refuses to indicate what interest rates it will charge to those foolish enough to take money from them. The best we have heard from this government is prime plus a bit, Mr. Speaker. Do they even have a plan for addressing interest rates? Will

producers even have an opportunity to buy back the equity in their plant? We need answers from this government and some assurances that there is a concrete plan in place.

Mr. Speaker, ramifications on default, equity, the percentages of what will be the breakdown. These were questions that have been asked of this minister's department, and there seem to be very few answers, or no answers, being shared by this minister. Our families should have a right to receive a refund on their investment should they be dissatisfied with the management and the funds. This government is afraid to grant them that right because it knows that there is an inept ability to manage.

*(14:40)

I would like to speak a little bit about some of the community leaders who have spoken on behalf of this faulty program, Mr. Speaker. Many municipalities are objecting to the \$2-a-head cattle checkoff levy. The key reason that they object to this is because they do not feel that they have been offered a democratic right in the process.

The limited information available regarding the levy confirms it was instated by an Order-in-Council, Mr. Speaker. This process was not allowed to be debated on the floor of the Legislature, and Manitobans' democratic system is based on representation of the people and the debate that explores the effectiveness and overall function of the proposed policy. Discussion and debate often identifies issues and proposes amendments and creates an opportunity to improve the end result. The Order-in-Council process, the process and voice of the people through elected representation has been bypassed.

The questionable process used has producers and other stakeholders in the ag sector believing that the levy itself will negatively impact an already struggling industry, Mr. Speaker. So I encourage the minister to review what she has put forward, to understand that the agriculture sector is in a very bad situation and that the minister understands that the \$1.2-million tax grab has forced several producers to take desperate actions. Some are refusing to fill out their census forms this year to deny the federal government access to critical transfer payment issues.

So, Mr. Speaker, Manitoba farmers are very accepting individuals and have been accepting of this

government's inability to respond to their needs for three years, but that has ended. The arrogance of this NDP government towards rural Manitoba and farmers is particularly appalling, knowing that we have asked over 193 questions about this NDP's plan for the Manitoba beef industry, and in over three years we have received nothing from this government in response to that. Empty promises, zero response and this lack of effort is utterly shameful. Thank you.

Mr. Speaker: The honourable Member for Turtle Mountain, on a grievance?

Mr. Cliff Cullen (Turtle Mountain): Thank you for the opportunity to rise today to, again, speak to the \$2-a-head compulsory cattle levy that this particular NDP government is going to implement, supposed to be implementing tomorrow. It would appear that the government is not in a position to implement the levy, though. Obviously, they have not done their homework. *[interjection]* As the Member for Lakeside (Mr. Eichler) has pointed out, they cannot even get a bad idea working.

All they know is that they have to collect money because they always come up with expenses. Our government of the day is tax and spend. We know they can spend money, so now they have to find different areas where they can go and actually find money to spend. This is kind of a last-ditch effort to find some more money somewhere to try and bail out some inadequacies that they have had within their own management.

Now, Mr. Speaker, what they are doing, actually, is they are picking on an industry that is, quite frankly, down and out. This would just actually pass the three-year time period for the BSE crisis. It was just over three years ago that the border was shut down. The U.S. border was shut down to beef trade. As a result of that closure on the border, it certainly impacted rural Manitoba. We know, in fact, that that hurt has passed through all of Manitoba's economy. So, quite frankly, we have been in crisis mode in the beef industry here for the last three years. Unfortunately, this particular government has not given any really positive direction in moving forward, and in giving solutions to the agriculture communities out there.

Really, Mr. Speaker, it has been a very, very significant rural issue. It has impacted a lot of farmers, a lot of farm families in rural Manitoba. We

have seen a number of auction sales where producers have been forced out of business. The family farm, as we know it, a lot of them are now gone. They have had to sell their inventories. They have been forced to sell their property as well and forced into finding another job. Quite frankly, we see a significant number of Manitobans moving west, moving to Saskatchewan, moving to Alberta to seek employment.

Quite frankly, it is a sign of how our economy is here in rural Manitoba. We think the government of the day has not taken initiatives forward, to come forward with ideas, provide some serious common-sense solutions to some of the real issues we have in Manitoba.

Not only, Mr. Speaker, are the, I will call them, senior producers, some of the older producers, my age and older, being forced out of the business, not just the cattle business but the whole agriculture sector has been forced out. We are also finding our youth in rural Manitoba are being forced away from Manitoba because there are no jobs for them here in Manitoba and especially in rural Manitoba. So we find the whole generation is being forced to Alberta or B.C., Saskatchewan, to find jobs. So it is a real snowball effect.

Until the government recognizes the significance of these changes that are going on throughout Manitoba, this exodus will continue. What we need in the rural economy is something that producers and people in the rural economy can say, yes, I can see something positive happening in rural Manitoba. I can see the economy turning around. I can see some areas where I want to invest money to keep the economy going in rural Manitoba.

Quite frankly, we have not had an economic development strategy for rural Manitoba for a number of years. I think it is something that we really do need in Manitoba, Mr. Speaker. We know the government can talk about economic development, and that is, quite frankly, all they have done for the last seven years, is talk about economic development. But nothing has happened.

We have seen the cash receipts for the farm economy go down year after year for the last four years. We know that the farm income situation is as low as it has ever been in the last decade, and, quite frankly, I do not see anything that is going to turn that economy around. We are in a tight economic

situation with commodity prices being very low. All grain prices are low. Beef prices are still low. We are still under that pressure from the BSE situation.

The other side of the coin, which is really impacting our farm producers, is the rising input costs we have. Certainly, the fuel costs, the fertilizer and the chemical bills have been increasing over the last number of years. So it has been a very, very dramatic situation where you have low commodity prices, low incomes and rising expenses, Mr. Speaker. So, clearly, the rural economy is in a tight spot when you look at the revenue side of things.

Mr. Speaker, nothing has happened here in the last three years in terms of increase in slaughter capacity in Manitoba. There was a bit of a window there when slaughter capacity would have been a very good thing for Manitoba because we did not have the capacity in Canada to slaughter all of the animals. Unfortunately, three years later, we now are into a situation where we actually have excess slaughter capacity. So we have actually more slaughter capacity in Canada than we have cattle to put through the process. So, quite frankly, when you look at investing money in a slaughter facility now, as farmers are, they are saying maybe now is not the time to be investing in slaughter facilities. Clearly, we would love to have more slaughter capacity in Manitoba, but the unfortunate part is the economics might not be there at this point in time.

* (14:50)

The other thing we found is that Canadian companies have actually gone down into the United States now and purchased slaughter capacity and slaughter plants in the United States. So, when that day comes—and we hope that it may come fairly soon—if the border does open to the cattle over 30 months of age, then I think we will see a big migration of cattle down to the United States. We will be left without having any slaughter capacity in Manitoba, again, Mr. Speaker.

It was interesting to see the process that the minister brought forward here when she introduced the \$2-a-head compulsory levy. She brought this forward without any consultation. She brought the whole premise of this commission forward without any consultation with producers, and we know historically that is what this government does. They seem to be afraid of the word "consultation." They talk about consultation, but they never really go out and actually consult with people, and I am talking

about stakeholders, stakeholders that might be involved in the beef industry for instance. They should have taken the opportunity to consult with the Manitoba Cattle Producers Association.

I want to give some accolades to the Manitoba Cattle Producers Association. They have really, in my view, held a lot of producers together over the last few years. It has been a very significant impact they have had here with the BSE situation. I want to commend all the work the Manitoba Cattle Producers Association has done trying to keep the whole business on the rails, Mr. Speaker. So I want to commend them for doing that.

But, again, getting back to the consultation, we know this government always has a lack of consultation. So we want to see that brought forward. This time when they brought the regulations forward to producers there was a real upheaval throughout Manitoba. There were three meetings which, I think there were over 2,000 producers attended those meetings. I along with a number of my colleagues attended those meetings, in particular the one in Brandon where we had over 1,100 producers attend.

As a result of those meetings, the Manitoba Cattle Producers and the auction mart people did a survey of cattle producers, and 92 percent of those producers said that they disagreed with the \$2 compulsory levy. So we think in a democratic system we should have the opportunity for the government to listen to those people, the 92 percent who voted against this particular levy, Mr. Speaker.

Clearly, it is time the government stopped what they are doing in terms of bringing forward these regulations and this commission and this checkoff. Stop, smell the coffee, let us come up with some real means to produce some economic activity in Manitoba, and let us look at the long-term solution.

Let us abandon this \$2 levy. Let us move on. Let us get something done in rural Manitoba. Thank you, Mr. Speaker.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please call the following bills: 30, 24, 25, 32, 27, 29, 28 and 38. If there is time after, we will call the more recent second readings that are listed.

This is on an understanding that we will be in Supply tomorrow. I believe that should be all we have to do to ensure that. So if you could confirm that.

Mr. Speaker: We will deal with bills in this order: 30, 24, 25, 32, 27, 29, 28 and 38.

Tomorrow we will be in Supply.

Point of Order

Mr. Speaker: The honourable Member for Inkster (Mr. Lamoureux), on a point of order?

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, on a point of order. My understanding is that we would actually have to be in Supply in order to continue to be in Supply tomorrow. Would that not be the case?

Mr. Speaker: That is not the case. The government can call for Supply. The Government House Leader is in agreement? Right? Yes. As long it is done before adjournment hour, five o'clock, and he has already indicated that Supply will be called for tomorrow.

House Business

Mr. Speaker: The honourable Official Opposition House Leader (Mr. Goertzen), on House business?

Mr. Kelvin Goertzen (Official Opposition House Leader): Yes, Mr. Speaker. In accordance with Rule 31(9), I would like to announce that the private member's resolution now be considered next Thursday morning with the resolution on Reverend Harry Lehotsky, sponsored by the honourable Member for Fort Whyte (Mr. McFadyen).

Mr. Speaker: The resolution dealing in private members' hour for next Thursday will be the resolution on the Reverend Harry Lehotsky, brought by the honourable Member for Fort Whyte or the Leader of the Official Opposition (Mr. McFadyen). That is for dealing with House business.

