

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

*Published under the
authority of
The Honourable George Hickes
Speaker*

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, Hon.	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.
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	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.
VACANT	Kirkfield Park	

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 7, 2006

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

**Bill 15—The Manitoba Hydro Amendment and
Public Utilities Board Amendment Act
(Electricity Reliability)**

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, on behalf of the Minister of Science, Technology, Energy and Mines (Mr. Rondeau), and seconded by myself, that Bill 15, The Manitoba—[*interjection*]

An Honourable Member: No, no, I can second it.

Mr. Selinger: Okay, seconded by the Minister of Justice (Mr. Chomiak), that Bill 15, The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability); Loi modifiant la Loi sur l'Hydro-Manitoba et la Loi sur la Régie des services publics (fiabilité du réseau électrique), be now read a first time.

Motion presented.

Mr. Selinger: Mr. Speaker, this bill will allow for Manitoba Hydro to have the same level of reliability and standards for electricity provision throughout North America.

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

**Bill 16—The Children's Advocate's Enhanced
Mandate Act (Various Acts Amended)**

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I move, seconded by the Attorney General (Mr. Chomiak), that Bill 16, The Children's Advocate's Enhanced Mandate Act (Various Acts Amended), be now read a first time.

Motion presented.

Mr. Mackintosh: Mr. Speaker, this bill transfers responsibility for reviews of child deaths, where the parent received services under The Child and Family Services Act in the previous year, from the Chief Medical Examiner to the Children's Advocate's office and expands the scope of the review to include the standards and quality of other social services

provided in addition to the services of child welfare agencies.

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

**Bill 215—The Liquor Control Amendment Act
(Helping to Prevent Date Rape)**

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I move, seconded by the Minister responsible for the Liquor Control Commission, that Bill 215, The Liquor Control Amendment Act (Helping to Prevent Date Rape), be now read a first time.

Motion presented.

Mrs. Driedger: As a measure to prevent date rape, this bill amends The Liquor Control Act to allow a person in licensed premises to carry his or her drink to the washroom. This legislation will be subject to regulations and allow input from the public and the hospitality industry.

At this time, I would like to express my appreciation for the support I have had in bringing this bill forward. I would like to particularly acknowledge the efforts of the Government House Leader (Mr. Chomiak), this morning, so that we can have this bill debated today. Thank you.

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

**Bill 204—The Workplace Safety and Health
Amendment Act (Harassment in the Workplace)**

Hon. Jon Gerrard (River Heights): Mr. Speaker, I move, seconded by the MLA for Inkster, that Bill 204, The Workplace Safety and Health Amendment Act (Harassment in the Workplace); Loi modifiant la Loi sur la sécurité et l'hygiène du travail (harcèlement dans le lieu de travail), be now read a first time.

Motion presented.

Mr. Gerrard: Mr. Speaker, this bill provides for a legislated framework to set the stage for a dramatic reduction in harassment in the workplace. It is a win-win, both for employees and employers, to create a more harmonious and more productive workplace.

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

* * *

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I would like to apologize to you and to the Chamber for not supporting better decorum in the Legislative Chamber yesterday.

Having said that, I would wish to present—

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

Mr. Lamoureux: Thank you.

PETITIONS

Provincial Slogan

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

The background to this petition is as follows:

The NDP have authorized the spending of hundreds of thousands of tax dollars to promote the new slogan, "Spirited Energy."

That "Friendly Manitoba" is a better description of our province.

We petition the Legislative Assembly of Manitoba as follows:

To request the Legislative Assembly of Manitoba to consider supporting the slogan, "Friendly Manitoba" over "Spirited Energy."

To urge the Premier (Mr. Doer) and his NDP caucus to make public the total cost in creating and promoting the new slogan, "Spirited Energy."

Signed by Cesar Reyes, D. Reyes, M. Ferrer and many other Manitobans.

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

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 Marion McNabb, Peggy Marshall and Pat Ferguson.

Headingley Foods

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

These are the reasons for this petition:

The owners of Headingley Foods, a small business based in Headingley, would like to sell alcohol at their store. The distance from their location to the nearest Liquor Mart, via the Trans-Canada Highway, is 9.3 kilometres. The distance to the same Liquor Mart via Roblin Boulevard is 10.8 kilometres. Their application has been rejected because their store needs to be 10 kilometres away from the Liquor Mart. It is 700 metres short of this requirement using one route but it is 10.8 kilometres using the other.

The majority of Headingley's population lives off Roblin Boulevard and uses Roblin Boulevard to get to and from Winnipeg rather than the Trans-Canada Highway. Additionally, the highway route is often closed or too dangerous to travel in severe weather conditions. The majority of Headingley residents therefore travel to the Liquor Mart via Roblin Boulevard, a distance of 10.8 kilometres.

Small businesses outside Winnipeg's perimeter are vital to the prosperity of Manitoba's communities and should be supported. It is difficult for small businesses like Headingley Foods to compete with larger stores in Winnipeg, and they require added services to remain viable. Residents should be able to purchase alcohol locally rather than drive to the next municipality.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister charged with the administration of The Liquor Control Act (Mr. Smith), to consider allowing the owners of Headingley Foods to sell alcohol at their store, thereby supporting small business and the prosperity of rural communities in Manitoba.

This is signed by Ron Wilson, Rick Hall, Glenda Clow and many others, Mr. Speaker.

* (13:40)

TABLING OF REPORTS

Hon. Scott Smith (Minister of Competitiveness, Training and Trade): I'm pleased to table the Annual Report for the Manitoba Development Corporation for the year ended March 31, 2006.

* * *

Mr. Speaker: I'd like to ask the assistance of all honourable members to help me, I guess, to congratulate and to thank Bill Lowthian who's our recorder at the back. This will be his last day. He's retiring after working with the Legislative Assembly for 18 years.

On behalf of all honourable members, thank you very much for the contributions you have made to the Manitoba Legislative Assembly and the Province of Manitoba. *[Applause]*

Introduction of Guests

Mr. Speaker: I'd like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Cassandra Hunter who is a student, is job shadowing and is the guest of the honourable Minister of Labour and Immigration (Ms. Allan).

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

We have seated in the public gallery from St. Paul's Collegiate 31 grade 9 students under the direction of Ms. Kim Earl. This school is located in the constituency of the honourable Member for Morris (Mrs. Taillieu).

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

ORAL QUESTIONS

Children in Care Foster Parent Recruitment

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, the Premier (Mr. Doer),

at the time the issue of children in hotels cropped up in advance of the Grey Cup, made the statement that a hotel is no substitute for a home for a child. That's a sentiment that all of us in this Legislature agree with.

Mr. Speaker, when there have been as many as 166 children in hotels at any given time in Manitoba we know we have a significant problem. We know that this is a problem that has grown sixfold under the watch of this NDP government, and so we were pleased to see the government launch an initiative to recruit foster parents. However, I wonder if the Premier can indicate and explain to my constituent, who wishes to become a foster parent, why it is that it took more than two weeks from the time that she called the foster parent hotline to even return a received message.

Why is the government proceeding with advertising but not following up in order to do what's right for Manitoba's children?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, first I want to correct the member opposite. My understanding is that when we did a snapshot just a few days ago, it's my understanding that the number of children in hotels had declined by 47 percent since the beginning of October.

I'm also, Mr. Speaker, pleased to update the House that in the two weeks since the fostering initiative began I am advised that we have had now 127 calls and expressions of interest from Manitobans. That's the Manitoba spirit. As a result of those calls the information packages are going out to the interested Manitobans, and we will be following up with them to ensure that their interest continues.

Mr. McFadyen: Mr. Speaker, I know it's a common refrain for this government to indicate when there's an important issue that they didn't get the e-mail or they didn't get the phone call or the message. The minister has indicated that in response to the advertising campaign Manitobans have come forward. We're not at all surprised to learn that Manitobans are coming forward on such an important issue. We know we have a great history in this province of people stepping forward in times of need in order to provide for our vulnerable citizens.

So the question is not whether or not Manitobans are responding, the question is: Why is this government not responding when people are expressing interest?

Mr. Mackintosh: Mr. Speaker, it is my understanding that the information packages began going out last week in response to the calls. The information packages will talk about the importance of being a foster parent, the steps to go through, why it is that it is important that we increase the fostering capacity in Manitoba.

I will just let the members of this House know that the ideas of the Conservatives to get kids out of hotels involves having children be admitted as patients to St. Boniface General Hospital. That's their idea, Mr. Speaker, is put the toddlers and teenagers in a hospital bed. That is their ideas to solve the problem.

Mr. McFadyen: Manitobans are not impressed by the minister's bluster when the facts are, Mr. Speaker, that under this NDP government the problem with children in hotels has increased six-fold. The number of kids being placed in hotels has increased six times under the watch of this government. So we are pleased to see that it is finally being taken seriously after the problem was exposed by the *Winnipeg Free Press* and other media outlets.

The question is: Rather than putting Manitoba families on hold when they are attempting to deal with this issue, why won't the Premier (Mr. Doer) put his California travel plans on hold and stay back and deal with this important issue for Manitobans?

Mr. Mackintosh: While members of the Conservative Party think that children should be admitted to hospital, Mr. Speaker, who need fostering, our plan is to enhance the fostering capacity, emergency placement beds.

But, also, what is happening in Manitoba through the Changes for Children initiative is a complete redirection of child welfare in Manitoba so that we intervene in families and we deal with the problems, the troubles that arise in families, so that children do not have to be apprehended in the first place. That is part of the change and a significant part of the change that is afoot. I am sorry that the member opposite did not understand that. But I remind the member that, just in the last several weeks alone, we have almost cut in half the number of children in hotels in Manitoba.

Children in Care Foster Parent Recruitment

Mrs. Mavis Taillieu (Morris): A prospective foster family who is also desperately seeking to adopt a child, but that has been stalled by Family Services;

now she has offered her home and her love to a child in care. This family was appalled when the number of children reached 166 in hotel rooms last summer. But this minister has mismanaged this process and completely ignored their requests the same way as he ignored their application for adoption.

Why does he spend money on advertising campaigns, and yet ignore people when they respond? Why has this prospective foster mom's call been ignored and not returned for two weeks?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, all of the calls are being responded to. We understand that there have been 127 calls in just the last 10 working days. That's a very positive indication and, not only will they be responded to but they will be provided with all the materials. Their questions will be answered and they will be encouraged to proceed further in the application process, an application process that I remind members has to be very diligent with checks and balances to ensure that the foster families are able to take in the children and then proceed to the matching stage. I commend the authorities for their tremendous collegial efforts in putting together the response initiative to our campaign.

Mrs. Taillieu: This family has been ignored, Mr. Speaker. They have not been encouraged; a prospective foster family offering their home and their love to a child in care, and they are ignored by this minister, a loving family who wants to adopt a child who has been frustrated by the lack of action by this government. Now they offer to foster, and no one bothers to return their call for two weeks.

How can this Minister of Family Services leave kids in hotels and ignore loving families who want to care for them?

* (13:50)

Mr. Mackintosh: Mr. Speaker, the response plan to the campaign to attract more foster families is a sure-footed initiative, where last Thursday, the packages were being sent out to the calls, 127 calls, so far. This is very positive.

It is very unfortunate that members opposite want to take a negative attitude, Mr. Speaker, to fostering. They cut foster rates five times. They cut the funding to the network. When in the campaign, the election campaign in 1999, we committed to increasing foster rates, they criticized the now-Premier (Mr. Doer). That's the kind of approach that we have had.

Mr. Speaker, they continue an approach by thinking that foster children should go into the St. Boniface General Hospital. Our view is they deserve a home and that's what we are working for, along with Manitobans.

Mrs. Taillieu: Well, Mr. Speaker, those words are not any comfort to families that are offering their homes to children, and they haven't been responded to. A foster mom has offered her love and her home, complete with a mom, dad and a sibling. This family desperately wants another child in their family, a child who likely at this very moment is sitting in a hotel room with a babysitter.

Why is this government throwing money at expensive advertising campaigns, yet ignoring those when they respond? Why does this minister prefer to keep kids in hotel rooms rather than place them in living rooms with loving families?