DEBATE ON SECOND READINGS

Bill 30—The Fires Prevention and

Emergency Response Act

Mr. Speaker: Bill 30, The Fires Prevention and Emergency Response Act, standing in the name of the honourable Member for Inkster (Mr. Lamoureux), who has four minutes remaining.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I was wanting more so just to conclude, I guess, my remarks. I did have the opportunity yesterday to speak to the bill, even though at the time I was not overly enthusiastic about having to speak to the bill. But I believe that it is important that as a representative you want to be able to address the legislation that is before you. There has always been a sincere attempt on my part to be able to do that. I do and have seen, in particular, our fire department at work. To be able to cite a couple of examples whether it is for my—annually, I have a Canada Day celebration, have the opportunity to go and meet with our fire department to make sure that they are okay with what it is that we are doing and always willing to receive and respond to feedback that they might provide.

Yesterday I made reference to the fact that they do a lot more than most people are aware, our fire department. We all have constituency offices, and in the commercial area they will often go out into those different buildings, some newer, some old dilapidated buildings. It really varies, but you will see that people responsible for fire in the province are in those buildings doing the checks that are necessary. Both men and women of the force participate in making sure that those buildings are safe. On occasion, I can say that we have had to abide by a couple of the things that they have suggested us to do.

In addition to that, Mr. Speaker, you will see that they do go out into the communities in a very real, tangible way. In some cases it is on a volunteer basis, maybe a meeting at a local school, providing tips as to what residents could be doing to make sure that their house is appropriately protected, to many other things in terms of going to situations where they are providing advice because they are mandated to do that, even in the residential areas where there is potential for fire hazards.

Mr. Speaker, any and all of these things always have the potential to become of an urgent nature. That is why it is that I think that it is important that we support that grass-roots fire person, in doing what it is that we can to ensure that there are proper protocols and so forth that are put into place.

That is why The Fires Prevention and Emergency Response Act, I think, deals in part with that. In other part, as I referred to yesterday, is the

whole issue of gross negligence, and why it is that it is so very important that we as legislators be consistent with the message that we are sending out and how certain things are not acceptable. Certain behaviours are not acceptable. When we excuse, whether it is a civil servant or a minister from the possibility of being liable, financially liable, we also have to make sure that there are some checks in place. That would include, for example, gross negligence and the importance to allow gross negligence to be recognized as not an acceptable behaviour.

Thank you, Mr. Speaker.

*(15:00)

Hon. Jon Gerrard (River Heights): Mr. Speaker, a few comments on Bill 30, The Fires Prevention and Emergency Response Act. First of all, I want to start out by saying some words complimenting the Fire Commissioner and the work that the Fire Commissioner has done. I think that Manitobans need to be thankful that in general we have had pretty good service over the last number of years from the Fire Commissioner and his office and what this bill does is, in a sense, recognize the good work of the Fire Commissioner and clarify the functions of the Fire Commissioner and give the Fire Commissioner a clearer and, in some ways, larger mandate to make sure that emergencies are responded to appropriately.

Mr. Conrad Santos, Deputy Speaker, in the Chair

I also want to pay some compliments to the many municipalities who have put in place over the last two or three years emergency response plans. The need for such emergency response plans was made abundantly clear when there was a significant emergency in The Pas. There was a very heavy rain and there were a lot of basements which were flooded, and there was not an emergency response plan in place. People, first of all, were not sure where to call, and, second of all, the organization of the response to calls was not as clear or as prompt for many people as it could have been, although the people in the town tried to do their best, because there was not an emergency response plan in place. There was a picture—too many in the community that I heard from—of a considerable level of disorganization.

The net result is that it pointed out the importance of putting in place clear emergency response plans for all communities, all municipalities

in the province of Manitoba. I want to compliment the councillors, the mayors, the reeves, who have worked hard to make sure that those plans indeed have been put in place in general, and we hope that they will work. Clearly, there is going to be a learning process in some, but we hope that they will work very well whenever there are emergencies.

I think the concerns of opposition members like myself at the time of The Pas situation, the fact that I went up there and visited and talked to people, helped to bring some of these issues to the attention. The fact that I was out at the association of municipalities speaking to all the municipal leaders about the importance of making sure that this was in place because of the experience in The Pas. All these things, together with what others have done, have helped to make sure that we are in a better state of preparedness for emergencies.

So, in general, as Liberals, we would support the nature of this bill. It will do certain things in terms of the Fire Commissioner and the Fire Commissioner's role, but I also want to point out that we have some areas of concern in this bill, some areas where we feel that there need to be amendments made which will help ensure that this bill functions for all Manitobans, that it provides the right kinds of checks and balances that are needed in the case of emergencies and disasters.

The bill itself talks about the requirement for municipalities and local authorities to have local assistance to investigate the cause, origins, circumstances, of fires within their boundaries and report to the Fire Commissioner. It talks about insurance companies and adjusters being required to make reports about fires to the fire commissioners. It talks about the authorization of the Fire Commissioner to respond to emergencies and disasters and to be there to co-ordinate the response. The Fire Commissioner and local assistants are to conduct fire investigations and fire safety inspections and issue orders requiring preventive or corrective actions to be taken. The Fire Commissioner may hold an inquiry into the cause, origin, and circumstances of fire. The bill adopts the Manitoba Fire Code by regulation, and each local authority is required to enforce the Manitoba Fire Code within its boundaries and establish a regular system of inspecting buildings designated by regulation. There is a special assessment paid by insurers on property insurance which is carried forward, and the money that is received can be used

to assist in the funding of the office of the Fire Commissioner.

So, in general, we think that it is a good idea to give the Fire Commissioner the powers and responsibilities outlined in this act, and we are supportive of this act, in general. I feel it would be reasonable for it to go forward and to get comment from people, from citizens, at the next step.

The issue that we have in relationship to this bill has to do with the nature of the checks and balances it is important to have between the rights of government and the rights of citizens. I have been talking quite a bit about the rights of citizens recently, and the importance that governments do not trample on the rights of citizens, and that the powers of government are not used unilaterally to put complications and problems into the lives of citizens. The government, of course, has huge amounts of resources at its disposal. It is very difficult for citizens to take, successfully, governments to court over actions, and, therefore, it becomes particularly important to be able to put in legislation the right sort of checks and balances which will protect the interests of citizens in light of the powers of government. This is the area that I want to speak to and which I think needs some quite particular attention.

Let us, for example, take one of the areas under this bill, the costs of actions of the measures taken by the Fire Commissioner and one presumes, then, people acting under the authority of the Fire Commissioner, too, in the event of emergencies, disasters which are considered to be an amount which is owed to the Fire Commissioner by the person who caused the emergency or disaster. Now let us look at some examples because, clearly, we have examples of both individuals causing emergencies or disasters or natural events causing emergencies or disasters, or actions, interestingly enough, by corporations or by governments or government bodies which contribute to causing an emergency or disaster. Heavy rain and much more wet weather we would generally consider as a natural disaster, but the actions of individuals or governments in response to that disaster can create costs and problems for other people, can result in costs and problems.

*(15:10)

Now, let me give you an example. In the Red River flood of '97, the action was taken, and rightly

so, under the circumstances, to protect the City of Winnipeg, to open the floodway, to divert water through the floodway, but it had the unfortunate secondary consequence of causing a disaster to a number of people who live just upstream from the floodway. It raised the level of water and caused what people have referred to as artificial flooding. You, therefore, have government or individuals working on behalf of, or for the government and for the public, who caused a disaster to these individuals. They protected other individuals from the same disaster, but that is the nature of the decisions that have to be made sometimes. Clearly, when that happens, when you protect some people but cause other people to have much more problems with the disaster than they would have had, then that needs to be taken into consideration. There needs to be, and we have talked about it in this Chamber, appropriate measures to compensate those individuals or businesses who have suffered consequences of actions taken.

This talks about individuals, but it should be by governments as well in that circumstances in the overall effort to protect the Red River Valley, there were extra costs to the Fire Commissioner, or let us put it this way, in the whole emergency response effort, as a result of people who are upstream getting much more water, higher water, than they had expected. There were emergency evacuations, people moved out, and considerable complications. So here is an example where we need to have the appropriate checks and balances. We have to admit that under emergency situations there may be times where, in order to help some people in dealing with the emergency, you may cause problems for others. So there are benefits and costs to the actions taken under the direction of the Fire Commissioner, or may be taken under the direction of the Fire Commissioner. The way that we would see it is this, that there need to be some checks and balances in ensuring that those costs are assigned appropriately.

A concern that I would have under this legislation is that there are not adequate checks and balances to the power of the Fire Commissioner to assign costs. There is not adequate clarity in terms of knowing fault with problems, emergencies. What is natural? What is man-made? There are a whole series of issues, I suggest, which need to be considered here. So let us look at the possibility of having an amendment here which would provide a check and balance on the power of government to

make sure that the rights of citizens are adequately and well protected.

Let me move on to another example. In this legislation, the legislation deals with sending notices to individuals. Now these are notices which are specific orders or notices coming from the Fire Commissioner. They are orders or notices which can have very, very important information, and the assumption is made in this legislation that once an e-mail is sent, that it is deemed to be received.

Mr. Speaker in the Chair

Now, that would be all very well if one knew that everybody put their computer on every day. Sure, there are a lot of people who put their computers on every day, but there are a lot of people who do not, not because they are bad or delinquent or trying to cause problems, who do not necessarily put their computer on every day. Well, there is a little bit of protection, as it were, for people who might not put their computer on over the weekend, but there is not, I would suggest, Mr. Speaker, adequate recognition, and I have talked to a number of people who have computers and who have e-mails but who do not use them all that regularly. They would have been deemed to have received a message, and they would have never seen the message because they did not have their computer on for several days.

I think that this is an area which needs to be looked at. I recognize that this whole area of e-mail and e-mail notices is an area which we will be getting more and more into in a variety of circumstances, and we need to have an appropriate way of dealing with this because most of the time it works.

But I want to give you a couple of other examples. What is happening at the moment is that individuals who have e-mail and use their e-mail are more and more getting loaded with junk, not only junk e-mail but all sorts of e-mail. So the problem here is that some people now are getting hundreds of e-mails every day. Well, you know, are you going to deem that a message has been received when it is one out of several hundred e-mails? Even the best of people going through several hundred e-mails cannot always determine which ones are the critical ones that they need to look at.

Mr. Speaker, one of the issues here is this, that some people, in response to this, now use software which one might call sort of screening software,

which would eliminate the spam e-mails or the e-mails that you do not want from getting through. This software can work in various ways in protecting people from unwanted e-mails, but it sometimes has the disadvantage of also filtering out e-mails which you really want to come through and which might have been deemed to have come through. Some of this screening, in fact, requires that you put down who you actually want to receive e-mail from, and the people who you do not may end up either not getting through or it may end up in your junk e-mail box. I have had occasions when e-mails that I wanted to receive had ended up being classed as junk and put in the junk e-mail box.

So this is a problem if you deemed to have received an e-mail, and you do not want to have to look through all the junk e-mail to find the e-mail from the Fire Commissioner. You do not want to have to have a beautiful filtering system which prevents unwanted e-mails getting through, but unbeknownst to you, without this intention at all, it prevents the e-mail from the Fire Commissioner from getting through, but you are still deemed to have received that, to have got it, to have paid attention to it.

I would suggest to you there needs to be a little bit in the way here of checks and balances, that there needs to be some assurance that the individual has indeed received the e-mail. There may be some ways of doing this. Some messages now can require a reply or some evidence that it has been looked at to go back to the sender. That is certainly an option that could be put in here. Where that reply is received, it can be deemed to have been received by the person, and where that reply has not been received, then the government is going to have to find some other way of making sure that the message actually gets to the individual, would be a good way. I suggest that the message would get to individuals through e-mail probably 98 percent of the time, but the government would have the onus two percent of the time of making that extra effort to make sure that people actually got the e-mail and not making the assumption that the e-mail has got through.

This is perhaps a minor point, but it could be a very significant point for some people. I think that as we move more and more in terms of looking at how we operate in the electronic age, we need to be cognizant of how the system works and how people actually get and receive e-mail and what can be done to make sure that the system works and works well.

The other area where I think that there needs to be some significant improvement in the nature of the checks and balances is, in fact, in the areas of this bill which are put in place to provide immunity or protection from liability to the Fire Commissioner or a designate of the Fire Commissioner or a person acting under the authority of the act. Now, that could apply to the minister. It could apply to a wide variety of people. I mean, the claim to be acting under the authority of the act could be made by many, many people.

* (15:20)

To start with, maybe it would have been smart to have at least some sort of a definition to know how broad or how narrow this is going to be constituted. We are dealing with emergencies. Anybody responding to an emergency could say, well, I was acting under the authority of this act. I was responding to an emergency. So, therefore, I am immune from being sued.

Let us use some common sense here in how we address this.

The second thing is that the immunity is provided to the Fire Commissioner, the designate, anybody who is acting under the authority of the act, and we still do not know how broad that is. But the immunity is provided for anything done or not done or any neglect. It is a very, very broad provision. It is interesting that the only exception to this is if a person was acting in bad faith, and the concern here is—although "bad faith" is a term which is used in the legal framework, because we are dealing with a bill which may give this power to so many people, it would have been quite helpful to have a definition in the act of bad faith. Where does it apply, you know?

Let me give you an example why this is an issue. Under Bill 34, which is the whistle-blower legislation, there is the ability for a whistle-blower or somebody who sees something wrong being done to come forward and report, with protection, where they report somebody who is knowingly directing or counselling a person to commit a wrongdoing who is a public servant or within the public service or related to the public service. So the issue here is that, if somebody is counselling somebody else or directing them to do a wrongdoing, one would presume that that person would be doing that in bad faith, right? They would be doing this inappropriately, obviously inappropriately, but we need clarity here because if you have got protection under the

whistle-blower act for somebody to bring these issues forward, but you then have under this act immunity for everybody who might be affected, it creates a—somebody is going to say, why should I bring this forward? All these people are not going to.

Say, like the Minister of Conservation (Mr. Struthers) is doing these terrible things but he is all immune. So, you know, I mean, I can bring it forward but nothing would happen. So, there is a problem here.

An Honourable Member: Not that I would.

Mr. Gerrard: The Minister of Conservation says he would never do something like that, but the thing is that the role of properly designed legislation is so that the Minister of Conservation or people in the public service know that there are checks to their powers, that the Minister of Conservation should know that, if he does something which is grossly wrong, he can be held to account. One hopes that he never would, you know.

If the Member for Selkirk (Mr. Dewar) did, but we hope and we would expect that there would never be any problems, but the fact is there needs to be some mechanism so that people know that if push comes to shove, and they do something which is just grossly wrong, and they know it is grossly wrong, that they can be held to account. Sometimes just having that there is all you need so that people will not get the idea that they can do anything with immunity, without liability.

I have talked here about the issue and the need for a better definition of bad faith, but there are issues around gross incompetence. People should not be protected from liability for doing things which are grossly incompetent and which cause problems.

We have here, in this very act, a clause which says that somebody who does something grossly incompetent and causes an emergency, can be held liable and ascribed costs by the Fire Commissioner, right? But the same act, if this was somebody who was within the government and saying they are acting to respond to an emergency, they are actually given immunity from the same liability. We need some clarification because the act itself seems to say different things.

There is a need to make sure that somebody who is grossly negligent—we are not talking about somebody who has good intentions and has a lapse of memory or something like that—but somebody

who is grossly negligent where it is very clear that the inappropriate action was not taken when it could have been taken.

I would give you an example. I was up in Red Deer Lake earlier this year. This was a community, which, when I was there, people were working very hard to put sandbags up. But it was quite clear from talking with a number of people there that the only way you were likely going to be able to protect that community was to put a dike around the whole community. There were people with experience in that community, in Barrows, who said: Well, look, we can do this. We could put a dike around the whole community. We have got to act really fast. We have got to have good direction. The emergency response people decided, no, we will just provide some more sandbags and personnel. We will not put the dike around the whole community.

In this instance, it may be that you can say it was negligent not to do that, but I would say that their intentions were, hopefully, that the flood was not going to get worse. They were not grossly negligent. They just did not do what might have been optimal. But if they were grossly negligent, then there needs to be some mechanism to hold people to account.

We are not interested in going after people who have good intentions and just make a little slip-up. What we are interested in doing is sending a message that if you are grossly negligent. Gross incompetence or gross mismanagement, under Bill 34, whistle-blowers are protected if they bring forward instances of gross mismanagement including of public funds or public assets.

An Honourable Member: It is encouraging.

Mr. Gerrard: Yes. So the problem here is that all of a sudden you are giving immunity from liability for the people who were affected or who might have been doing the gross mismanagement. So the whistle-blower is going to say: Well, why should I bring it forward because there is nothing that is going to happen, because we can show that they grossly mismanaged public funds, that they are going to be immune, because that is the nature of how this bill is working? I predict that there are going to be instances under some of these bills where this exact thing will happen, that people will be grossly negligent, and we will find that they are protected and that we will have to go back and revise all these statutes and put in clauses like the gross negligence, gross incompetence. So that, you know, the lack of

attention to detail by this government—it is interesting that the Conservatives have not spoken out of their concern of this clause. Maybe they are not speaking out because they feel that they might be in government, a mistaken assumption, but they feel that they might be in government and they might want this protection. They do not want to be liable if they make big mistakes. But I would challenge the Conservatives to speak on these terms—

An Honourable Member: Put it on the blog.

Mr. Gerrard: Well, I will give the Member for Steinbach (Mr. Goertzen) and the other Conservatives a little bit of time before I put it on my blog, just to give them more chance—

* (15:30)

Mr. Speaker: Order. The honourable member's time has expired.

Any other speakers?

Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House is second reading of Bill 30, The Fires Prevention and Emergency Response Act.

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

Bill 24—The Consumer Protection Amendment Act (Government Cheque Cashing Fees)

Mr. Speaker: Bill 24, The Consumer Protection Amendment Act (Government Cheque Cashing Fees), standing in the name of the honourable Member for Inkster (Mr. Lamoureux).

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

An Honourable Member: No.

Mr. Speaker: No. It has been denied.

The honourable Member for Inkster, to speak?

Point of Order

Mr. Speaker: The honourable Member for River Heights, on a point of order?

Hon. Jon Gerrard (River Heights): I rise on a point of order. First of all, let us talk about this circumstance. There has been the ability for a long

time in this Chamber for members of the opposition parties to be able to stand debates or stand bills, to have them stand adjourned. We have an agreement that the government would not bring in closure under this, under other forms, and that was in the agreement of I think it was June 9, 2005.

Mr. Speaker: Order. On the point of order raised, the Speaker has no authority over negotiations of the members. All I can do is call the bills and the procedure according to our rules.

Our rules are that, when a bill is called, the member's name it is standing in, either they have the opportunity to speak or if they do not take that opportunity, they lose their right to speak. That is the only authority I have as the Speaker.

Other business of the House is usually negotiated amongst the House leaders, and I am not a party to that. My job is to enforce the rules of the House. What agreements you guys have agreed to, that is entirely your business, but my job here as the Speaker is to run the Chamber according to our rules. Agreements are struck by House leaders, and what they agree to, that is their business, but my job can only be the functioning of the House according to our rules.

So the honourable member, there is no point of order. This is government business, and I am instructed by the government to call the bills in the order, and that is what I am doing.

So the honourable member is rising to speak to the bill?

Mr. Gerrard: I am rising on another point of order.

Point of Order

Mr. Speaker: Okay, the honourable Member for River Heights, on a new point of order.

Mr. Gerrard: It is in practice, the Conservatives have stood bills for many years. We have stood bills for many years. Our intent was—

Mr. Speaker: Order. I have just dealt with that issue.

I can only give you the parameters that I can function in as a Speaker. If you want to negotiate House business, please do it with the House leaders, but I have no authority over negotiations of the House. I can only follow what the House instructs me to do. I have already dealt with that issue.

Point of Order

Mr. Gerrard: Mr. Speaker, on another point of order.

Mr. Speaker: On a new point of order.

Mr. Gerrard: I want to make it very clear to the Government House Leader—

Mr. Speaker: Order. When rising on a point of order, it is to do with the rules of the House or the practices of the House and not to—hopefully, not to negotiate with the House leader. The first statement I heard was: I want to make it very clear to the House leader.

I hope you are rising on a point of order to point out to me a breach of a rule of our Chamber.

Mr. Gerrard: It is a breach of a practice in this Chamber, and the rule, which is the rule which was agreed to, the resolution which was agreed to jointly, which we are prepared to keep, and we heard that the Premier (Mr. Doer) was prepared to keep when he answered in Question Period.

Mr. Speaker: Order. I am trying to fulfil my role as the Speaker. What has been negotiated amongst the House leaders, that is your business, but my job here in the House is to ensure that we follow our rules.

Our rules state that it is government business, they call the bills. My job as the Speaker is to call the bill and to follow the process. The process is in our rules, when I call a bill, if it is standing in the name of any honourable member, then that honourable member should rise to speak. If the honourable member or the House agrees to leave it standing, that is the decision of the House that is instructing me to leave it standing in the name of that honourable member. If there is a no, then that member has the opportunity to speak now or forfeit their opportunity.