Mr. Mackintosh: Well, Mr. Speaker, the number of children in hotel rooms was 121 the first week of October. My understanding a snapshot was done several days ago and the number was down to 64, a reduction of almost 50 percent.

Mr. Speaker, the initiative to attract fostering is not just about the promotional efforts, but also to address the issue of foster rates and supports, whether it be for cribs or car seats, additional supports for foster parents. The initiative to ensure that the follow-up to calls is made is well under way, and every person who calls in and is interested in being a foster parent is going to get the package of materials and follow-up inquiries to make sure that we engage more Manitobans than ever before.

Cardiac Surgeries Cancellations

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, according to Freedom of Information documents, there is an increased number of cardiac surgeries being cancelled each month. In June of this year, five were cancelled; in August, 13 were cancelled; and in September, 17 heart surgeries were cancelled. In the first nine months of this year, a total of 78 cardiac surgeries were cancelled in Winnipeg.

Considering that cancelling surgeries puts patients at risk, can the Minister of Health tell us why so many cardiac surgeries are being cancelled?

Hon. Dave Chomiak (Acting Minister of Health): Mr. Speaker, I am sure the member is aware that when we brought in the review of cardiac surgeries

and put in place a cardiac system that dealt with one waiting list and is consolidating all services at St. Boniface Hospital, we were able to lower the rate to a rate that is below, or one of the best in the entire country. On a periodic basis for a variety of reasons, of the hundreds of surgeries that are performed, for one reason or another, there may be cancellation for a variety of reasons. I can indicate that not only is our wait list one of the shortest in the country, but most improved.

ICU Nurses Shortage

Mrs. Myrna Driedger (Charleswood): I just say to the minister that the numbers of surgeries being bumped each month is growing quite dramatically, and 17 in the month is fairly significant, and I think well beyond what they intended. ICU beds are also closed when there are not enough ICU nurses to staff the beds. There has been a critical shortage of ICU nurses over the years. In 2004, there were 52 nurses short. In 2005, we were 59 nurses short, and in 2006, we're 47 ICU nurses short, with the worst shortage being at St. Boniface Hospital where the cardiac surgery program is moving to on January 15.

I would like to ask the Minister of Health to tell us what she is doing to fix the critical shortage of ICU nurses.

Hon. Dave Chomiak (Acting Minister of Health): Mr. Speaker, when we re-introduced the diploma program when we came to government, the Member for River East (Mrs. Mitchelson) and the Member for River Heights (Mr. Gerrard) said we were destroying the nursing profession by expanding the program. Since 1999, not according to our stats, but according to the stats of the nursing association, more than 1,300 more nurses are working in Manitoba than in the days when Ms. Connie Curran came to Manitoba and recommended we fire nurses.

Mrs. Driedger: Mr. Speaker, I would point out to the Minister of Health (Ms. Oswald) that this nursing shortage of ICU nurses, highly specialized nurses, is happening under their watch. Right now, according to the last Freedom of Information document or several documents actually, 78 heart surgeries have been bumped this year. We've got ICU beds closed every month of this year, and we've got a nursing shortage of ICU nurses that has not gotten better over the last number of years under their watch.

So I would like to ask the Minister of Health what she is doing to fix these problems before we

move this cardiac surgery program over to St. Boniface Hospital next month. What kind of risk are we going to be putting our heart surgery patients at after we've already had 11 die in this province waiting for care under their watch?

Mr. Chomiak: Mr. Speaker, the only time in the last 20 years when ICU beds have been closed was when the 14 ICU beds were closed at Misericordia hospital when members opposite permanently closed a hospital that had over 200 beds, then attempted to close Seven Oaks Hospital which has ICU beds, Seven Oaks ER and was planning to close Concordia.

Not only have we expanded the number of nurses and doctors, we've expanded the number of beds, Mr. Speaker. Following the reports of experts, not members opposite, we're consolidating surgeries according to the very experts that came under Dr. Koshal. We've brought in a Canadian, a famous surgeon, that's going to head up the program that we hired. We're attracting doctors here to the program and consolidating. In fact, we're growing. We have the best waiting list in the country.

Wawanesa Emergency Room Services

Mrs. Leanne Rowat (Minnedosa): I'll stick on the topic of closing hospitals. Mr. Speaker, this government has abandoned the community of Wawanesa. Yesterday, in this House, the Minister of Health (Ms. Oswald) indicated that, and I quote, "We are not closing ERs." Well, Manitobans from Wawanesa and the surrounding area have been without emergency room services for over eight months. Despite numerous phone calls, letters and even calls to the Premier's (Mr. Doer) call-in shows, Diane Diehl of Wawanesa has not received an answer as to why she and loved ones are forced to travel 60 kilometres to the nearest hospital.

This is not a situation the Premier or the Minister of Health would ever tolerate for their own loved ones, so why is this government treating rural Manitobans like second-class citizens? When will they open emergency care in Wawanesa?

Hon. Dave Chomiak (Acting Minister of Health): Mr. Speaker, we all know that, from time to time, in rural Manitoba, as in all of rural Canada, there are difficulties in juggling of positions and staff. I'm very pleased that since 2004, 177 rural nursing positions have been filled through the Nursing Recruitment and Retention Fund. Our grants have been provided

to 56 medical students to go to rural and northern Manitoba, a program that was never in existence. We may not be perfect, but we've put in CT scans outside of Winnipeg for the first time in history.

Rural Health Care Emergency Room Services

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I take exception to that. When the Premier, in the 2003 election, comes into my constituency and says he will not close my rural hospital and then my hospitals are closed, I think that needs to be addressed.

While this government was dragging its heels to address ambulance transfers, our rural ERs are closing and our physicians are leaving the province. Rural Manitobans' lives are put into danger because of this government's inaction, and it's still happening.

We recently received correspondence from another Manitoban whose mother resides at the Wawanesa Personal Care Home. This woman fears for her mother's life every time she falls ill because she's forced to travel all the way to Glenboro for care, even though there's a new, perfectly functional hospital in Wawanesa.

How can this government claim to be paying anything more than lip-service to rural Manitoba when they can't even provide basic health care, Mr. Speaker?

* (14:00)

Hon. Dave Chomiak (Acting Minister of Health): Well, Mr. Speaker, first off, 116 new ambulances around the province of Manitoba. Second off, reversing the previous government policy, we are eliminating all charges to patients for land ambulance interfacility transports, something that took hundreds and hundreds of dollars out of people's pockets and was known as the Darren Praznik fee. It was put in place by members opposite and has been eliminated for individuals moving from hospital to hospital to provide equity to rural Manitobans. Surgeries have been returned to rural Manitoba for the first time in history. Not everything has to go to Winnipeg. Things can go to northern Manitoba, things can go to rural hospitals and we have done that.

Mrs. Rowat: There's a strong rumour that Glenboro may be getting notice on Monday that they'll be closing. Then where are the patients going to be travelling to, Mr. Speaker? As a direct result of this

government's failure to keep emergency rooms open and failure to recruit and retain physicians, Manitoba has been forced to travel crumbling highways in new ambulances for hours at a time to access care.

Mr. Speaker, what is this government's plan here? It's time to come clean with Manitobans. If the minister is failing to reopen Wawanesa's emergency room, is this part of a hidden agenda to close rural hospitals?

Mr. Chomiak: Rumours are not facts, Mr. Speaker, and for most of the stuff, the rumours that we hear from members opposite evaporate into non-facts. The Wawanesa ER has been temporarily closed due to some nursing difficulties. Glenboro is 15 minutes away. We've eliminated all charges to patients for land transfers.

We have 1,300 more nurses in Manitoba, 177 more nurses in rural Manitoba. We've put resources into things like the Brandon hospital, promised seven times; a \$1.65-million community centre in Wabowden; EMS services; a \$23-million redevelopment of Selkirk mental health; \$7 million to Westman Lab. All of that is outside of Winnipeg to rural Manitoba, not to mention the interfacility transfers that have been eliminated.

Crocus Investment Fund Communications with David Woodbury

Mr. Hugh McFadyen (Leader of the Official Opposition): I just want to indicate my concern at watching NDP members laughing as the Member for Minnedosa (Mrs. Rowat) is raising concerns about the closure of rural hospitals.

Mr. Speaker, the question is with respect to disclosures made at last night's Public Accounts Committee meeting on the topic of Crocus. We learned last night, and we received confirmation from Auditor General's staff, that it was widely known at Crocus and within the departments of Finance and Industry, as late as 2002 and in all likelihood as early as 2001, it was widely known that there were significant financial problems at Crocus. We also learned last night that the Deputy Minister of Industry was left out of the loop and we know as well that the Premier's (Mr. Doer) close political adviser, David Woodbury, was actively managing the fund, reporting directly to the Premier and members of Cabinet. Mr. Woodbury was active within the departments where the information was widely known about problems at Crocus.

The Premier has indicated that he was briefed that things at Crocus were strong in 2002. We now know and we have confirmation that his officials knew that it wasn't strong, including his close political adviser, David Woodbury.

Is it the contention of the Premier and members of Cabinet that they were misled by David Woodbury with respect to the state of Crocus in 2002?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, it's very obvious that the official Leader of the Opposition wasn't at the meeting last night. It's very obvious that the briefing he got actually twisted the facts that were put on the public record.

The facts were very clear. The Deputy Minister of Competitiveness, Training and Trade made it very clear last night that he was only made aware of the valuation issues on September 24, 2004. That confirms that there was no knowledge of valuation problems prior to that.

The Auditor's Report is also very clear. Issues of pacing and liquidity were drawn to the attention of government officials before that date. That's well documented in the report. That's accepted and admitted to by this side of the House, the government members. The member continues to deliberately confuse valuation issues with pacing and liquidity issues so he can weave his theory of conspiracy and personally attack individuals who have offered excellent public service to the people of Manitoba.

Premier's Knowledge of Problems

Mr. Hugh McFadyen (Leader of the Official Opposition): The Minister of Finance has not said in his take of Public Accounts last night anything inconsistent with what I said, which was that the deputy minister was out of the loop. The deputy minister has indicated he was out of the loop, and that's because their close political adviser David Woodbury was in the loop and was reporting directly to ministers and to the Premier (Mr. Doer) with respect to the state of Crocus. We are pleased to have the minister's admission that they were aware of pacing and liquidity issues at Crocus because these were the significant red flags which they have been claiming to date that they weren't aware of. These are material indications of financial problems at Crocus, which they were aware of in 2001.

Given the fact that the adviser to the minister and the Premier was aware of financial problems

and, yet, they continued to market Crocus units to unsuspecting Manitobans, will he now apologize for leaving that individual within the employment of this government, and will he apologize for the fact that they failed to disclose to Manitobans that they knew about material, financial problems at Crocus as far back as 2001?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, the only material that's false here is the material the member just put on the record. First of all, if the member is really concerned about this issue, he might have taken the time to attend the meeting last night. He didn't do that, and the briefing that he's got on the meeting actually contains an enormous number of inaccuracies.

What was made clear last night, very clear last night, as it was in previous meetings of Public Accounts, was that the deputy minister only became aware of valuation issues in September 2004. All the e-mail correspondence that went on before that related to pacing and liquidity issues, and is actually quite irrelevant, with respect to matters of valuation and performance which were not the responsibility of the government. Government was responsible for monitoring the public policy issues. That job was done poorly because of the way the members opposite organized the function within the department.

Mr. McFadyen: Mr. Speaker, the minister has now admitted that he and his officials were aware of liquidity and pacing issues at Crocus going back to 2001. Liquidity problems are an indication of cash flow problems, which are an indication of problems with the performance of the underlying investment portfolio at Crocus. They continued to promote the sale of these units to unsuspecting Manitobans for three years after the time they became aware that the underlying companies weren't producing enough cash to meet the requirements of the fund.

So given that they were aware for three years as the funds were being promoted to unsuspecting Manitobans and there was the advertisement in November of 2004, the MTS Centre: Invest in Crocus, it's a great investment, get your tax credits, put your money into Crocus because it's a good investment. This was what they were advertising for three years after becoming aware of liquidity problems which is a red flag as to issues relating to the underlying performance of the fund.

Will the minister now apologize? Will he apologize for the fact that he and his officials who

were indicating that they knew about problems, the Premier saying that he thought the fund was strong? Who's got it wrong, the Premier or the minister and his officials?