I can only follow the rules. If you have a complaint or disagreements with whatever has been negotiated, please deal with the House leaders. That is where it belongs.

So I am calling Bill 24, The Consumer Protection Amendment Act (Government Cheque Cashing Fees), standing in the name of the honourable Member for Inkster (Mr. Lamoureux).

Point of Order

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

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, our rules clearly indicate that all members of this Chamber are honourable members. I think that, with respect to what took place in Question Period today, when the Premier (Mr. Doer) gave very clear indication that he endorses this agreement—

Mr. Speaker: Order. I just explained I have made a ruling because I have no authority over what the House leaders agree to. I can only fulfil what the rules tell me I can do. What you are asking me to decide on is something that I have absolutely no authority over. It is the House leaders that have to negotiate and come up with whatever agreement that you guys want to have. But that is absolutely not for me to decide for you, because my job is to enforce the rules as they are, according to our guides.

If you have a complaint with a House leader or if you disagree with what you have negotiated, deal with the House leaders. I cannot deal with those complaints. That is not in my authority. That is all I am trying to tell you.

Mr. Lamoureux: Yes, Mr. Speaker, then just to seek clarification on either that point of order, or if I have to stand on a new point of order. But my understanding was, and please do correct me if I am wrong, that if the Premier indicates that he does not support closure, is there any responsibility on your part, by forcing—is there any latitude whatsoever on the Speaker's Chair to protect the integrity of the word of the Premier?

Mr. Speaker: There are two things. First of all, you are asking me a hypothetical question and you are asking me my opinion. I cannot have an opinion on that because what someone tells you what happens, that is up to the two parties. It is not up to me.

Mr. Lamoureux: Well, then I will speak to Bill 24—

Mr. Speaker: Order. Let us be careful with our language. I know we might have disagreements once in a while in the House, but we are still in the Manitoba Legislative Chamber and the dignity of the Chamber should be maintained at all times. I think we should pick our words carefully and have a debate that is appropriate to make sure we preserve the dignity of this Chamber.

* * *

Mr. Speaker: I am going to call second reading on Bill 24, The Consumer Protection Amendment Act

(Government Cheque Cashing Fees), standing in the name of the honourable Member for Inkster.

* (15:40)

Mr. Lamoureux: Yes, Mr. Speaker, I am very much disappointed in this government and its bullying attitude. I do believe that the Government House Leader (Mr. Mackintosh) has demonstrated very clearly that he has absolutely no respect for agreements, that the government is fully aware that what it is doing is forcing me to speak on this bill.

I have no choice but to speak on this bill at this time, and let me tell you something. Bill 24 was first introduced to this Chamber on May 24. Then on May 29 another member spoke to this, and the Government House Leader laughs. He makes a mockery of the democratic process by his behaviour inside this Chamber, and that is the reality of it.

You know something, because you happen to have a larger number than what we might have within this entity, the Liberal Party entity inside this Chamber, does not necessarily make you right. A minority of one can, in fact, be correct, and I would suggest that some issues are important enough that you should put your party second. This is a very important bill. It affects many Manitobans, and those Manitobans have the right to hear their representatives speak to the legislation. The Premier (Mr. Doer) today, in his place, when I asked the question about allowing for this agreement to prevail, said yes. I will pull the Hansard and find out exactly what it is that he has said and then share it with this Chamber and other people as to exactly what the Premier said.

Mr. Speaker, this bill is a very important bill that all Manitobans should have, if not have, a concern about, with the exception of this government in their attitude to shove it down the throats of all Manitobans whether it is good or bad. We need to recognize that it was only May 24 when this bill was introduced for second reading, and then they expect that this bill will, in fact, pass second reading and then go to committee and then pass and then become law. That is outside of an agreement that was signed and passed by each and every one of us. That agreement very clearly indicated the process in which bills should be passed including, in essence, putting it in the form of a closure. Including this bill, this bill was a part of it. All the legislation that we are debating today, that we have been debating over

the last little while, is obligated to the degree in which it is a part of that agreement.

My constituents and the constituents of Manitoba deserve better, when you deal with a bill such as Bill 24 which deals with a critical issue of cheque-cashing fees, if you take a look at the agencies throughout the province, it is not just one little sector, Mr. Speaker. These cheque-clearing agencies are throughout the province. There is a responsibility for us to make sure that there is due process and diligence.

When I was first elected in 1988, I can recall Jay Cowan, whom I had a tremendous amount of respect for. Jay Cowan, I do not know if he sat here or maybe he sat in your chair over here, Mr. Speaker, he would actually stand and speak on final offer selection, and he spoke, I do not know, what is it, eight to 12 hours because he felt so passionately about that legislation, very passionately about the legislation. He talked about the process, the process which the government was going through in order to achieve the passage of that bill.

I want to talk about that process. I want to do what Jay Cowan did, and I want to talk about the process that this government is using, which is abusive of members' rights inside of this Chamber. The member from Brandon, whom I have—
[interjection]

Well, I am told that I am supposed to respect all. So I will respect all. But I would suggest to the member from Brandon, Mr. Speaker, that he pay very special attention because there might be a day in which he might have to rely on the rules to protect his rights. If this is an example of how you protect minority rights, I think it is disgraceful. [interjection]

We know that you know that what it is that I think, and unfortunately, Mr. Speaker, we are going to have to agree to disagree. I will stand up for minority rights, and you will not stand up for minority rights, and that is the difference. Whether it is the rights inside this Chamber on legislation, on Bill 24, or the rights that go beyond this Chamber and deal with—

Mr. Speaker: Order. I just want to correct something here. Unless my hearing was bad, but I thought I heard the honourable member say, if this is how you protect minorities' rights, we have a real problem. If you are reflecting on me as the Speaker, I would be very, very careful.

Mr. Lamoureux: Absolutely, Mr. Speaker, I have absolutely no problem in terms of being very careful with that. It is absolutely no reflection whatsoever on you. I think, in essence, what has happened is that dealing with Bill 24 and other bills, the government is hiding behind your Chair. They are relying on you to do the dirty work and you are doing what it is that you are supposed to do. You are protecting the minority rights inside this Chamber, because the government refuses to—

Mr. Speaker: Order. I will not, as long as I am in this Chair—I want to make it very clear to all the member—as long as I am in this Chair, I will not be doing any kind of work for the opposition or for the government. I will enforce the rules as they are written, and I will apply them the same to either side. So I am not doing any kind of work for anyone, whether it is clean or dirty work. I am not doing any favours for anyone. I never have and I never will.

Mr. Lamoureux: Mr. Speaker, I acknowledge that, and I agree with what it is that you are saying. I do not question that at all. I believe, and I have had the opportunity to be present when there were other Speakers. In no way, whatsoever, is it a reflection on you or your Chair.

What I am suggesting to you, Mr. Speaker, is that the government is manipulating your—by you having to fulfil your responsibilities as the Speaker of this House, the government knows full well that all it has to do is say no and not allow me to speak on Bill 24. That is all it has to do.

You, as the Speaker, as you have correctly done, you have said now that I have to speak on this bill. I do not have any choice, not because of you, Mr. Speaker, but because the government chose to deny me the opportunity to be able to stand on the bill. So that is why I say that what the government is doing is that it is using your practical and accurate rulings in order to achieve what it is that it wants to achieve.

Mr. Speaker, that is the issue. I remember when the NDP were in opposition, they made accusations of the government using and manipulating the Chair. I was there when the opposition made those accusations. Quite frankly, I could not, and nor would I, make any sort of accusations of that nature of you. I want to be very clear on that issue because I do believe that you have been fair and responsible in your dealings in regard to these issues.

But, Mr. Speaker, I do want to take exception to this government. After all, as I say, it was just a couple of hours ago inside this very Chamber I was concerned enough about being forced to speak on bills like Bill 24 prematurely that I raised the issue with the Premier (Mr. Doer), and the Premier said, yes, he would abide by the agreement. That agreement does not allow for closure on bills that they did not meet the requirement on.

Because of their sloppy attitude in dealing with the legislative business of Manitobans, this bill does not deal with it. As a result, Mr. Speaker, now they are trying to invoke, and it is closure. When you force someone to speak, you are forcing closure.

You know, that is the ultimate. Members across the way laugh, but I can tell you they should read Hansard when they were in opposition, and you will find some of the same very comments being made by New Democrats.

I will suggest to you if you went and you talked to democratic advocates like Bill Blaikie, and so forth, that they would not tolerate this sort of behaviour in Ottawa.—

* (15:50)

Mr. Speaker: Order. I am sure that the honourable member is going to tie this into the bill. We need some relevancy here, and I am sure that the member is going to tie this into the bill.

Mr. Lamoureux: Mr. Speaker, as New Democrats would call it utter nonsense, I would call it important for democracy in the province that we respect agreements. Bill 24, which deals with cheque cashing, and some of the fees that are charged for cheque cashing, I believe, is a legitimate issue that needs to be debated and needs to be consulted with, that should be going to a committee. I do not question that.

What I question in most part, Mr. Speaker, is the attitude that this government has, the arrogance where it believes it can bring in a bill and three weeks later turn it into law. That is what this government believes. You know, that is the biggest objection that I have. If they were still in opposition—and with these types of attitudes, I can tell you that you will be back in opposition. The government will be back in opposition. With attitudes like this, it is only a question of time, because I am fortunately blessed in many ways, provided opportunities to be

able to express what is going on inside this Chamber. I even get that opportunity in Brandon, to the member from Brandon that likes to chirp from his seat on what he believes is the holy ground.

Let me tell you, Mr. Speaker, that those constituents, even the constituents of the Member for Brandon East (Mr. Caldwell), respect democracy. What it is that they are doing is not acceptable. My best guess is that, if you were to start to do some research—and they do not even have to start researching the last few years; they can just go ahead and talk to someone like Jay Cowan and see what Jay Cowan would be saying off the record in regard to some of the things that this government is attempting to do.

Bill 24 is a serious bill. No doubt, Mr. Speaker, it is a bill that many Manitobans want. In principle it is a bill that I like. It is a bill that should go to committee. I do not question that, but I can tell this government, this arrogant government, that there are other legislations. I have brought in myself three pieces of legislation that protect the children of our province, three pieces of legislation that protect the children of our province, and what does this government do? It sits on its hands and does not respond. It does not allow those bills to go to committee. It does not allow those bills to ultimately be passed.

Those bills are just as important if not more important than this bill, but with their arrogant attitude what do they care? Instead, well, we can bring in a bill, Bill 24, and on May 24, second reading, and it is going to pass by June 13. That is a disgrace and if they were in opposition they would not accept it. I know they would not accept it because I saw them in opposition. How quickly they forget, and hopefully I will have a role to play in reminding them very soon as to why it is important to protect minority rights. It is the NDP government that is not protecting minority rights by denying individuals like myself, and that talks about behaviour.

If they are not even prepared to protect rights inside this Chamber, what does it mean for rights outside this Chamber? If they are not prepared to protect the basic rights of democratic principles in legislation, what does it mean for other types of rights outside this Chamber? What about other minority groups that are out there, the minority groups that are taken advantage of through these cheque-cashing agencies? On a per capita basis there

might be two or three MLAs, you being one of them, Mr. Speaker, that represents an area where there are a large number of these cheque-cashing agencies, and look at the impact they are having in those communities.

They should be concerned about minority rights. I am disappointed that the government does not recognize the importance of standing up for minority rights. Instead they feel that their agenda is the only agenda. If it is not their legislation, and, if we do not like what is happening, tough, we are going to pass it. We have 34 MLAs who are prepared, Mr. Speaker, to follow the actions of this Government House Leader. I trust and hope that the Government House Leader is going to talk to the Premier of this province. I will wait until Monday, prior to Question Period, to see if, in fact, I will get a letter of an apology or a letter of explanation coming from the Premier or the Government House Leader as to why it is that they are behaving in this fashion.

You know a nice thing about paper, even if they want to put in budget constraints, Mr. Speaker, is that it is not that expensive. There are all sorts of activities throughout the province, and it is amazing what you can put on a half-sheet of paper with the Web site address. You do not have to go through the media in order to make a point. It sure helps. But I can tell you I am going to be in Fort Garry this summer. I am going to spend some time in Fort Garry, Seine River, St. Norbert, Radisson. I am going to focus some time in there. Not a lot because I am not going to forget about Inkster. Inkster is No. 1, I must say that. But I am going to spend some time in those constituencies. This Chamber has my word. I am going to be circulating some brochures, and the Member for Transcona (Mr. Reid) is more than happy to help me. I would love his help.

Mr. Speaker, I am going to go and spend some time, and I am going to circulate some pieces of paper to talk about the arrogance of this government and the way in which this government tries to manipulate this Chamber, the way they try to ram through legislation on their legislative agenda in a two-week time span. But, when it comes to the children of our province, when it comes to issues like final offer selection and other progressive ideas, they are nowhere to be seen. So I look forward to seeing some of those members out knocking on doors because they might get a few questions asked of them in terms of why it is that they believe they are so arrogant that they can force legislation through

this Chamber in this type of a fashion. Shame on this government.

An Honourable Member: Shame on you.

Mr. Lamoureux: Well, the Minister of Finance (Mr. Selinger) says, shame. Well, Mr. Speaker, I say shame on the Minister of Finance. He wants to talk about abusing the process. He should look in the mirror. Bring the Premier (Mr. Doer) and the Government House Leader (Mr. Mackintosh) and collectively look in the mirror. Just because you have a larger number—

Mr. Speaker: Order. All debate should be through the chair. It should not be back and forth here. Let us have some order in the House. The honourable Member for Inkster has the floor.

Mr. Lamoureux: Mr. Speaker, I sense that I am starting to hit a bit of a chord here. I suggest to you that, if the Minister of Finance, the Government House Leader and the Premier, collectively, got together, looked in the mirror, and maybe even got someone like Jay Cowan and a few others that would maybe have a few more democratic principles and put them on the other side of the mirror, they might hear a few things that they are not going to like to hear. Just because when you have Bill 24, which is an important piece of legislation, you say, well, look, it was only a couple of weeks ago. May 24, believe it or not, May 24, is when the Minister of Finance introduced Bill 24 to this Chamber for second reading. That is when he put the words on the record.

Now, Mr. Speaker, this government says, well, look it is May 24. Today is June 1. Enough time. We have got to make this law whether everyone is in agreement or not. We are making it law. Who cares about the agreement that each and every one, including the Minister of Finance (Mr. Selinger), including the Minister of Justice (Mr. Mackintosh) and the Premier (Mr. Doer) voted on? All of them voted on this resolution. Each and every one of them passed it, and they have chosen to disregard that in favour of ramming through legislation.

If they want to ram through legislation for the sake of saying, well, it is all for the betterment of Manitobans, well, if that is the case, then why are they not passing some of those private members' bills? There are three other pieces of legislation, Mr. Speaker, that I have introduced that they can easily pass those if it is for Manitobans. After all, my bills deal with children. What about other bills that are

being introduced, whether it is the Conservative Party or the Liberal Party? There are 15, I believe, private members' bills. Why not pass those bills? Why not pass them? If the government says, well, we have to have these bills passed, or if they are not passed, there is going to be devastation in the land. Well, I would suggest to you that there are other private members' bills that will have more of an impact, more of a positive impact, on the children of our province, on all Manitobans, if we pass some of those private members' bills.

* (16:00)

Mr. Speaker, they turn a blind eye to good ideas that do not come from their own benches. I acknowledge a good idea. I say that this is a good bill in principle, that putting limitations and protecting the money of individuals that go and use these chequing stores is a positive thing. It is the right thing to do. We support that. Why can the government not do the same thing on other pieces of legislation? If they believe that this bill is so critical to Manitobans that it has to be passed in the next number of days, why do they not take that same attitude for the children of our province?

Well, Mr. Speaker, I think that the response is because it, the other private members' bills, is not their idea and it is just not worthy of this Chamber to pass. I say shame on that. What makes it worse is they bring in their legislation and, if they would have brought Bill 24 in prior to May 18 and had it called three times, this bill would have, in fact, been law. They would be able to say on June 13 this bill would have been law. All they had to do is ensure that the bill was, in fact, called at least three times prior to May 18. That is all they had to do. It was not that much to ask for. In fact, they recognize it was not that much to ask for. That is why they signed on in the agreement. That is why they passed the resolution.

But what has changed, Mr. Speaker? The government has grown more arrogant. That is what has changed, to the degree in which they just ignore May 18. It has absolutely nothing to do with it. They brought in the bill May 24; that is six days. May 18 meant nothing to them because they know at the end of the day that they have 34 MLAs that will ensure that the government gets its way, whether it is democratic or not. Whether it is done in a democratic fashion or not, they are going to ensure that they get their way. That is not democracy.

In other countries, in other Third World countries, issues of this nature, I believe, would be raised and been given a whole lot more attention. They would have even governments of this nature supporting abuse of that nature. But what is even worse is to somehow—they have managed to be able to switch, and to get the Speaker's Chair involved in the process, knowing full well as Speaker, you have a great deal of integrity. They realize that, so all they have to do is they have to—

Mr. Speaker: Order. The Speaker's job is only to make sure the rules are followed. I think, if I was the member, I would keep the Speaker or the Speaker's Chair out of the comments.

Mr. Lamoureux: Again, Mr. Speaker, if any way in which I reflected on your Chair, I would withdraw that.

You know, part one of the bill cracks down on the operations like Money Mart and other payday loan operations which often charge outrageous fees for cashing cheques. That is something that is important—*[interjection]*

Mr. Speaker, that is the point. As members say: You want to delay it; you want to delay it; you want to delay it. Well, no. I think it bears repeating, because the Minister of Industry and trade, and a couple of others do not quite understand it.

We support the concept that is being talked about here, Mr. Speaker. Why? Because it is consumer friendly legislation in most part, and it is worthy of passing. There is no doubt about that, and now members clap. I do not know if they were listening to what it is I was talking about for the previous 10 minutes. We do not question that. What we question is the way in which government believes that it can just bring in and do whatever it is that it wants. It does not have to respect the rules of this Chamber. It does not have to respect the agreement itself, which each and everyone of them supported.

Mr. Speaker, that is what I do not support. If you follow what it is that the government is suggesting that we do, if the government wanted to—you know we rise on June 13. Technically, according to democratic principles of this government, Bill 24 could have been brought in late next week. They have 34 members. They could no doubt, well, there are certain rules that you would have a little bit more difficult time, because ultimately the Speaker would ensure that you are following the proper rules; but they could bring in legislation at the last minute,

provide virtually marginal, if any, notice and then expect it to become the law of the land.

Mr. Speaker, how does that compare to every other session where we have sat? In fact, this is the first time that I can recall where so much in advance, like June 9, 2005, is where we sat down and we talked about potential legislation that would be coming and how that legislation would, in fact, be dealt with. We did that back in June. It is the first time that I can recall, and it set into place a form of closure which would allow all bills and budgets to come to an end, as long as it met certain criteria.

Well, to the Minister of Industry and trade this bill, because he wants it passed, this bill did not even meet that criteria. So now, if his argument is, well, look, it is about cheque cashing, so we should allow it because it is good for Manitobans to allow it to pass. Well, he might have more validity to his argument if he would look at other pieces of legislation that are there that are also good for Manitobans.

If the Minister of Industry and trade is not familiar with those pieces of legislation—like he provided me the opportunity to be able to get an understanding of legislation and which I did take him up on the opportunity to get a better understanding. I enjoyed the meeting immensely. I would be more than happy to sit down with the minister on any of the three bills that I have introduced inside the Chamber, I believe two of which I have already spoken to, Mr. Speaker.

So, if the argument is that, well, look, this bill has to pass in this short time span because it is for the betterment of all Manitobans, surely to goodness he would acknowledge that there could be some private members' bills that would be to the betterment of all Manitobans and that are equally worthy of passage.

This bill deals with a lot of, I suspect, single parents that cash their cheques and pay unrealistic fees. I have a bill, Mr. Speaker, that ensures that children, no matter where they live in the province, are going to pay one set price for milk, or a bill that is going to prevent a mother from drinking while she is pregnant. No cost to that bill whatsoever from the government point of view. There are other good pieces of legislation.

So you cannot have it both ways. You cannot say, well, this is good legislation. You have to have it

pass, even though we were negligent in bringing it forward in the right criteria, but it is so important it has to pass. Now we are going to force closure on the bill because it is for the betterment of Manitobans when, in fact, you do not recognize other bills that are just equally as important and valuable, if not greater than this particular bill in terms of the betterment of the citizens of our fine province. So you cannot have it both ways.