Mr. Selinger: Mr. Speaker, there's only one individual in this Chamber who seems to have it wrong right now, and that's the Leader of the Opposition. He's doing the classic weave a bunch of irrelevant facts together. He makes up and characterizes them and as he so chooses. He doesn't have any idea of what the facts were. He doesn't look at *Hansard*. He gets a poor briefing from the members who were at the meeting last night. He wasn't there himself. The member is in fantasyland. It's the old story. It's the Maxwell Smart story. There's a cigarette in the room; there must have been a smoker in the room. Maybe there was a smoker and a non-smoker. Maybe there was a smoker and two non-smokers. Oh, my God. There were three people in the room and all he saw was the cigarette in the ashtray. That's all he's got.

* (14:10)

Communications with David Woodbury

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, we thank the Minister of Finance again for that very amusing performance, but I don't think that the 34,000 Manitoba investors—the only thing that's gone up in smoke is the value of the investments held by 34,000 Manitobans that happened under their watch.

Mr. Speaker, given that Mr. Woodbury was in the loop and was aware of significant liquidity problems at Crocus, which is a major red flag, and that his government continued to stand by and watch as these units were being sold to unsuspecting Manitobans, can the minister please explain why Mr. Woodbury remains in the employment of his government?

Hon. Greg Selinger (Minister of Finance): As I said earlier, not only does the member find some ashes in the ashtray and a whole bunch of people in the room, because of all the assumptions he makes, he then wants to use his fabrications to ask for somebody to be fired in the public service of Manitoba. He has not a scintilla of evidence of anybody having done anything wrong. The only thing he's talking about is somebody that might have been involved in meetings about something which didn't happen.

He wants to fire somebody for a superfund that wasn't created. It's very clear. Valuation issues were only drawn to the attention of officials of the government in 2004. Everything else they're doing is fabrications. I suggest the next time he takes off his shoe to answer the phone, he get his facts straight.

Mr. McFadyen: Mr. Speaker, the facts that we put on the record are coming from current and past employees of his government. They're his officials that are providing us with these facts and his own Premier (Mr. Doer), his boss, confirmed that he was in meetings with David Woodbury. His boss confirmed that he was briefed by David Woodbury on Crocus and that he was part of discussion.

So my question to the minister is: Why is he calling his own officials and why is he calling his own Premier a liar?

Mr. Speaker: Order. I've got to remind members, we have to have a little bit more dignity in the House and a little more respect for this institution.

I ask the honourable member to withdraw that word "liar."

Mr. McFadyen: Mr Speaker, I withdraw the word "liar."

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

Mr. Selinger: Mr. Speaker, the member persists in characterizing what other people say in a way that serves his own self-serving political agenda in this Chamber. It's very unfortunate that he does that and, actually, it's quite arrogant. It's quite arrogant on his part to think that he can decide what things mean. He can decide to put words in other people's mouths, he can decide to seek character assassination of public officials who cannot defend themselves in this Chamber and he can seek to attack ministers because he decides to do that.

I've said earlier, Mr. Speaker, members opposite are on a witch hunt but Halloween's over.

Mr. McFadyen: Mr. Speaker, it's got nothing to do with our political interests. It's got to do with the interest of 34,000 Manitobans who have lost hundreds of millions of dollars under the watch of this minister and this Premier.

Now the information is coming from his officials. It's coming from the Auditor General's office who are telling us that David Woodbury was

in the loop. He knew about the problems. He was reporting up the line to the Cabinet and the Premier.

Why is the minister stonewalling? Why is the Premier stonewalling? Why will they not do what's right for the 34,000 Manitobans who have lost a hundred million dollars under their watch? Why are they fighting these individuals? Why won't they stand up and do what's right? Call an inquiry so that we can have all the facts and do justice for Manitobans.

Mr. Selinger: Mr. Speaker, what we did for shareholders in the Crocus Fund is we immediately said we would change the law and we have followed through on that so we would not claw back the tax credits they received upon entering their investments into the fund. That is a value of \$11 million to shareholders. That's 11 million more dollars of value that's been added on this side of the House. Members opposite never even suggested that be done. They had no idea on how to help shareholders.

What also has been done for shareholders, Mr. Speaker, is to give them the best class-action lawsuits in the country. What also has been done for shareholders is to give them a strength in The Auditor General's Act which let them specifically, by law, investigate venture capital funds in this province. What we've done for consumers and shareholders exceeds by millions of dollars anything members opposite have ever done for shareholders in this province.

Child Care Creation of New Spaces

Hon. Jon Gerrard (River Heights): Mr. Speaker, as the Minister of Family Services knows, there is a desperate need for thousands more child care spaces in Manitoba. In May, the federal Conservative government announced in its budget that, starting July 1, it would provide \$100 a month per child under six to allow parents to purchase child care spaces.

Can the Minister of Family Services tell the Legislature today how many new child care spaces have been created since July 1, and how many will be created in Manitoba once the Conservative policies are fully implemented?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Well, we can certainly assure members of this House and Manitoba families that, as a result of the federal withdrawal, we will be making all efforts to ensure that there are no cuts,

Mr. Speaker, whatsoever, that can affect the ability of children in child care. Indeed, we are on track to fulfilling our five-year commitment for child care.

Mr. Gerrard: Mr. Speaker, the minister knows that many families in Manitoba pay only \$2.40 per day per child, which is about \$50 a month. This means that many families are receiving \$100 per month for child care from the federal government for which they only pay \$50.

Does the minister have a plan to let families spend the full \$100 for licensed child care so that the child care system, which didn't receive any provincial increase in 2006, can benefit from the extra dollars to create new spaces, or does the minister prefer to play politics just to make sure that the Tory plan won't work?

Mr. Mackintosh: Mr. Speaker, I don't think the member understands what has been happening in Manitoba the last number of years when it comes to child care and the historic investment in child care by this provincial government.

Mr. Speaker, yes, there are changes on the federal scene, and we are going to make all efforts to ensure that families are not hurt by that. But I remind the member opposite that funding for child care has increased by 107 percent since the year 2000. That's our commitment.

Mr. Gerrard: Mr. Speaker, the NDP-Tory battles on child care are continuing and the Manitoba children are the ones who are suffering. Many parents today are in limbo because of this NDP-Tory posturing, and they don't really know, come April 1, whether there will be child care spaces for their children, let alone today, when there are hundreds of children and parents on waiting lists.

What happens after this government's five-year plan for child care ends in 2007? What is this government going to do to ensure that the child care system can attract and retain enough workers to look after the children? Will the minister stop playing politics with children's lives and immediately bring in a responsible long-term child care plan for Manitoba?

Hon. Gary Doer (Premier): Mr. Speaker, I don't know whether the member is aware that the former Liberal government that promised; in fact, I think the member opposite promised child care in 1993. He promised it again in '97, promised it again in 2000. I was pleased when we got the first child care

agreement in Canada in 2005, but it did concern me—2004, rather.

It did concern me that there were two elements of that child care agreement that provinces were very worried about. One was that the money was only for five years, as opposed to building it into the base. We wanted early childhood development and the child care agreement built into the base. The federal Liberals said no to that.

Secondly, we did not want a one-year termination clause.

Now, we certainly were pleased to move ahead with Ken Dryden. I have a lot of respect for him. But, certainly, Canadians would have been better served to have a long-term early childhood development agreement.

* (14:20)

Mining in Manitoba Government Initiatives

Mr. Gerard Jennissen (Flin Flon): As the mining industry was celebrating its best ever Manitoba Mining and Minerals Convention on November 20, Halo Resources announced exciting new ore finds around Sherridon. Less than two weeks later, HudBay Minerals Inc. announced it will spend \$37 million next year on mineral exploration and an additional \$8.5 million on the Bur deposit near Snow Lake.

Could the minister responsible for mining elaborate on the many positive initiatives from our government aimed at strengthening the mining industry, an industry worth \$1.5 billion annually to our economy?

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): I am pleased to let the whole House know about some of the initiatives that have been taking place.

First, the Mineral Exploration Assistance Program was very, very well set up. It's designed and focussed exploration on areas that need it, areas that have had abandoned mines, et cetera. We have a Prospectors' Assistance Program. We have new data available on-line that people can get the historical information on. We have an Aboriginal prospectors course.

I am pleased to let the members know that previously exploration was around 30-35 million. This year with the announcement, it is already up

50 percent. It looks like we're going to hit historical records. We have a new mine in Bissett, which is 65 percent First Nation employment. We've got a feasibility study, and we are moving forward on cleaning up abandoned mines. And I might say, Sherridon/Cold Lake, we've cleaned up a mess that the Liberal government left.

Government Spending Management of Funds

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, we're at an important time in our province's history as we see provinces around us moving forward on many important fronts to reduce taxes and create opportunities for young people.

Here in Manitoba, we have a government that has bungled the floodway project. They've soaked Manitobans on the floodway, running over budget and cancelling six bridges. They've cost 34,000 Manitoba shareholders \$100 million of their investments. They've driven 1,100 jobs out of Manitoba, in order to protect two jobs on that side of the House, Mr. Speaker. And all the while, under all this blanket of mismanagement and incompetence, all they can do is impugn the competence and the honesty of civil servants and try to blame previous governments.

The *Brandon Sun* had it right, Mr. Speaker, this government, in its comment on the Throne Speech. This is a government that is intellectually bankrupt. When is the Premier going to stop blaming everyone else for the seven years of waste, inaction and neglect under his watch?

Hon. Gary Doer (Premier): I'd be very, very careful. Some of the same people that stabbed the last leader in the back are sitting there—[interjection] I'll be careful in my rhetoric, Mr. Speaker.

Mr. Speaker, you know, the first day this session started, the member opposite didn't put one shoe in his foot, he put eight shoes in his foot because he said on the first day that the Manitoba Hydro—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, the member opposite said that Manitoba Hydro was not mentioned once in the Ontario report. That is their negative opinion about growing Manitoba's economy. He still hasn't apologized—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, he still hasn't apologized for the fact that Ontario mentions Manitoba eight times in terms of hydro-electric development. The people in Manitoba know one simple fact. The Tories opposite are planning to sell Hydro. We are planning to keep it for the benefit of all. People know that, Mr. Speaker.

The time for Oral Questions has expired.

Speaker's Statement

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

As the Assembly will more than likely be recessing today until the New Year and because we will have Youth Parliament meeting here in the Chamber later this month, I am asking that all members empty the contents of their desks before leaving today. I encourage members to use the blue bins here in the Chamber to recycle their *Hansards* and copies of bills. Any other material you have to recycle should be placed in the larger blue bins in the two message rooms.

I thank all honourable members for their consideration and co-operation.

MEMBERS' STATEMENTS

Clubhouse of Winnipeg

Mr. Rob Altemeyer (Wolseley): I am pleased today to recognize the important services provided by the Clubhouse of Winnipeg, located in my constituency of Wolseley. The Clubhouse is a psycho-social rehabilitation agency where people have been meeting since 1999. It provides numerous programs and services for adults struggling with severe and persistent mental illnesses. The Clubhouse model is, in fact, the only international mental health agency that has been granted special consultative status on mental health human rights policy by the United Nations.

I personally visited Clubhouse on several occasions and can vouch that their work in the community is constant, and their devotion is unwavering. They consistently receive 35 to 40 visits each day, proof of the importance of the services they offer.

The Clubhouse provides an opportunity for club members to gain employment skills and build meaningful relationships. This is an inclusive and

relevant place where members and staff share the responsibilities and make the policies that affect their day-to-day activities together. The opportunity to develop skills is facilitated by working side by side with staff in the computer resource area, the library and thrift shop, amongst others.

Developing these skills in a caring, holistic environment allows members to re-enter the workforce gradually, relieves pressure on crisis care in Manitoba and decreases incidences of hospitalization. The Clubhouse also increases self-esteem among members and enhances their ability to live more independently.

Mr. Speaker, it gives me great pleasure to recognize the efforts of the Clubhouse of Winnipeg. Mental health is important to Manitobans, and it is an important priority for this government. I would like to especially commend the work of Executive Director Mark Elie, who joins us today in the gallery of the Legislature, and also to his staff and all the membership of Clubhouse for working together to improve the lives of our citizens who live with mental illnesses.