If you attempt to do what it is and continue to do what it is that you are doing, all you are really doing, Mr. Speaker, is you are emphasizing that the government has a very narrow mind in terms of being able to bring forward true legislation that is to the betterment of all Manitobans.

With those few words, I believe that my leader also wants to add some comments on the bill. Thank you.

* (16:10)

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to talk a little bit about this bill, Bill 24, The Consumer Protection Amendment Act, dealing with government cheque cashing fees. I would like to begin by looking at what this bill tries to do and also at this bill as it looks at the approach that the government takes in terms of dealing with issues which ordinarily would be dealt with by market mechanisms. What we are looking at here is people cashing cheques, and under some circumstances individuals are being charged cheque-cashing fees which are far too high for the cheque that is being cashed.

The issue here is should the government jump in and say this is a failure of the market and therefore we will have the big hand of government set what the fees are. Before the government jumps in and invokes the PUB and the costs of the PUB, the costs of enforcement and the costs to the justice system of putting this act in place and all the other measures, the issue is should the government perhaps have looked at ways in which it could enhance the existing market mechanisms and get them to work instead of saying, first thing, we do not believe in the market, which is essentially what the government is saying, and therefore we are going to have a non-market mechanism, the PUB, decide what the cheque-cashing costs are going to be.

Now, it is actually quite interesting that the Conservatives, who in previous incarnations would have gotten up and talked about markets and

mechanisms that could be used to enhance the effectiveness of getting markets to work, did not raise adequately these sorts of issues. The Conservatives certainly spoke to this, but the issue here is do you want to choose a working within the market, enhancing the market mechanisms, or do you want the heavy hand of government and the PUB and the costs of the bureaucracy and the government and the justice system and everything else to come into play because you cannot get the market to work properly?

What I would suggest in a circumstance like this is that there are some things that can be done that would enhance the market working. Indeed, I am sure we will get this to committee and we will get people to come forward. Hopefully we will get individuals suggesting you could get the market to work here. Instead of imposing the heavy hand of government, extending the bureaucracy, adding additional costs to the taxpayer, you could actually get the market to work. We know that the NDP does not believe in the market system, that the NDP want to jump in at every opportunity and put in non-market solutions.

So what is the opportunity? What is the opportunity here? Let us have a look at this. Why are people choosing to have their cheques cashed in a way that they are paying far too much? Who is using this service? We can make some guesses, but we were not given a research package by this government with clear information on who is using the service and what can be done to change their minds. You would have expected that a government would have done their homework and provided some research studies which looked at this in an appropriate way in which you would have gotten reliable research results.

Now, that being said, one makes a guess that the people who are using this are generally poorer; therefore it is tougher on them. They are in more difficult circumstances. These are people who are immigrants, who are new to our country, and they are being exposed because they do not fully understand the system here, that there are other options, and there are places indeed in Manitoba where you can get a cheque cashed for a reasonable cost instead of an excessive cost.

You know, there is such a thing—the government does not believe in it—as healthy competition in a marketplace in which people provide different levels of cost for cashing cheques. Some people, some

businesses, are truly cognizant of things like competition, and they go and work very hard to provide cheque cashing at the lowest possible costs because they would like more business from people. They actually want to help people instead of to charge them an arm and a leg.

So we have people who are poor, people who are immigrants, people who are illiterate. Instead of improving illiteracy, this government seems to want to bring in a non-market approach. Instead of improving understanding, this government wants to bring in a non-market approach. Now, in fact, interestingly enough, we may support the bill, but what we would like is some amendments which say that there is a fundamental role—before you bring in the heavy hand of government and the PUB and non-market mechanisms, there is a role to ensure that we are doing the best to make market mechanisms work.

Well, how do you do this? You know, when we have a lot of other circumstances, the price, the costs are widely advertised or widely known or have to be publicly reported in some fashion. So the issue here is, is there a possibility that just by publicly reporting clearly the costs of cheque cashing under a variety of businesses, a variety of circumstances, we can make it very obvious that some businesses are causing usurious extraordinary fees that they should never be causing? By exposing them, by having them having to make their true costs public, we can make it very apparent that we have some people who are trying to operate in a very detrimental fashion to people in this market system by having such huge higher costs.

Well, there is a way that government could work here. The government could start by requiring businesses which will cash government cheques to make sure that they have prominently posted what their real costs are so that people who go there to cash their cheques, in fact, have an idea of exactly what those costs are. If we are dealing with areas of the city where there is a lot of immigrant populations, that could be required to be put in different languages perhaps. I mean, this is a question really of education.

You know, I have visited a variety of countries, and people who come from some other countries are used to bartering. They are used to all sorts of other approaches. Why should we not start here by trying to work within a market system? What we are saying is that there should be an effort, before you bring in the heavy hand of government, some amendments that require that the government does what it can to

make sure that the market system is actually working.

* (16:20)

Now, I have talked already a little bit about this posting of rates. It is done, certainly, in a variety of other circumstances. There is a concern here with abuse of people. There is a concern here about reaching out to people who are illiterate. There is a concern here that, instead of helping people to understand how a market system works and to use it to their advantage to get the best rate, that what this government is doing is trying to do the thinking for people, trying to take over and have a bigger government bureaucracy, a larger PUB which assigns prices and costs, and, as a result then, somebody who does not follow the law is going to be arrested, fined, what have you. The problem here is that when there is a market system, there may be some advantages, in terms of cost and other approaches, in helping people get the best deal within a market system, have the market system work rather than charge with the heavy hand of NDP government.

I am already getting people coming up to me and saying, well, this is a socialist, communist government. They want to do everything for everybody instead of letting people be responsible, instead of letting people make their own decisions, instead of letting the market work where it has an advantage and where it can do so much more cost effectively. So I would suggest that there is an opportunity here to make a larger effort to work within a market system, to help the market system work and to allow people to see the real cost. This has been a Liberal concept going back decades, hundreds of years. It is the NDP who are the proponents of government dominance, big bureaucracy, abandon the market. It is just surprising that we did not get a long speech from the Conservative Party about this. *[interjection]* Well, I do not know if you even made this point adequately.

Mr. Speaker, the concern here is that there are some options which we think could have been looked at. Although we would support this as a last resort, we think that there are some opportunities to actually help the market and to help competition work in a way that is favourable to consumers. I think all of us have gone to places because we can get a sale, because we can get a better deal, because produce of good quality is available at a lower cost. That is what the market is all about. We need, really,

to have a better research base in terms of understanding why the market is not here, and before we impose the heavy hand of government, to be looking at what we can do to make the market work in a better fashion than it has been working.

Now, let me talk a little bit about some of the issues here. I have talked about people who are poor, who do not have the ability to move somewhere where they might be able to get a lower rate. But I would suggest, Mr. Speaker, that there are opportunities that this government has not taken into account to help reduce poverty in Manitoba. We have had many, many recommendations from a whole variety of different groups including, for example, the Just Income Coalition for what could be done to decrease the extent of poverty.

In this case, we are trying to help those, with this bill, who are probably predominantly at the lower end of the income scale, who are rushed and need the money quickly when they have a cheque, who are at risk of having a usurious rate applied to the circumstance when they are cashing a cheque. So what is important here is that, yes, let us do what we can to reduce poverty by making sure people are not priced or given or charged outrageous prices. But we cannot go around for everything that people buy and fix the price with the PUB. I mean it is not logical. It is not appropriate.

We actually have an effective market for a large majority of goods and services that we purchase. What we need to look at is how we can get an effective market, because that in the long run will work to the advantage of those who are poor. Having people who are poor understand markets and how they can take advantage in every dollar they spend; not just the dollar that they come from cashing a government cheque, not every dollar that they earn and they spend, that they can do better and be better at addressing their own circumstances of poverty.

I think I should give an example, an example which I raised in this House actually just the other day. At 170 Hendon there is a Manitoba Housing complex. At the end of the month there are cheques from the government. They would fall under this, for social assistance, disability assistance, and so on. They are delivered. The problem is that, because there is not on-site security at this building, there is a problem that this building is awash, invaded by drug dealers who come in trying to sell people, they may even be trying to cash cheques. I would not mind if you caught some drug dealers here giving people too

high a cost of the cashing of cheques, but I can pretty much guarantee you, Mr. Speaker, that the drug dealers are not going to be cashing cheques in a way that they are likely to be caught in these circumstances.

The fact is that this government has failed miserably in putting the on-site security in place to protect people at 170 Hendon and a number of other housing complexes. This is a building which is in the constituency of the Member for Tuxedo (Mrs. Stefanson). It is well known. I know that the Member for Tuxedo has been interested in this issue. I have been told that she has been interested in the concerns of residents of 170 Hendon, and I hope that the Member for Tuxedo will support my efforts to persuade the government to put in on-site security, particularly at the times of the month when there are government cheques arriving, which is what we are talking about here.

The way here to safeguard the interests of people there is to make sure the on-site security, that they are protected from this invasion of drug dealers, which they are not protected from at the moment. So there are a lot of other things that the government could and should be doing and paying attention to that would help the circumstances, these problems that have arisen in the nature or in the course of people cashing cheques from government.

I have talked briefly already about immigrants and the need to protect immigrants. Well, I have heard from many immigrant groups that under this government there are some significant issues and problems, that one of the things that is very important is that people who come from another country who are used to a different system have the appropriate environment where they can learn how things work here, where they can learn about the market system as it operates in this province, parts of the non-market system which the NDP have imposed and this non-market measure which the NDP now wants to bring in.

* (16:30)

There could be much better efforts in educating immigrants, in helping them learn how to adapt to the environment here, helping immigrants learn how to take best advantage in cashing cheques, and making sure, in fact, that they are not cost huge extra because of who they have gone to in terms of cashing cheques. So, certainly, there is an approach that could be specific, as I have talked about, in

terms of people who are poor and less well off. There is an approach that could be taken in terms of immigrants, and I suggest there is an approach that should be taken when you have concerns about literacy.

We are talking here about, before you bring in the heavy hand of government and impose the PUB and all the costs and regulations, that you look at things that you can do that will enhance the market system. We are getting back now down to literacy. The research base suggests that in Manitoba there is far too high a rate of illiteracy, that the government is not doing its job in ensuring that all Manitobans are literate. As part of this effort, they can be educated in terms of cheque cashing, in terms of signage that should be there, in terms of costs of cheque cashing, making sure that we have a market system which works instead of trying to jump in there with a government solution to every problem.

This is an issue that the government should pay a lot more attention to, the issue of literacy and the need to combat illiteracy, to help people make sure that they are educated, in some cases, to provide information in more than one language so that it is easily read. In these areas, the government has fallen down drastically and instead has said the first thing that we are going to do is to charge in here with a non-market solution. We are going to impose the extra costs, the extra bureaucracy, the extra law enforcement.

There are a lot more things that police officers could be doing. You know, if the market worked here, you are going to free up police officers to look after other things. So let us be cognizant. The time of police officers is valuable. What this will do is mean that police officers have to be running around checking interest rates here, there and everywhere. Well, not interest rates, cheque cashing rates, I am sorry. So the question is, how well is this measure actually going to be enforced? What are the resources, the police resources, that are going to need to be used in this effort when we already have situations where there are many other places?

I spoke about 170 Hendon. Let me give you an example. Here at 170 Hendon, the government, representatives of the government, I should say, went and said that they had barred an individual who was a known drug dealer from coming into 170 Hendon. Yet, interestingly enough, when residents called the police to get him out of the building, what happened

is that the police looked, has this person been barred from coming in, and there was no notice that they had been barred. They had not been barred. The police had been called. They were powerless to do anything because the government said they were doing something, but did not do it.

An Honourable Member: No follow-through.

Mr. Gerrard: Well, it is a problem when you have an NDP government like this one. Is it not?

An Honourable Member: It is a big problem.

Mr. Gerrard: It is a real problem. If you are going to say that you are going to do something, you should actually do it. That is a problem.

Now, let me get back to this issue. What are the costs of this bill? We should have had a cost analysis tabled when this bill was tabled.

An Honourable Member: Like the floodway.

Mr. Gerrard: Yes, exactly. Whether it is the floodway or something else, we should know what the expected costs of implementing this bill are. Let us look at some of these costs. The extra costs to the Public Utilities Board from holding all the hearings under this, this is a taxpayer cost. So costs to the Public Utilities Board, the cost of government lawyers, and so on, who are going to present to the Public Utilities Board, the cost of enforcement measures once this has been set—the police running around all over the place or whoever is going to be enforcing this—the cost to the system. They have not provided that. I mean, we should have been provided that so that we could make a proper analysis and a better judgment of what the actual—

An Honourable Member: I do not think they know.

Mr. Gerrard: I do not think they know, that is the problem. They do not know what the cost is. The cost to the justice system by putting this measure here, you are going to have some people who are not following it. You are going to have people brought before the justice system. You are going to have longer waits instead of shorter waits because you have more people coming before the justice system because you have this measure.

Yet we do not have an analysis of these costs. To be fair, maybe they do not know what every penny is going to be, but they should have made an estimate. Then we could come back in a couple of years and we would say what does it actually cost. We could

compare and in that way, we can get a reasonable assessment a couple of years down the road. Was this a reasonable bill? Was it cost-effective? Was it achieving its goals?

But now, because they have not even tabled any costs, they have not done any analysis, then we are left in the situation where we have to make only the very crudest of guesstimates. Maybe, when you add it all up, it will cost millions of dollars to put this in place, when a much more modest expense to improve the market system, to have people post in a prominent place what their cost of cheque cashing is, that it could have created a circumstance where the market system under this could actually have worked, instead of going to the heavy hand of government and saying: Well, you know, the market system is bad. It is no good. It does not work. We believe that government has to do everything.

Well, that is their approach, and we are seeing it again and again in this Chamber. I am hearing more and more people who, when I am out and around, are saying this is a problem with this government. They either do not know what the market system is or how it works or do not like it for some reason, but they do not attempt to work with it. What they attempt to do is to impose a government solution, a costly bureaucratic government solution to a problem. *[interjection]*

This is on Bill 24. *[interjection]* They are talking about the whole philosophy of this government. They are talking about the philosophy of this government in having big bureaucracy, big government, making rules for every aspect of one's life, instead of saying look, there is a market here. Why do we not do some analysis? Why do we not figure out what we can do to actually make the market work, instead of right away getting up and saying, oh, well, in this circumstance, the market does not work and, therefore, we have to go back, we have to have things happening which are imposed by government because the market does not work?

The NDP, of course, are dedicated to bigger government, more costly government, instead of helping the poor and the immigrants and the illiterate, the people who need the help so that they can make better decisions in respect of cheque cashing, but better decisions in terms of a wide variety of other purchases, as well. When the individuals who are getting ripped off in this circumstance are helped to understand that there are

ways that they can make out better, it will help them not only in terms of cashing cheques, but it will help them in understanding other circumstances as well.

Mr. Speaker: Order. The honourable member's time has expired.

Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 24, The Consumer Protection Amendment Act (Government Cheque Cashing Fees).

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

* (16:40)

**Bill 25—The Consumer Protection
Amendment Act (Payday Loans)**

Mr. Speaker: Bill 25, The Consumer Protection Amendment Act (Payday Loans), standing in the name of the honourable Member for Inkster (Mr. Lamoureux).

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 Inkster?

Some Honourable Members: No.

Mr. Speaker: No, it has been denied. The honourable Member for Inkster, to speak?

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, I would like to speak on the bill. During the last opportunity, I had to go and talk to an individual on the telephone in regard to the bills and how bills were actually being passed in this session. There was some concern that one bill, in particular, was an important bill, and it really needed to be passed.

I really respect the fact that we do have people who are outside of this Chamber who are actually following what is taking place here inside the Legislative Chamber. This particular individual is advocating that a particular bill, in fact, should be passed. Again, what I do is I take my responsibilities very seriously and took the time to explain what it is, in part, that we are doing here in the Legislature in order to ensure that there is a due process in the passing of legislation.

Mr. Speaker, Bill 25, again, when you talk about the principles of legislation and how constituents

and, indeed, Manitobans want to see certain things happen, you try to get the government to respond accordingly. By doing that, you are, hopefully, going to get recognized for it, and the public as a whole will appreciate that, and, maybe, possibly even consider supporting those individuals who were supportive of legislation, whether it is Bill 24, which talked about the cashing of cheques. People do not want to see others exploited during times when maybe they are somewhat obligated to go to that particular place, for whatever reasons, to cash a cheque, and then they are charged some sort of an exorbitant fee. So, whether it is Bill 24 or Bill 25, there is other legislation that the government has on the agenda that actually, in principle, is very good legislation.

Mr. Daryl Reid, Acting Speaker, in the Chair

You know, yesterday, Bill 27 is a bill that I believe all members of this Chamber support in principle and would ultimately want to see passed. But, you know, I think that we have to look at the bigger picture of due diligence in the rules that we have inside the Chamber, and we have to give serious consideration to agreements. Those agreements are done in order to accomplish what it is that the House and the government and the opposition and other members want to be able to do—*[interjection]*—as the Member for Kildonan (Mr. Chomiak) points out, have agreed to. Well, there was a lot of hype at the time of that agreement that you, Mr. Acting Speaker, had voted in favour of, too, back on June 9, which ultimately would have guaranteed Bill 25 passing. If you read through that agreement, you will quickly find what sort of conditions needed to be met.

Those conditions are important. The reason why those conditions are important is because whenever, typically, a government brings in or attempts to force an issue, to bring in some form of closure which could be as simple as denying leave, calling for a question, not allowing for debate to be adjourned, all of those things have a very serious impact, in terms of the legislative agenda. That is why representatives of all three political entities inside this Chamber sat down, and we said, well, look, how do we accommodate the interest of the public by bringing forward legislation in a timely way, so that ultimately it would be able to pass? You know, Bill 25, which is a bill, again, deals with short-term loans, which usually come at a very high price, Mr. Acting Speaker, a very high interest rate for those

short-term loans. There is a great deal of concern about that, and I acknowledge that right up front. I think that that in principle is something in which, as a Legislature, if we can deal with it that we should deal with it.

Equally, the legislation that was prior that has already passed into committee, that particular bill deals with another issue of consumer protection: the high fees that are charged, Mr. Acting Speaker. Well, one can talk about these two consumer bills and how they will benefit all Manitobans; then one can take a look at other pieces of legislation that have also been introduced that would be to the benefit of all Manitobans.

Mr. Speaker in the Chair

I had the opportunity during Bill 24 debate to talk about, for example, what I call the milk bill, Mr. Speaker, which guarantees a set price for milk, whether you are in Thompson, Red Sucker Lake or the city of Winnipeg. I think it is a good bill. I believe most Manitobans would recognize the value of that bill. You have the fetal alcohol syndrome, which is a devastating disorder, and there is a private members' bill, a bill which I have introduced that would help prevent that disorder from taking place in the lives of many. No cost to government, it is a good bill. Other jurisdictions actually have incorporated parts of it. There is the meth lab bill that was just, actually, I believe, circulated today. This is, again, a good bill. The Member for Steinbach (Mr. Goertzen) in Question Period last week actually made reference to how we need to protect children. Well, I think that I could go through many of those 15 private members' bills, and you will find that there are a lot of good ideas.

So why is it important to make reference to that? Well, the government knew back in June of 2005 what it needed to do in order to get its legislative agenda across and passed for this session. The government knew all it had to do is just read the agreement, and had they read the agreement, each and every one of them would be fully aware of what it is the government needed to do. So government, much like with Bill 25—Bill 25, along with other bills, is brought in outside the agreement, and then pressure is put on to opposition members to succumb and to allow bills to pass. If they are not prepared to provide for whether adequate time between members being able to speak to bills, well, that is something in which I do not think serves this Chamber well. If the government was to say, well, look, Bill 25 is a

wonderful bill. It is for the betterment of Manitobans. Please pass this bill because, after all, it is good for all Manitobans, even though it is outside the agreement. There is some merit for that argument.

* (16:50)

But, Mr. Speaker, if you are going to use that argument on Bill 25, I would think you should be using that argument on all the bills that are before this Legislature. You cannot cherry-pick. I believe that there are private members' bills that will have more value and more benefit than Bills 25 and 24 combined. So, if the government is just wanting to take action on good bills, then why does it not do that? Take action on good bills and see those bills pass. Sit down with the different entities inside the Chamber and talk about what it is that can be done in terms of being able to see these good ideas actually pass out of second reading and into third reading.

Mr. Speaker, we have rules and traditions that I believe are worth fighting for. I think that it is very important, especially for members who are familiar with the rules and the operations of this Chamber and how the Chamber has worked over the years, that they express their thoughts as to what is actually taking place. I can appreciate that sometimes it is difficult to express your thoughts in a public way by standing up inside the Chamber, but there are other forums. It could be within your respective caucuses, and that is what I would suggest, or in one-and-one discussions with ministers who are ultimately responsible. I think that we have to be fair to all members inside this Chamber.