I look forward to working with the Clubhouse in the future. They are a true asset to our community. Thank you very much, Mr. Speaker.

Athletic Therapy Profession

Mrs. Leanne Rowat (Minnedosa): The field of athletic therapy is a prime example of the inability of this NDP government to develop innovative, long-term strategies to keep young people in Manitoba.

The daughter of my constituent; her name is Heidi Janz, graduated with a degree in athletic therapy and could not find sufficient work in Manitoba, even after looking for a number of years. She has since moved to Ontario where she is employed at a clinic where she works alongside doctors and other specialists to offer urgent care such as bracing, casting, assessments, and referrals.

They provide specialized skills that are very valuable and can undertake many functions traditionally done by doctors, which allows doctors more time to perform their other activities. Heidi Janz stated in an e-mail: The clinic in Ontario runs very smoothly, and I can see its value in Manitoba. It cuts down on waiting times in hospital ERs and provides additional treatment options for the patients.

The NDP government has missed an opportunity to deal with some of the major challenges faced by

our health care system. Wait times in certain areas could be reduced and stress taken off doctors. Instead, the athletic therapy profession has not been supported by the government as it tries to increase its role and status in the health care profession.

Manitoba has two athletic therapy programs but has fallen behind other provinces when it comes to utilizing the specialists and finding innovative ways to integrate them into our health care system. With a strong academic base in the province, the capacity to facilitate the movement of graduates into the health care system should present.

Manitoba does not have this because the NDP government has not developed any strategy. Manitoba is losing a valuable resource that could be used to address some of the challenges facing our health care system. Young people like Heidi Janz are leaving Manitoba for other provinces where their skills and knowledge are appreciated, and they can make important contributions to the health care system within our country. Thank you.

Positive Parenting Program

Mr. Jim Maloway (Elmwood): Mr. Speaker, I rise today to recognize a new and innovative program that is going to be known throughout Manitoba. The Positive Parenting Program is a world-renowned initiative that promotes positive caring family relationships and is part of this government's ongoing commitment to children and youth.

The Positive Parenting or Triple P program helps parents learn effective management strategies for the children and increases their knowledge about growth, health and social skills. Triple P was developed at the University of Queensland, Australia, and has more than 25 years of research supporting its effectiveness. It has also been designed to allow for broad scale evaluations by external agencies.

This October I had the privilege of being able to participate in one of the Triple P training programs along with many professionals in the health, social services and education systems. By training these community workers, the hope is that parents from all across the province will soon be able to access the support of someone who has been accredited to deliver Triple P services.

* (14:30)

Practitioners from communities within the North End, Point Douglas, Elmwood, Seven Oaks, North Eastman and Burntwood regions have already been

trained, and this fall training has been expanded to include the Interlake, Brandon, Parkland, South Eastman and NOR-MAN regions. Over 100 practitioners have been accredited to date and many more are preparing for accreditation in the coming months. Ongoing projects to assist families are part of this government's commitment to young Manitobans.

I'm proud to be part of a government that has been recognized nationwide for being the only provincial government to have a Cabinet committee dedicated specifically to children and youth. I would like to close by thanking the developers of the Triple P program and the staff at Healthy Child Manitoba for providing such a progressive program to the front-line staff who work with families in both Elmwood and across the province. My hope is that many Manitobans will be able to experience the benefits of this exciting program in the coming months. Thank you, Mr. Speaker.

Charles Paul Balmer

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I am proud to take a few moments today to recognize an individual who was an inventor, an innovator, a designer and an entrepreneur. I wish to recognize someone who was passionate and influential in his life work. I wish to recognize an individual who embodies the character of this province, of individuals who immigrated from overseas to come here, work hard and build a new life. I wish to recognize the late Charles Paul Balmer of Elie, Manitoba.

Charlie, as he was affectionately called, was born on October 14, 1930, in Switzerland. As a young man, in 1952 he immigrated to Canada where he worked as an ag mechanic for Elie Motors for several years until 1977.

Charlie's life passion was designing equipment and flying. He spent many hours sitting at his drafting table, in his shop, developing his latest prototype or in his hangar with his airplanes. In 1977, Charlie would grow his passion into his own business called Valmar. This business would become a well-known and influential manufacturer of pneumatic applicators. He had drafted designs for a hovercraft for farm applications.

Charlie's approach to life was mirrored in his business philosophy. His partners and co-workers received his admiration, his inspiration and were treated like his family. It was through this approach,

combined with his intelligence that would see him become an influential member of the agricultural industry. He was inducted into the Agricultural Hall of Fame in 2004.

Charlie is an example of an individual who can leave a significant footprint on the lives of many simply by working hard, by being inventive, creative and by treating others with generosity. On September 14, 2006, Charlie passed away after battling cancer. He will be remembered. Thank you, Mr. Speaker.

2020–Manitoba's Transport Vision

Mr. Gregory Dewar (Selkirk): Mr. Speaker, in 2002 the then-Minister of Transportation, the MLA for Thompson (Mr. Ashton), announced 2020 Manitoba's Transport Vision project.

The project's goal was to inform and engage the public in understanding and solving the province's transportation infrastructure challenge. The committee was composed of representatives from Manitoba's First Nations in northern communities, the AMM, KAP, Chambers of Commerce, the Federation of Labour, as well as the Member for Flin Flon (Mr. Jennissen), myself and our most abled chair, the Member for Transcona (Mr. Reid).

Mr. Speaker, this committee held workshops in 15 communities such as The Pas, Pine Falls, Steinbach, Brandon, Selkirk, Portage la Prairie and Winnipeg. Public consultation meetings took place in northern communities including Berens River, Oxford House, Shamattawa, Churchill, Lynn Lake, Pukatawagan and St. Theresa Point. We found that Manitobans were proud of our extensive transportation network, but they're also concerned with renewing the challenge and renewing the system that has been damaged by our climate and increased traffic.

Our committee estimated that the cost of upkeep and renewing our system would cost \$3.1 billion over the next 10 years. I'm, therefore, pleased that this government has committed over \$4 billion in transportation investment over the next 10 years. Work will be done on Highways 1, 2, 3, 6, 8, 9, 59 and 75, to name a few. As well, many bridges and structures will be repaired or replaced.

Mr. Speaker, Manitobans asked us to invest in our system. Our government has listened and delivered. Thank you.

GRIEVANCES

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

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker.

Mr. Speaker, I wanted to take this opportunity to grieve today. I'm going to attempt to explain in very clear terms, why it is that I feel that this is a very important issue for me and my constituents, ultimately.

I have asked the Premier (Mr. Doer) very straightforward, what I would classify as simple questions, questions such as: Has the Premier read a letter; such as: Has the Premier shared or copied the letter to anyone else other than Elections Manitoba? The answers that I have received from the Premier are not satisfactory because they are, in essence, non-answers. In fact, Mr. Speaker, the other day the Premier chose not to even stand up to answer the question, as it is within the rights of the government to determine who answers the questions that are being posed by opposition critics.

Mr. Speaker, I believe very passionately in the issue that I have brought to the attention of this Chamber. I have had opportunity to have discussions with at least three individuals that have, in essence, explained the situation to me in which I feel obligated to raise as an issue inside this Legislature, and also outside of the Legislature.

I have made reference to a letter, and, unfortunately, I am not able to table it. If I could've, Mr. Speaker, I would have loved the opportunity to have been able to table that letter. That letter, I did get the opportunity to read very thoroughly, and, when I say thoroughly, I mean several times just going through each page of the letter, and I did take what I believe were very accurate notes from that letter. The letter itself was addressed to the Premier of the province. It was signed by Kara Sidhu, who is a candidate for nomination in The Maples.

The essence of the letter, Mr. Speaker, is that there were some words that really triggered my thinking in terms of that something's wrong. Those were, and I'm going to use quotes, quote, "political intimidation and bullying," another, "unethical and illegitimate pressure," "corruption" and "bribery." These are words that I had actually read in the letter.

There was a story that was being given in the letter. It talked about the honourable Member for

Maples (Mr. Aglugub), whom I have a tremendous amount of respect for, was going to serve a third term, but halfway through that third term that he would, in fact, be stepping down. That is what was being told at that particular meeting. I was told, or I read, that the Member for The Maples, who has, as I say, all my respect, was also going to be going into Cabinet and this was going to reflect negatively on the Member for The Maples if the nomination was going to be contested. Mr. Speaker, this individual was provided incentive to step aside, in return there would be some sort of a political board appointment. From what I understand, there was a list, but I can't necessarily substantiate that—at least not at this time.

* (14:40)

Mr. Speaker, I would like to read the code of ethics, which all political parties in this province had agreed to, except for, I believe, the Marijuana Party. The code of ethics states—and it's a lengthy document. All members can get the document by Elections Manitoba's Web site. It reads, and I am just going to read in parts what it states: "The following code was developed through consensus with the political parties and to date 6 of the 7 registered political parties in Manitoba have formally adopted or are in the process of adopting the shared code."

Mr. Speaker, it goes on in terms of purpose: "All political participants accept the responsibility to act in such a manner as to maintain and enhance public confidence in the integrity of the political process. This Code will assist the public in assessing the ethical conduct of political participants."

Read on to application: "The Code applies to all elected representatives, candidates, persons seeking or to become candidates, constituency associations, office-holders, staff, party members, volunteers associated with the political party, and principle vendors and suppliers (hereinafter referred to as "Members") whenever they are acting as participants in the electoral process."

It goes further on to respecting for the law and it states, Mr. Speaker: "Members shall maintain and promote respect for Manitoba's election laws. This involves complying with both the letter and the spirit of the provisions of all election laws and regulations, including the administrative, regulatory and offence provisions of *The Elections Act* and *The Elections Finances Act*."

"Members shall make every,"—and go in to integrity—"members shall make every effort to ensure that their conduct is above reproach. This means that they should not engage in conduct which could be regarded as unfair or unacceptable by reasonable, fair-minded and informed persons."

To that degree, I have indicated, and I am prepared to resign my seat, if, in fact, that using that line, that "reasonable, fair-minded and informed persons" be attached and feeling confident that the information that I am aware of has, in fact, had its day in court or some form of an inquiry.

Mr. Speaker, earlier today, in fact, I had sent an e-mail requesting an investigation from the RCMP. I have suggested that they read the criminal offences act of the administration of law and justice in dealing with corruption and disobedience, breach of trust by a public officer, influencing or negotiating appointments or dealing in offices and disobeying the statute. I am not a lawyer. This is a document that was provided to me, and I appreciate the efforts that others have had, in terms of making sure that I am, to the very best of my ability, trying to ensure that there is justice delivered on this, what I believe, a very important critical issue.

I say this today, Mr. Speaker, because I believe, if it was up to the government, that none of this would ever get out. I truly believe that this is this government's intent. At a time in which there is an election, likely, sometime in the next six months, I believe that Manitobans as a whole have a right to know what has transpired in regard to this issue. I don't know if this is a tip of an iceberg; if it's happened elsewhere, I just don't know. What I do know is what I read and the discussions I have had with three individuals, in particular. I hope, and I trust that at some point I will be able to get my day in court where I would actually, or in front of a public enquiry, and try to get clarity on this issue. Let's say to the members opposite, in particular to the member from east, who would just as soon see this issue disappear, as many of his colleagues.

An Honourable Member: Say it outside.

Mr. Lamoureux: Everything that I have said inside the Chamber, I have said outside the Chamber. So, Mr. Speaker, I would ask the Member for Brandon West (Mr. Smith) to have the same sort of—I don't want to use anything unparliamentary—I would like for the member from Brandon to do what I have done and put his seat on the line on this. Is the member from Brandon, or is there any government

member that feels so firmly that I am wrong that they're prepared to put their seat on the line? They will have an immense amount of respect from me if, in fact, they're prepared to do the same. But, somehow, I suspect that no one there is going to take me up on that particular challenge.

It is not an easy thing to do when I love the opportunity to be able to be here. I enjoy being an MLA. I enjoy the trust my constituents have given me by being their representative. But I believe this is one of those issues that has to be addressed and this is the best way in which I believe it can be.

Thank you, Mr. Speaker, for allowing me to put it on the record.

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I can just indicate we've agreed on a tentative order, but I'm going to call bill by bill in order to expedite matters in the House. So I'd like to call Bill 29 for concurrence and third reading.

I move, seconded by the—

Mr. Speaker: If you're going to do one bill at a time, just inform the House, and then I will call a bill, and then you will get a chance to move it. So you're moving Bill 29 first?

An Honourable Member: 29.

CONCURRENCE AND THIRD READINGS

Bill 29—The Degree Granting Act

Mr. Speaker: Okay, so for the information of the House, we will start first with Bill 29.

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Energy, Technology, Science and Mines (Mr. Rondeau), that Bill 29, The Degree Granting Act; Loi sur l'attribution de grades, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Leonard Derkach (Russell): Mr. Speaker, I've been happy to consult with the universities on this particular piece of legislation. Although there are

outstanding issues with respect to how universities are, in fact, treated, and how our colleges are treated by this government. I would have to say that, because this legislation moves us closer to where other jurisdictions are at with regard to degree-granting privileges, this is a piece of legislation that is generally supported by the academic world and by our universities and colleges. It is one that I think, if we move forward on, will indeed offer more clarity in terms of the definitions and the way in which universities grant degrees, and the institutions that are defined under the act, and are allowed to offer degree programs and can give degrees.

So, with those few comments, I'm certainly prepared to allow this piece of legislation to go through. Thank you very much.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 29, The Degree Granting Act.

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

Mr. Chomiak: Mr. Speaker, I'd like to call Bill 5, The Personal Investigations Amendment Act.

DEBATE ON CONCURRENCE AND THIRD READINGS

Bill 5—The Personal Investigations Amendment Act (Identity Protection)

Mr. Speaker: Okay. Resume debate on concurrence and third reading of Bill 5, The Personal Investigations Amendment Act (Identity Protection), standing in the name of the honourable Member for Tuxedo (Mrs. Stefanson).

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 Tuxedo?

Some Honourable Members: No.

Mr. Speaker: It's been denied. Do any members wish to speak?

* (14:50)

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I'd just like to put a few words on the record regarding Bill 5, The Personal Investigations Amendment Act (Identity Protection). I recognize that this is a small step that the government is making in terms of

protecting information, Mr. Speaker, but I have to say that I think the bill is misnamed when they mention identity protection in the name of this bill.

It's misleading to the public in that we did see a newspaper article that came out the following day saying that the government was enacting an identity theft law. That's not what's happening here. There's no identity theft law being enacted by this government. So I think that the name was just opportunistic to put that in there, to draw some attention to them in making the public think that they were doing something that they are really not doing.

I think there are some cautions with the bill, Mr. Speaker, that this actually may make identity fraud even a little easier, if the identity thief, so to speak, were to be very innovative and be able to convince the credit bureau that they, in fact, were the person whose information they had actually stolen. So it does draw that caution.

However, we do support the bill, as I said. It's a small step but we would hope that the government would reciprocate, Mr. Speaker, and support Bill 200 which actually goes much further to protect the personal information of employees in the private sector and therefore filling the gap that we see in legislation in this province. So, I would encourage this government to have a look at that bill and adopt that bill as well, because that actually is a bill that does go a long way to addressing identity theft, identity fraud and identity protection.

So, with those few words, I would like to support this bill and move it forward. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, the Liberal Party, we, too, are ready to support this bill. We have some concerns and believe that this bill needs to be watched closely in its implementation to ensure that it actually produces the results that the government believes it will.

I think that there are all too often, we have seen that the government has brought bills with one intention but, in fact, the intention has not been delivered on nearly as effectively as it might be. Thus, it is one thing to have a good intention, it is another thing to actually deliver a bill which is going to be effective and not cause more problems than it purports to solve.

I would say that, when it comes to protection of identity, this bill probably is not all that effective, but we will watch carefully and we will try to make sure that individuals need to be warned of the potential

for abuse of this legislation as it's been written. So let us watch very carefully. Certainly, there are concerns here and it needs to be clear, after we've passed this and it's implemented, that these legitimate concerns should not be used to create loop-holes and to get around the law.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 5, The Personal Investigations Amendment Act (Identity Protection).

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

Bill 2—The Employment Standards Code Amendment Act

Mr. Speaker: Bill 2, The Employment Standards Code Amendment Act, standing in the name of the honourable Member for Tuxedo (Mrs. Stefanson).

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

An Honourable Member: No

Mr. Speaker: No. It's been denied.

Mr. Ron Schuler (Springfield): I just wish to put very few brief comments on the record. First of all, I would like to begin by thanking all those individuals who worked so fastidiously to get this bill to this point. We know that LMRC worked very hard to get a consensus report to the minister. We know that not every point necessarily was agreed to by all, but they did come to some consensus and thus brought this bill forward.

I'd like to also thank the Department of Labour and those individuals who were part of the briefing that we were invited to, and that was very helpful. I've also had the opportunity to send the bill out for comment to individuals, stakeholders across the province, and there are some concerns that came back. I will reference them briefly, but, by and large, nothing that I would necessarily refer to as a bill killer. I did mention to the minister a few concerns that individuals had, and I thought that perhaps a small change or amendment would have been warranted. The minister, however, declined, and seeing as we would always be facing an approximate 35 to 20 vote, I didn't think there was much value in pushing it. I still think the changes are warranted.

However, we did not want to hold up the legislation in this case.

The first issue was section 25, 59.3(1): "An employee who has been employed for at least 30 days may take up to three days of unpaid leave each year, but only to the extent that the leave is necessary" and it goes on. What we were asking for, from the consultations we had, is that, rather than it being after 30 days, let it be a six-month period; after which they could then have three days. Not a big issue, but, still, we thought that it would be better if it was after six months and would have liked to have seen that small change. However, the minister denied.

The next issue was section 28, 61(2) and its notice period for termination by employer. It lays out a schedule whereby, if you've been employed for less than one year, you get one week's notice, and up to at least 10 years or more, then you have eight weeks' notice. What the problem was is that it takes out, for the employee, really, any need to have to give any notice, although the legislation does say that there is a two-week notice from employees that they have to give. Notice, they've taken away any penalty. So, for instance, if an employee comes in and says, I quit today, the employer really has no opportunity to have any kind of hammer because there is no withholding of wages. We felt that that was not appropriate, especially if you have multiple employees leaving your employment. It is a hardship for small business. Again, I would point out these are all coming from a perspective of small business.

I would point out to the minister and to this Chamber that in the United States women entrepreneurs, women small business owners employ more people in the United States than all multinational corporations combined. So this is really about small business. I think it's important that small business be able to have some kind of a tool that an employee, when they give two weeks' notice, that they must continue to work for two weeks. I explained to the minister, I know of a case where a manager left and ended up taking all the staff, but because there was the hammer of the two weeks' notice, and that you could withhold wages if they didn't work those two weeks, those employees all had to work for two weeks, and allowed the individual to hire individuals to carry on from that point on.

We are in a very tight labour environment. Labour is very difficult to come by. You want to

have some time to train your staff, and that's where I think it's important that individuals, who are employees, must also have some kind of rules and regulations that they have to live with, as do employers. Again, we laid this out for the minister, and the minister did not feel that it was really a serious issue, and felt that it wasn't worthy of a change. She indicated that she would not entertain an amendment, and, again, we do have in this Chamber, tyranny of the majority. It is 35 to 20, so we felt that there was really no benefit in trying to change that.

* (15:00)

There was one other issue that we did mention to the minister and we did get some clarification. That had to do with agriculture workers. That would be section 2(4), pardon me, 2(5):

"Application to agricultural workers

2(5) Except as otherwise provided in the regulations, this Code applies to persons employed in agriculture."

There was some concern that that didn't necessarily exempt agriculture, and the minister has indicated to us, both in the briefing that we had with the minister and her staff as well as when we were in committee, the minister again laid it out that the agriculture was to be left out of this. I am trying to find it in my briefing notes from the department.

What the minister has indicated is that there will be no changes to regulation until agriculture has been consulted. In fact, they were given an extension, simply because it was not something that they had wanted to get into at that time. So we want to be very clear on this, and we want to encourage the minister to perhaps get up one more time, because, again, when there's any kind of dispute, what happens is they will often go into *Hansard* and look at the minister's words, what was put on the record, to look for intent. Again, I think it's very helpful because we don't want to leave the impression that somehow all labour legislation applies to agriculture. In fact, the exemption is still there. In regulation, they are going to work with the agriculture stakeholders and deal with them at that point in time.

So it would, I think, be helpful if the minister did get up and address that particular issue. If she doesn't, she has, I know, referenced it in committee. So, if there was any question there, they could always reference the discussion that took place in committee.

Other than that, it basically seems to be fairly straightforward. We certainly had some discussion of the bill in committee. We'd like to thank those individuals who came forward and presented, as we always are pleased when individuals come forward. There is a great opportunity in Manitoba for individuals to come in front of a committee of the Legislature, to come in front of legislators and present their case, whether it's good, bad or indifferent. I suspect they could even come and sing us a song, strange as that might be, but they are allotted some time, where they are allowed to come in front of elected officials and have their say on legislation.

I happen to think that is incredibly helpful. I think it is very democratic, because it really does allow individuals a say when it comes to legislation. Perhaps it won't sway the government of the day, but it might just be enough. I have seen where it's had some impact, enough impact to change what comes after that.

So it was a very, very good process that we went through. We also went line by line, and like I indicated to this House, we did lay in front of the minister and her department some of the changes that we thought might have been of value. We know that that did not take place.

So, to all of those individuals who worked very hard on this legislation, behind the scenes, who may or may not be listening, we would like to congratulate them, thank them on the work that they did for this legislation, and would like to see this bill after the minister has a chance to speak and anybody else, move on to Royal Assent and proclamation. Thank you very much, Mr. Speaker.

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, I just wanted to put a few words on the record prior to the bill passing through third reading and ultimately receiving Royal Assent, hopefully, a little bit later on this afternoon. I also believe my leader wanted to put some brief comments on too.

Mr. Speaker, it's always encouraging when you get legislation that's been brought to the Legislature where there's been a consensus between labour and management. That's what we have before us. We recognize that it's always difficult to make amendments because, as we go through the bill, you can always come up with one thing, or maybe add a little bit here, take away a little bit here.

Mr. Conrad Santos, Deputy Speaker, in the Chair

But, ultimately, at the end of the day, we recognize that the Labour Management Review Committee did its work, and whenever you get two sides together there's always a lot of give and take. We're not wanting to offset the balance of that give and take to support the bill in principle, and recognize that the bill is moving into areas of unpaid family leave and the idea of bereavement leave. There're issues dealing with holidays and commissioned sales people.

It's a fairly substantive piece of legislation, and I would thank the minister for providing the briefing. It was most helpful. The only concern that I had mentioned during the briefing that I did have, was in regard to sales commissions, i.e., the car lot, and the impact that it's going to have on dealerships. I'm still not quite sure if I really understand it. But some might say—

An Honourable Member: It is difficult.

Mr. Lamoureux: As the minister says, it is difficult. Some might say I'm bit of a slow learner on it. The point is is that it takes a while for us to adjust at times, and I did appreciate that.

The only other that I would want to add a very quick comment on, and I do this because it really goes back to the '88-89 era when we talked about the benefits of final offer selection. I worked very hard with Bob Rose and others to get final offer selection to work in the province of Manitoba. I was really pleased with the fact because at that time Paul Edwards was a Labour critic, and Sharon Carstairs was the leader. Bob and I were over to convince him in terms of some amendments that would have made the final offer selection work. I do think that there is some merit for it, and I would have liked to have seen, at least, some more debate on that particular issue.

Having said that, Mr. Deputy Speaker, I just wanted to put these few words on the record prior to its passing. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I'll comment briefly on Bill 2. I would say, first of all, that it is good to see the government on occasion has done some consultation, and in this case, did a reasonable job of trying to come to a consensus on getting the LMRC to provide a consensus position.