Yes, Manitobans spoke in 2003. I respect the fact that there is a government of 34 MLAs, that those members have the right to set the agenda, but they also have a responsibility, Mr. Speaker, that goes along with that right. A part of that responsibility is to meet and talk about how the legislative agenda is proceeding. You know, this is the first time that I can recall in my 14 years as being in an opposition position where we are actually going to be forcing more than half, by the looks of it, of the Estimates time through a forced vote. It is the Estimates process. *[interjection]*

Well, the Minister of Agriculture (Ms. Wowchuk) says it is a waste of time. I am not too sure if she is talking about right now or the Estimates. But, Mr. Speaker, I think that for members who hurtle insults from their seat—you know, it is wonderful when you have a group of

MLAs and you can kind of, like, chum around and say, you know what, I am right because I have more members around me. It does not necessarily mean that, in fact, the individual is right.

In fact, what you will find is that a lot of individuals with integrity will express exactly what it is they think of some of the comments that they make. I have always argued, always, whether we were the official opposition or we had third-party status or we did not even get party-status recognition, that you need to respect the rules of this Chamber and to stand up and be heard when you feel that there is something that is happening that is not proper and is not right. There is no doubt in my mind that, when we have legislation and a legislative agenda before us, there are certain expectations. I have those expectations. I have those expectations based on the experience that I have gone through.

So, for example, if you take a look at Bill 25, you have to realize that Bill 25 was actually brought to this Chamber and introduced for second reading on May 24, Mr. Speaker. It is not that long ago. Take away the Friday, Saturday, Sunday. It really is not that many days, and already the government is attempting to put on tactics that are not appropriate. They are saying that we do not support the legislation because we are trying to hold it up.

Well, Mr. Speaker, I find that that it is not appropriate to believe as legislators that we have to succumb to the pressures, inappropriate pressures coming from the government, saying that, if we do not pass this, then we are either upsetting X, or this group of people, so you better pass it.

Well, Mr. Speaker, I trust that the government, and at least the people that I do talk to, will recognize that there is a process, and that there is a protocol and the government can pass whatever legislation it wants. It can do that by living within the rules. There is opportunity. So, if you go out and you tell an individual or an organization that an individual MLA is holding up legislation and it is not going to pass, well, I would suggest to you that you are really doing a disservice to the whole process because the government knows full well what the process is. They know that members are allowed to adjourn debate. They know that members are allowed to stand when a bill has been left in their name. That has been the tradition of this Chamber.

I am concerned with the number of times now the Government House Leader (Mr. Mackintosh) has denied me the opportunity to stand. It is not like, Mr.

Speaker, this bill was standing in my name for a month, two months, three months. I can tell you that the Government House Leader that denied me the leave to be able to stand this has had bills stand in his name for months which I have agreed to allow to leave to stand in his name.

The Government House Leader (Mr. Mackintosh) has a double standard, and that double standard is based on the side of the House in which he sits, Mr. Speaker. I have a difficult time with that. I like to think that if I was in the government benches, that I would be consistent on those important issues that reflect on the democracy of this Chamber and the operations of this Chamber.

On Bill 25, I believe it might have even been yesterday or the day before. I do not have indication on the spreadsheet that I have in front of me. All it indicates is that the minister introduced it May 24, the Member for Southdale (Mr. Reimer) spoke to it on May 29, and then it says "stand" on May 31. So that might have been me that adjourned debate. I am not really too sure.

But, anyway, we are June 1 today, Mr. Speaker. So, when the Government House Leader was in opposition, I would give leave for months for the minister or the Government House Leader, I would give him leave for months when he was an opposition member because our rules and so forth dictated that I do that. The Government House Leader knows that to be the case. Now the Government House Leader, who sits, obviously, on the government benches, feels that he has the moral authority to force me to speak only a couple of days after this bill has actually been brought in for second reading.

I have a difficult time with that. I believe, I genuinely believe that the Minister of Justice (Mr. Mackintosh), Mr. Speaker, might surround himself with individuals that will make him feel good for being a bully inside this Chamber and enforcing his will, but I would challenge him even to go into St. Johns. The Minister of Justice can pick the constituency, pick a school, and let us invite some Grade 9s and let us talk about this issue and we will see how big he really feels then.

The reason why he would not feel very big is because he is on the wrong end of this. He really and truly is on the wrong end of this. But, you know, they say that pride can cause a great deal of damage,

Mr. Speaker, and at times one could ultimately say that pride will lead to a lot of problems.

At times, I think that all of us, including myself, need to humble ourselves. I would suggest to you that not only do I need to humble myself but other members need to humble themselves, and they need to start reflecting as to what it is that is actually taking place here.

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Inkster (Mr. Lamoureux) will have 10 minutes remaining.

* (17:00)

House Business

Mr. Speaker: The honourable Government House Leader, on House business.

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please verify, is there agreement from the House to change the Estimates sequence in the Chamber, so that the Estimates for Water Stewardship go ahead of Transportation and Government Services? Change to apply permanently.

Also, verify if there is agreement for the section of Supply considering Health tomorrow to sit from 11 a.m. to 12:30 p.m., and for that one section only to also have the option of sitting from 12:30 p.m. to 1:30 p.m., if it so chooses?

Mr. Speaker: Okay, is there agreement to change the Estimate sequence in the Chamber so that the Estimates for Water Stewardship go ahead of the Estimates for Transportation and Government Services, with the change to apply permanently?

Is there also agreement for the section of Supply considering the Estimates for the Department of Health to sit from 11 a.m. to 12:30 p.m. tomorrow, and for that one section to also have the option of sitting from 12:30 p.m. to 1:30 p.m., if it so chooses?

Is there agreement?

An Honourable Member: No.

Mr. Speaker: No. There is no agreement.

Mr. Mackintosh: Mr. Speaker, perhaps the member would indicate if there was disagreement with both

aspects or one of them. It is only in his interest to have the Estimates proceed in an orderly way tomorrow.

Mr. Lamoureux: Mr. Speaker, this is the first that I have heard about it from the Government House Leader. I do not have a problem with the first one, to have the Water in the Estimates first.

Mr. Speaker: Okay. I will do them one at a time. Okay?

Is there agreement from the House to change the Estimate sequence in the Chamber, so that the Estimates for Water Stewardship go ahead of the Estimates for Transportation and Government Services, with the change to apply permanently? Is there agreement? *[Agreed]*

Second one, is there agreement for the section of Supply considering the Estimates for the Department of Health to sit from 11 a.m. to 12:30 p.m. tomorrow, and for that one section to also have the option of sitting from 12:30 p.m. to 1:30 p.m., if it so chooses?

Is there agreement?

An Honourable Member: No.

Mr. Speaker: No. There is no agreement for that one.

Mr. Mackintosh: Mr. Speaker, I would like to announce that the Standing Committee on Agriculture and Food will meet on Monday, June 5, at 9 a.m., to deal with the following bills: 19, Agri-Food; 20, Family Farm; 30, Fires Prevention; and 31, Animal Diseases.

I would also like to announce the Standing Committee on Legislative Affairs will meet on Monday at 6 p.m. to deal with 22, The Elections Reforms Act.

Additionally, Mr. Speaker, the Standing Committee on Social and Economic Development will meet Monday, June 5, at 9 a.m., and 6 p.m., if necessary, to consider the following bills: 11, Winter Heating; 12, Highways; 14, Water Rights; 24, Consumer Protection, that is Government Cheque; 35, Public Schools; and 300, Association of Former MLAs.

Mr. Speaker: Okay, it has been announced that the Standing Committee on Agriculture and Food will

meet on Monday, June 5, at 9 a.m., to deal with the following bills: Bill 19, The Agri-Food and Rural Development Act; Bill 20, The Family Farm Protection Amendment and Farm Lands Ownership Amendment Act; Bill 30, The Fires Prevention and Emergency Responses Act; Bill 31, The Animal Diseases Amendment Act.

Also, it has been announced that the Standing Committee on Legislative Affairs will meet on Monday, June 5, at 6 p.m., to deal with Bill 22, The Elections Reform Act.

Also, the Standing Committee on Social and Economic Development will meet on Monday, June 5, at 9 a.m., and 6 p.m., if necessary, to consider

the following bills: Bill 11, The Winter Heating Cost Control Act; Bill 12, The Highways and Transportation Amendment Act; Bill 14, The Water Rights Amendment Act; Bill 24, The Consumer Protection Amendment Act (Government Cheque Cashing Fees); Bill 35, The Public Schools Finances Board Amendment and the Public Schools Amendment Act; and Bill 300, The Association of Former Manitoba MLAs Act.

That is it for announcements for the House.

Okay, the hour being past 5 p.m., this House is recessed until tomorrow at 10 a.m. (Friday) in Committee of Supply.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 1, 2006

CONTENTS

ROUTINE PROCEEDINGS		Speaker's Ruling	
		Hickes	2879
Petitions		Members' Statements	
Civil Service Employees–Neepawa		Canadian Women in World War II	
Eichler	2869	Irvin-Ross	2880
Cullen	2869	Springers Gymnastic Club	
Removal of Agriculture Positions from		Driedger	2880
Minnedosa		Wellington School 100th Anniversary	
Rowat	2869	Swan	2880
OlyWest Hog Processing Plant		Beef Levy	
Gerrard	2870	Eichler	2881
Oral Questions		School Patrol Awards	
Red River Floodway		Altemeyer	2881
McFadyen; Ashton	2870, 2871	Grievances	
Cullen; Ashton	2873	Rowat	2882
Bill 34		Cullen	2884
Hawranik; Selinger	2874	ORDERS OF THE DAY	
Health Care System		(Continued)	
Driedger; Sale	2875	GOVERNMENT BUSINESS	
Wuskwatim Dam		Debate on Second Readings	
Mitchelson; Chomiak	2876	Bill 30–The Fires Prevention and Emergency	
House Procedures		Response Act	
Lamoureux; Doer	2877	Lamoureux	2886
University of Manitoba		Gerrard	2887
Brick; McGifford	2877	Bill 24–The Consumer Protection	
Whiteshell Cottage Owners		Amendment Act (Government Cheque	
Faurshou; Struthers	2878	Cashing Fees)	
Agriculture Industry		Lamoureux	2893
Eichler; Wowchuk	2878	Gerrard	2898
Speaker's Statement		Bill 25–The Consumer Protection	
Hickes	2879	Amendment Act (Payday Loans)	
		Lamoureux	2903

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