This is quite different from what we've seen on other bills, notably, for example, Bill 32, where I continue to get correspondence from Chief Syd Garrioch, and Chief Morris Shannacappo of the

Treaty Land Entitlement Committee, board president, indicating the real problems that this government has had in having any consultations. Here is from Chief Garrioch: Absolutely no consultation; same thing from Chief Morris Shannacappo. That's totally unacceptable, and so I would, in this case, compliment the minister for having made, at least, some effort in this respect.

* (15:10)

The second point I would make is that, with regard to the inclusion or not inclusion, you know, we really don't know, in terms of agriculture. We hear, in the past, and often, that this government doesn't want to put contentious material in a bill, but will put it in the regulations. We certainly saw some of that when it came to the management of phosphorus, that the contentious and the problem areas were in the regulations, not particularly in the bill itself. So certainly a government which is bringing forward legislation should be clear in the direction that it's going. We would have expected a clearer indication here rather than may or may not be in because of the regulations. So agriculture clearly is an orphan industry in some respect in that it is treated differently. In other respects the government is being unclear in terms of where it is going here because certainly agriculture can be included in this just by one stroke of the pen after the bill is passed by putting in regulations. We will see, and perhaps the government, the minister will speak more to this.

A third aspect that I would mention is part of the fact that deals with the liability for directors with regard to payment of wages, and I think this is a reasonable thing to do. That is to ensure that there is corporate directors' liability for unpaid wages. You know, it strikes me that this is quite different from many of the other bills that we've seen in this Chamber over the course of the last year or so which have specifically added cause to exempt ministers and various other individuals from any liability at all. And so it's nice to have a bill which actually has a little bit of accountability within it, and we would note that this is the exception rather than the rule from this government and certainly the government should have done better in other instances, but we are at least pleased that the government recognizes that there still needs to be some accountability, and I expect that's because the LMRC in its consensus recognized that there needs to be some accountability. So, yes, we are going to support this Employment Standards Code Amendment Act which does some helpful things, I believe, for the situation

in Manitoba for employers and for employees. Thank you.

Mr. Deputy Speaker: Anybody else wants to speak before the minister concludes?

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Deputy Speaker, it certainly is a privilege today to speak to Bill 2, and I have to tell you how pleased I am that we are going to be able to pass this legislation this afternoon because this is the most comprehensive review of the Employment Standards Code in 30 years. The Employment Standards Code lays out the basic minimum rights for approximately 500,000 workers in this province. Many of them are vulnerable workers, many of them are newcomers, many of them are women, many of them are students and many of them are in lower-paying jobs. We believe that this is a very important piece of legislation for those individuals who are not covered by collective agreements. It will affect and provide a better quality of work life for approximately 310,000 workers.

I do want to just reiterate again that Bill 2 reflects the unanimous recommendations that were in the LMRC report, and I do want to thank the Labour Management Review Committee for all of the work that they did on this piece of legislation. They are volunteers, and they really did a spectacular job on this legislation. I know that there were many deliberations in regard to some particular issues, and we were very, very fortunate here in Manitoba. We are the only jurisdiction in Canada with an LMRC, but I do believe that it has probably been very helpful for us because it is a process that we have been able to use when we were dealing with very thorny labour issues, and it has assisted our government in restoring harmonious and balanced labour environments here in the province. I want to thank both the employers and the labour representatives on that committee for all of their hard work.

I do want to just touch base on a couple of issues, particularly the agriculture issue that my critic mentioned. They know very, very well that we have made absolutely no changes to the agricultural industry here in the province of Manitoba. That was made very clear in committee, but it was also made very clear in the report that I received from LMRC.

But I think it's also very important, Mr. Speaker, that the Leader of the Liberal Party understand clearly what has gone on with the regulations. I have received a unanimous report on the regulations and

that unanimous report on the regulations is posted on my Department of Labour Web site. I just want the Leader of the Liberal Party to know that because he was criticizing me for not consulting and I think that is clearly wrong in this situation. We have done a great deal of consultation with all of the stakeholders in the agriculture sector and I really don't need any lectures from him. He tabled the bill today in this Legislature on workplace safety and health and he has not consulted with employers or labour on it. Then he moved into the Ag regulation and said that I should be clearer with it. Well, one of the reasons we're not being clearer with it is because we're consulting on it. So he really should make up his mind.

I, once again, would like to also just touch base in regard to the family leave legislation or component of the bill. That was probably one of the most contentious issues that the LMRC had to deal with. It was very, very difficult but at the end of the day, when they got a unanimous consent on that particular provision in the legislation, both the employers and the labour stakeholders were comfortable with it. I was asked to change that in committee and I was very honest with my Labour critic and I told him that I didn't think that it would be appropriate for me as minister to make changes to unanimous recommendations from LMRC, because I thought things would start to unravel pretty quickly if I started doing that kind of thing.

I would like to thank my departmental staff who worked so hard on this legislation. They provided support to LMRC, probably for the last year, and will continue to provide support as we consult with the agriculture stakeholders. Those individuals are Dave Dyson who is the director of the Employment Standards Branch, and Rick Rennie and Jay Short, who are just about as excited about this legislation as I am. I'd also like to thank my deputy minister, Jeff Parr.

So, with that, Mr. Deputy Speaker, I'd just like to say how privileged I am to be the minister bringing in this legislation. Thank you.

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

Some Honourable Members: Question.

Mr. Deputy Speaker: The question for this House is the concurrence and third reading of Bill 2, The Employment Standards Code Amendment Act; Loi modifiant le Code des normes d'emploi.

Is it the pleasure of the House to adopt the motion? [*Agreed*] I declare the motion carried.

Mr. Speaker in the Chair

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I wonder if we could turn to concurrence and third reading, Bill 33, The Northern Affairs Act.

* (15:20)

CONCURRENCE AND THIRD READINGS

Bill 33—The Northern Affairs Act

Mr. Speaker: We'll deal with the concurrence and third reading of Bill 33, The Northern Affairs Act.

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Education (Mr. Bjornson), that Bill 33, The Northern Affairs Act; Loi sur les affaires du Nord, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be read for a third time and passed.

Motion presented.

Mrs. Leanne Rowat (Minnedosa): Here I would like to put some brief comments on the record regarding Bill 33. The bill appears to, or attempts to advance the process towards municipal-like governance and accountability for the Northern Affairs communities. When we were on the northern tour earlier this fall, we met with several community members and representatives of NACC, and in discussions with them, generally speaking they supported the move towards this act which gives them more authority and responsibilities, Mr. Speaker. So we support what is being presented here. We have some concerns, but I believe that, overall, the bill addresses the needs and the wants of the communities in the north.

Section 15 creates a board to receive proposals for incorporation in the like, and then hold meetings, and then make recommendations. This is something that members from the NACC were very receptive to, but, in discussions with them, the common concern was that there was a lack of understanding and a need for clarification on the qualifications of the board. There seemed to be no sense of how the board would be made up at that point, and the people that we had consultation with were adamant that people with experience are needed to ensure that the bill will work in the best interests of the community that it is to represent.

Other points of concern are with regard to the powers of the minister and concern with the amount of power that the minister will have with regard to areas such the Public Utilities Board. Some clarification will be required through questions, through Estimates, and, hopefully, we'll have some solid answers so that we can share those with the communities.

As indicated earlier, this bill was developed at the request of northern communities, and we will continue to work with those communities to ensure that their best interests are taken into consideration as this process moves forward. Thank you, Mr. Speaker.

Mr. Kevin Lamoureux (Inkster): I, too, want to put a few words on the record prior to the passage of Bill 33. We recognize that it is an attempt to modernize and, ultimately, improve The Northern Affairs Act. What I thought was interesting was in the press release. One of the things that the legislation is going to be doing is ensure that there is going to be elections on a four-year cycle, which makes it consistent with other municipalities, but what I felt was interesting is it points out, of course, the October. So, at the different level of governments, what we see is this government has seen to benefits of sticking with the fixed elections, which has always been a tradition for municipal elections, and so this is more so a carry over, but it increases from three years to four years. I can recall that there was a great deal of discussion and debate when we did the same thing for the city of Winnipeg. So there're pros and cons, and we hope and trust that the minister has actually done his work in terms of consulting with groups.

We're a little bit concerned in the sense that it was Bill 32, The Real Property Amendment Act, that the minister was also responsible for, and the amount of correspondence that we received from Bill 32 expressing concern was quite high, and it was representations from different band groups using law firms to express concerns regarding the way in which the legislation was brought forward, the lack of consultation, and so forth. So, when I look at some of that correspondence, and, as I say, it is fairly extensive, some of the correspondence actually came from the committee meeting that we had last summer in regard to it. People were genuinely surprised, Mr. Speaker, as to that Bill 32 was there, and where did it come from, and why weren't they consulted. You know, I don't know to what degree the minister consulted on Bill 33. I myself haven't received any

correspondence in regard to it and I know that, having said the principle of the bill is something which I suspect can be supported, I do know that the leader of my party also is wanting to add his comments on Bill 33, so I'll stop at this point. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, this bill, which deals with northern communities and Northern Affairs communities, I have visited many of the northern communities and talked with members of the Northern Affairs and community councils. I certainly have a lot of respect for the work that people like Reg Meade and many others do to try and improve their communities. I'd like to compliment those who've been involved in preparation of this legislation and I believe that a fair bit of work went into this. I think that the positive comments are certainly in order with regard to people who spent time putting this together.

I would like to make a few comments, though, about the Northern Affairs. In the last seven years, it's been pretty clear that many of the northern communities could have had more, better attention. Having been in the communities of Easterville and Moose Lake and Sherridon, it's quite clear that the roads going into these communities are nowhere near what they really should be. There have been deaths along the road into Easterville, and certainly accidents, and there may have been deaths going into Moose Lake. Certainly, communities in the north are no less deserving of good roads than communities in the south.

Of course, at the moment there are a lot of poor roads in the south as well, but certainly the northern communities deserve and should have the kind of support and assistance that would enable them to do significantly better and to be able to look after their affairs.

I visited with Reg Meade and members of the council in Wabowden, which is a community which is doing pretty well. There certainly can be better support for the efforts that they're doing. A community like Duck Bay, certainly they have felt when I have visited in Duck Bay that they should have been much better supported. At Sherridon, it took a number of years to get this government to pay some attention to the severe pollution problem and the toxic mine site there. At last there is a little bit of movement and certainly what needs to be done is to complete the job.

We were talking in the committee last night and the Minister of Mines (Mr. Rondeau) wasn't even there, which was too bad because we had a lot of questions for the Minister of Mines. *[interjection]* I asked all about contaminated sites in the Public Accounts Committee last night and the Minister of Conservation (Mr. Struthers) and his deputy minister didn't know the answers that I want. The Minister of Mines, who was not able to answer them, because he—*[interjection]* Well, the Minister of Mines missed his chance last night. We hope there will be another meeting of the Public Accounts Committee, but we have no idea when it may be or may not be.

* (15:30)

There is a lot of work to do, and in seven years this government has not done what needs to be done in even containing the problem. This government has been slow on a number of things which could have assisted people in Sherridon and the other communities. I would just hope that it's possible with this new act that things can move forward in a little better fashion than they have all too often in the past.

One of the desirable outcomes of this legislation would be that it will enable communities to be able to do more and to provide better lifestyles for people who are living there, and to do more in terms of economic development, and be able to really build a substantial future. I think there are many, many opportunities in the north. There are lots of opportunities in the north, beautiful, wonderful country, needs to be looked after well, which is why I have been after this government to clean up the mine tailings pond at Sherridon and Kississing Lake and other problems which are up there.

But, from the perspective of this bill, we will certainly support this legislation and look forward to its passage and its implementation.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 33, The Northern Affairs Act.

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

Mr. Chomiak: Mr. Speaker, I'm wondering if I can have unanimous consent of the House for leave to

turn to Bill 215, The Liquor Control Amendment Act.

Mr. Speaker: Is there leave of the House to deal with Bill 215, The Liquor Control Amendment Act (Helping to Prevent Date Rape)? [*Agreed*]

SECOND READINGS

Bill 215—The Liquor Control Amendment Act (Helping to Prevent Date Rape)

Mrs. Myrna Driedger (Charleswood): I move, seconded by the Minister responsible for the Liquor Control Commission (Mr. Smith), that Bill 215, The Liquor Control Amendment Act (Helping to Prevent Date Rape), be now read a second time and be referred to a committee of this House.

Motion presented.

Mrs. Driedger: I'd first like to start out by thanking all members of this House for allowing this to happen. I realize that private members' acts, especially brought forward by opposition, don't often pass. I appreciate the efforts on the part of all parties in this House to be willing to do this today, and not only to allow it to go forward from an opposition member, but, also, to allow it to come up at this late date in the session. So I do appreciate the agreement of all parties to work co-operatively to see this happen.

This legislation, Mr. Speaker, is a measure to prevent date rape, and it will allow The Liquor Control Act to allow a person in licensed premises to carry his or her drink to the washroom and not leave it unattended at their table or unattended elsewhere.

I'm aware of some bars where drinks are left unattended at their table. I'm aware of some bars where, as women go to the washroom, they're being forced to leave their drink on a table just outside the washroom. I think this is putting too much risk into women's lives in today's world.

I am aware of five people who have been date raped in this manner where a drug was slipped into their drink, and there are a number of drugs that are used for this. There's Rohypnol, also known as roofies, or there's another drug with the abbreviation of GHB that are used. There are a few others, but those are the two common ones. These drugs can be slipped into a drink. It can happen to a man, as well; it is not just something that happens to women. Of the five people that I know, one was a man.

In those five instances, the drugs were slipped into their drinks. These people were profusely affected by the drug, which is what happens when you do ingest this drug. It takes effect within about 20 minutes. It can cause unconsciousness or memory loss for up to 12 hours, disorientation, loss of inhibition, memory blackouts, slurred speech. There are a number of things that can happen because these are depressants. In situations like that then, people can be taken advantage of and not even know what is happening to them or not even be aware to fight against this predator, this rapist that is involved in slipping the drug to somebody.

I also am aware and I heard of another woman yesterday when I was at the Sunrise Memorial. Here we were yesterday having a memorial service, as we do every year, to recognize the 14 women that were murdered in Montréal, and it was a day to recognize violence against women. It is appropriate that this bill is coming about at the same time. It was introduced yesterday. It is going through its reading process today, but it's appropriate that at a time when we're looking at addressing violence against women that a bill like this can be brought forward. I think what it is doing is giving us a chance, all of us, to put our money where our mouth is and to say we will do something proactive that will, in a small way, help to prevent violence against women, and in this case it is date rape situations.

I never in my life, Mr. Speaker, would have ever thought that I would know of five people. One of them I know. There was another person that I was starting to mention that I'd heard about yesterday at the Sunrise Memorial. I was surprised I didn't know about it. It was actually somebody that I know, working with somebody in the past, who actually had a drug slipped to her at a bar. Fortunately, though, an assault did not occur because she passed out in the washroom. As soon as she felt sick, she went to the washroom and passed out. Her girlfriends who were with her that night finally realized she wasn't at the table and they went and found her unconscious in the washroom. So whoever was trying to take advantage of her and had slipped the drug to her never had a chance to go further because the drug had taken effect quickly. She did the right thing, went to the washroom, and her friends then were able to help her out after that.

But here we have six people just in my own small world where I am aware of that, and I never in my life would have thought that I would know of six

people. I am sickened by it. I want to see it stopped, and I want us to at least make this effort to take this forward and to make the changes. I am pleased that we are seeing co-operation from all sides of the House to address this situation in a co-operative way, to look at how we can make it work.

I realize it's not necessarily going to be easy in rolling this out. Following the passage today—and, hopefully, it will be passed—following that, regulations will be developed. Through the development of regulations we will have an opportunity for more input from the public and from the hospitality industry because there are some issues. There are some things that have to be taken care of so that we can ensure that we have a good bill, we have good legislation that isn't challenged down the road and that we have something that works well.

I am pleased that we will have that time to be able to put it together and ensure that by the time it is proclaimed we have a solid piece of legislation. I hope that that doesn't take too long to happen because I think there are situations like this that are happening more frequently than what we think. The six people that I am aware of, not one of them went to the police. I think paramedics know out there because they've been called to a number of bars on a number of occasions to pick up people who have had this happen to them. But these people have not necessarily gone further to report this to the police.

* (15:40)

So I think we need legislation like this, and I appreciate yesterday that the women owners of a bar here in Winnipeg called "Alive" were in support of this as women bar owners, entrepreneurs in their own right. They want to be sure that, although this has never happened in their establishment, they recognize that this is proactive legislation. It's a chance to move it forward in a proactive way so that we can look at as a preventive measure so that we can protect people before anything happens.

So, Mr. Speaker, the other point I would just like to make is that most women who are assaulted in this way know who their attacker is. It is very important and I think there's an education component to this that we have to find a way to address. Maybe there is a public health education opportunity or an ability to put posters in washrooms in bars or in nightclubs so that women can be educated about this because when we hear that a number of these date rapes occur by somebody we know and, in some cases, somebody we trust. We have to get beyond that, I think, through

some education aspects. While the bill will do one small part, I think there's more that has to be done down the road. But, I think this is a good start, and I want to thank everybody that has been very supportive in getting this legislation to this point. Thank you.

Hon. Scott Smith (Minister charged with the administration of The Liquor Control Act): Mr. Speaker, I'd just like to echo the member opposite that I do appreciate, as well, all members of this House coming together to bring this bill forward at the late date that we have it here now.

The intent of this bill is certainly honourable. This bill will address something that I don't believe any of us in the House would have thought of a number of years ago that we'd have to be dealing with, but the member opposite has mentioned the impact that this has had on many women in our communities and certainly, in cases, some men. This bill will address part of the need that we have out there.

I believe the way the bill is constructed now and the way the bill has been put together certainly gives us ample time and opportunity now to work out a lot of the issues that the hotel association, the restaurant associations, many of the police and AFM and others have been asking about in the last few months. This was brought in, in Ontario, a short time ago. I believe that this one in Manitoba, once it's brought in, in proclamation, it will be one that we can be very proud of the fact that we had taken the time to make sure that the associations were listened to, made sure that we had got it done right. But the intent is very, very clear from this Legislature that this is something that will add to the safety of people when they're consuming in licensed premises.

The logistic problems are obviously ones that can be worked out and those are things that can be worked out. With the direction of alcohol in facilities, some facilities struggle with the part of their facilities being licensed and another part that's not licensed. Obviously, both the critic and myself realize those are things that we have to work out with the industry over a period of time.

With the proclamation, we will work very closely together to make this happen as quickly as we possibly can. She had touched on something that I believe is extremely key. This is part of a solution for something that's a very vile crime that's committed, in this case, in putting what's termed as a date rape drug, into drinks. It's something that is

awareness and highlights awareness with as many facilities and organizations as we can. She had mentioned a few areas we may want to look at.

Certainly, the Manitoba Liquor Control Commission is doing that right now, and I think we can work together on some good suggestions of how and who they can touch with a campaign that can be developed around that. The education component is extremely important in this. Where a lot of people are brought into situations they would never put themselves in, they're brought into situations where they're trusting of others that are around them and suddenly they find themselves in a situation that is very, very horrible, Mr. Speaker.

I give credit certainly to all members of this House. This is something that should be addressed. This is something that deals with safety of people in our communities. This is something that we've worked on well together to make happen in a bill that was constructed together to look at how we could move this forward for Manitobans and do it at a late date in this House. I appreciate all members allowing us to bring this into the House late at this date, and I believe this will be a fantastic bill. I am assuming that everyone will pass this bill later when we bring it back.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to indicate that our party supports this legislation, and we are ready to work in co-operation with other members of this Legislature to see this pass in an accelerated fashion. It demonstrates what can be done with critically important legislation, certainly this legislation, with its goal to prevent date rape or to reduce it; to try to provide a measure which, by allowing women or men to take their drinks into a washroom, to be less likely to be subject to having drugs put into their drinks, and less likely, therefore, to run into problems going unconscious or having date rape or various other medical problems.

Certainly, we support the enactment of this legislation and see that it would be a positive thing to pass this legislation before the holiday season. We recognize that there may be some implementation issues that need to be sorted out, but we hope that in a spirit, a positive spirit, that individuals and the government can work together speedily to work out regulations around this legislation and to make sure that it's implemented as quickly as possible.

I think it is timely and appropriate that we are dealing with it shortly after a day, December 6, which is a day which will live on for the horror that occurred a number of years ago at the École polytechnique in Montréal where there was a tremendous violence toward women. If we can do something this week that will decrease the likelihood of violence occurring in different circumstances toward women, that certainly is a positive step forward.

I would say that this kind of a measure where we are working to prevent a crime, to prevent a problem, is certainly the sort of measure that is a positive measure. It's far better to be able to prevent the problem ahead of time by taking measures like this than to have to deal with the consequences in terms of troubled human lives, in terms of medical problems, in terms of all sorts of consequences after the fact. The problem, of course, is that you can ruin or create great problems for two lives, both the perpetrator and the victim, and better that we can provide circumstances where neither gets into problems is certainly a good thing.

I would say that there are other areas, I'm sure, where the same sort of approach could be taken for a significant benefit, and the extent that we can reduce crimes, the extent that we can reduce problems in our society, that this is the type of approach which is certainly worthwhile and far better than having to act after the fact and use court time and costs and police costs and all these other expenses.

Certainly, as I have indicated, we will support this legislation and we are looking forward to moving it forward. Thank you.

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

An Honourable Member: Question.

Mr. Speaker: The question for the House is second reading of Bill 215, The Liquor Control Amendment Act (Helping to Prevent Date Rape).

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

* (15:50)

Hon. Dave Chomiak (Government House Leader): Yes, Mr. Speaker, I wonder if you would canvass the House to see if we have leave for the

standing committee to sit simultaneously with the House with no quorum in the House.

Mr. Speaker: Is there leave for the standing committee to sit simultaneously with the House and to be no quorum calls? [*Agreed*]

Mr. Chomiak: Mr. Speaker, I'd like to announce that the Committee on Legislative Affairs will meet immediately or as soon as possible or within several minutes in Room 255 to deal with Bill 215.

Mr. Speaker: It's been announced that the Standing Committee on Legislative Affairs will meet immediately in Room 255 to deal with Bill 215.

Mr. Chomiak: Mr. Speaker, I wonder if you would call for a concurrence and third reading of Bill 38.

CONCURRENCE AND THIRD READINGS

Bill 38—The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization)

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 38, The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization); Loi modifiant la Loi sur la Société d'habitation et de rénovation (fonds destiné à la revitalisation des logements), reported from the Standing Committee on Social Economic Development, be concurred in and be now read for the third time and passed.

Motion presented.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, it's a pleasure to put a few words on the record. The Member for Morris (Mrs. Taillieu), our critic on this bill, has already made some comments regarding it in other stages of the legislation. I know she has, in a very distinguished way, outlined our party's position on this legislation on the ability to use funds from a certain development to go into inner-city housing.

I would certainly, at this juncture, late in this sitting, encourage the government also, in relation to this legislation, to look at other issues relating to government-subsidized housing in the inner-city, in particular. Certainly, we know and we've had concerns raised to us and we've brought them here before the Legislature regarding housing projects and the unsafe conditions that are often found within those projects. Security issues, crime that takes place in and around the housing has become an issue in a

number of different areas and people have raised those concerns.

We know that all Manitobans, regardless of their financial income, regardless of their wherewithal and regardless of where they live, deserve to live in safety and deserve to know that their own personal well-being and that of their family is protected and is well taken care of. That's particularly the case when it comes to housing that the government is involved in, in terms of funding and has that responsibility in terms of maintenance.

There is a higher onus, a higher order, one might say, Mr. Speaker, that needs attention from the government in these situations to ensure that the housing stock that the government holds is secure and that it's safe. There is a number of different areas of safety that one could look at, certainly, security at the door and how people are able to answer and access this particular housing is always a concern.

I would certainly draw to the attention of the government, and I know that it's been drawn to their attention before without action, but we seem to have, at least at this stage of the sitting, Mr. Speaker, we have a new sense of co-operation in this Legislature. As we move forward on private members' bills and other pieces of legislation that we jointly and uniquely—jointly I should say, it is unique as well—but that we jointly feel is important to the province of Manitoba.

So, with that new spirit of co-operation, I would again suggest to the government they look at issues regarding safety in the government housing stock. I've raised in this House, as have other members of the Legislature raised concerns regarding drugs and drug addiction in the province of Manitoba.

Certainly, we know that addiction and those who sell drugs, those who would profit from the destruction of lives of young people and others through the sale of drugs such as crack cocaine and crystal meth, we need to ensure that our housing stock that government is involved with doesn't become a place where these drug dealers can find a ready market for drugs that ruin the lives of young people.

I don't think that the government has paid enough attention to this particular issue to ensure that drugs are cleaned up out of this area, in addition to all areas of the province of Manitoba, Mr. Speaker. So, on one hand while they're creating a fund that they intend to use in the inner city for certain areas,

we would say to the government that they need to ensure that money is used appropriately and that would truly benefit those who are living in the inner city and in all areas of the province, in fact. Certainly, one of the ways to do that would be to look at those who are selling and profiting off of the sale of drugs in those particular areas.

It certainly does bring to mind the need in a broader sense, in a higher sense, to look at safety, public safety, within our community. I'm reminded of a gentleman that I met not so long ago, a senior in one of the areas of Winnipeg. As I was having a discussion with him about crime, as well as others who were at the forum, he came to me after and he said: You know, when I go home to my home—it's a small home—I shut the door. I lock the door, and then I turn the deadbolt, and I put the chain on the door, and then I go to my window and pull the drapes back and I've got bars on my window, and as I look out the window through those bars, and with my doors locked, I see criminals who are out on the street doing things they shouldn't do. And I wonder: Who's in prison? Is it me, or is it them?

It was sort of a striking commentary that this individual, who I presume to be a long-time contributor to the province of Manitoba, that he in his later years, in his twilight years, didn't feel safe in his own home, and that he felt that he had to almost put himself into a prison as opposed to those who are committing crimes going to a prison. My heart certainly went out to him, Mr. Speaker, as I spoke to him and many others there.

Sorry, Mr. Speaker, I think that I have done something to my mike that sent a shriek through the Legislature. Often I do that with my voice, and this time I did it with my mike. I'll be more cautious when it comes to electronic equipment here in the Legislature.

But I do on those comments, Mr. Speaker, want to say to the government that they need to ensure that money that's being used, whether it's in this particular bill or through this bill or other areas, is done so in a way that ensures that there's safety throughout the province of Manitoba, in the inner city and the government housing stock.

With those words, I look forward to hearing other comments or seeing this bill move forward.

Mr. Chomiak: Yes, Mr. Speaker, in order to expedite other House business, I'd like to adjourn the debate on this.

I move, seconded by the Minister of Finance (Mr. Selinger), that the debate be adjourned.

Motion agreed to.

* (16:00)

Mr. Chomiak: I wonder if you'd canvass the House if there's leave for third reading and concurrence of Bill 39, the small claims court amendment act.

Bill 39—The Court of Queen's Bench Small Claims Practices Amendment Act

Mr. Speaker: Bill 39, the small claims court amendment act, is there leave to deal with this bill? *[Agreed]*

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 39, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Kelvin Goertzen (Official Opposition House Leader): Mr. Speaker, I've already put comments on this bill on second reading and at committee. We are prepared to see this bill move forward.

Hon. Jon Gerrard (River Heights): I rise to say a few words on this bill which deals with essentially raising the amounts that can be dealt with in small claims court. We see this as a reasonable measure. We're concerned that if you raise this too high, you may get more and more lawyers involved and that was never the intent of the small claims court. But, certainly, if we can deal expeditiously with slightly larger amounts than we have been dealing with before in small claims court, I think that that would be beneficial.

Small claims court, whether it's used by individuals for a variety of purposes, certainly has shown over the years that it is a useful instrument for settling matters where there are relatively small amounts. Certainly, making changes that will enable the small claims court to deal with slightly larger monetary matters, I think, is a reasonable measure.

I hope that the government will monitor. We had asked earlier on for information about the number of larger claims that are there currently and the expected demand that there will be for claims of a

larger size. Certainly, I would hope that the government will be able to report back following the passage of this legislation on the number of larger claims that are now being dealt with and the extent to which larger claims are able to go expeditiously through the small claims court.

In the instance of this particular bill and in the instance of trying to move things forward, I think that the ability to settle things without as significant or as large or as complicated legal hassles is certainly beneficial. Where we can deal with matters, whether it's small claims or whether it's civil matters, without having to use the courts as much as we have in the past, certainly that has the benefit of being able to decrease the costs and expenses of lawyers but also the costs and expenses of the courts themselves.

We would see this as a measure which has got a benefit, a measure that we are certainly prepared and ready to support along with the other members of the Chamber. We look forward to its passage and to its receiving Royal Assent later on today.

Mr. Chomiak (Minister of Justice and Attorney General): I want to thank members again for their—

Mr. Speaker: You'll be closing debate? Okay.

Are there any other speakers? Because the honourable minister, if he speaks, he'll be closing debate? Any other members wish to speak?

Mr. Chomiak: I want to thank members for being co-operative and helpful during the standing committee on this. The Member for Inkster (Mr. Lamoureux) asked a number of questions with respect to this bill, and I will provide him with a written confirmation of that information in order to expedite matters here. I thank members for their co-operation, and with that I will conclude my comments.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 39, The Court of Queen's Bench Small Claims Practices Amendment Act.

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

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I wonder if you might

canvass the House to see if you have leave of the House to go to third reading and concurrence of Bill 28, The Manitoba Museum Amendment Act.

Mr. Speaker: Is there leave of the House to deal with Bill 28, The Manitoba Museum Amendment Act? *[Agreed]*

Bill 28—The Manitoba Museum Amendment Act

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 28, The Manitoba Museum Amendment Act; Loi modifiant la Loi sur le musée du Manitoba, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Kelvin Goertzen (Steinbach): It's a pleasure to rise and put a few words on the record regarding this particular piece of legislation. I recognize that this bill has been before us for some time.

As a result of recommendations that came to the Manitoba Museum from the Arts Stabilization Fund program—I had some opportunity to deal with the Arts Stabilization program when I was a member of the Steinbach Arts Council for a few years operating as their vice-president. The Arts Stabilization program was helpful in terms of giving the Steinbach Arts Council organization some direction, ability in terms of its organization, in terms of how the board should be structured and how programs should be run. The Manitoba Museum, which was the first, I believe, museum to go through that process also obviously benefited, and this particular piece of legislation flows from the recommendations that they had there.

We did at committee have an opportunity to hear presentation from representatives of the Manitoba Museum. We certainly appreciate the great work they do in running the museum and ensuring that our heritage is protected and preserved for future generations. We also know that there are museums across Manitoba that also participate in protecting heritage and ensuring that Manitobans have the history that is before them and that they can appreciate for many, many years to come.

* (16:10)

Not to be too self-serving in this, Mr. Speaker, but I would mention that the Steinbach Mennonite Heritage Village Museum, or the Mennonite Heritage Village Museum in Steinbach, is one of those fine institutions, one of those fine museums, that truly does a great job and a great service for all of us as Manitobans, not just those who are of a Mennonite background, but certainly all those who want to learn about how Manitoba was settled and how Manitoba came to be such a strong province in our country. So I want to, on behalf of all members on our side of the House, commend the Manitoba Museum for the great work that they do, as well as all the museums across Manitoba. I hope that they continue to do great work in the future and have the support of this Legislature. Thank you very much.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I want to put a few comments on the record. We have not got very much time to deal with a very important issue for the Manitoba Museum, and it has taken this government a long time to get it this far. But for a little luck, it probably wouldn't have passed today, but it looks like it will pass, and that's a good thing. We could have been back here in September, couldn't we? We'd finish this up. We should have had a little bit more time so that this bill could have got more attention.

The government has managed things rather badly recently, but we're prepared to help out a little bit today, you know, just to make sure that the Manitoba Museum gets the attention that it needs to get. It's a great institution. It needs better funding, clearly, from this government.

The provincial support is not what it should be and, certainly, although they have made an announcement recently about support for museums, museums in general in this province are an area that should be well supported. There are major opportunities, not only in the Canadian Museum for Human Rights in the future, which we know all too well, but in, as an example, the Morden museum, where there is a collection, a fabulous collection of marine reptiles, and where there is an extraordinary potential to do something forward looking and dynamic for Manitoba, recognizing one of the major sources of marine reptiles in North America, if not in the world.

So, Mr. Speaker, we're certainly ready to support this legislation and to see it move and get Royal Assent later today.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 28, The Manitoba Museum Amendment Act.

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

Mr. Chomiak: Mr. Speaker, I wonder if we might move to debate on second reading of Bill 11, The Insurance Amendment Act.

DEBATE ON SECOND READINGS

Bill 11—The Insurance Amendment Act

Mr. Speaker: Okay, we'll resume debate on second reading of Bill 11, The Insurance Amendment Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Is the will of the House for the bill to remain standing in the name of the honourable Member for Pembina? *[Agreed]*

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, it's a pleasure to rise and to put a few words of comment on the record. I certainly know that this legislation is relatively new to the Legislature. It didn't carry over from the summer. It has been brought forward just in the last few days by the government, and has been asked to be dealt with here today.

We've had the opportunity, in fact, I think all members of the Legislature have had the opportunity to meet with representatives of the insurance industry. They were good enough, not too long ago, to have a reception here in the Manitoba Legislature, and they welcomed us as representatives from various areas of the province to raise to us the issues and to raise awareness to us as legislators about the role that those in the insurance industry do.

I have to say, Mr. Speaker, I have some friends within the insurance industry. I hope that that doesn't leave me in a conflict of interest. My honourable friend from Inkster might ask me to sit down and stop talking, but I would say—

An Honourable Member: No, it's okay.

Mr. Goertzen: Okay, well, I've gotten leave from the Member for Inkster (Mr. Lamoureux), so I feel confident to go on.

I would say that those who are within the industry work hard generally to ensure that they meet the needs of their clients. There are a number of regulations that they have to go through, a lot of

different kinds of paperwork, a lot of forms that they have to go through. My experience has always been that those within the insurance industry really go out of their way to ensure that the products, the insurance products that they are offering meet the needs of their individual clients to ensure that they're not overselling somebody something that they wouldn't need, but to ensure that they're also meeting the needs of those individuals. They give them the pros and the cons, and that's certainly been my experience.

I would hope that would be the experience of all members of this particular Legislature. You know, sometimes pieces of legislation, they cross over a little bit here in the Legislature. We dealt with the bill dealing with RRSPs not too long ago and creditor protection for RRSPs. I'm reminded that one of the good reasons that we dealt with that legislation, and you'll see the relevance to this, I'm sure, Mr. Speaker. One of the reasons we dealt with that RRSP legislation was because in the insurance industry one can sell products like segregated funds, for example. Segregated funds are then protected from creditors, but normal RRSPs aren't protected, so those who are in the insurance industry have the ability to sell, at this particular stage, segregated funds that protect those retirement savings.

But RRSPs weren't protected, and so there was an unlevel playing field. I would say, in fact, that it would be the least sophisticated investors who would be trapped into that inequality, because most of those who were getting advice would be told that segregated funds were insured from liability.

So, Mr. Speaker, I wanted to draw that to the attention of the House here at this late stage of the Legislature. I hope that my comments will be meaningful and enlighten those here in the Legislature. Thank you very much.

Hon. Dave Chomiak (Government House Leader): I could hardly stand up because I was so enraptured by the member's comments, but I would wonder if you might canvass the House for leave for the committee on legislative report to be presented.

Mr. Speaker: I have to take care of this issue first, because we were dealing with Bill 11, The Insurance Amendment Act.

I see no other speakers, so it will remain standing in the name of the honourable Member for Pembina (Mr. Dyck), because there was agreement of the House that we would leave it standing.

So now we will move on to other business.

Mr. Chomiak: Mr. Speaker, I wonder if you might canvass the House for leave for the Committee on Legislative Affairs to report back to the House.

Mr. Speaker: Is there leave for the Committee on Legislative Affairs to make their report? Is there leave? *[Agreed]*

COMMITTEE REPORTS

Standing Committee on Legislative Affairs

Second Report

Mr. Daryl Reid (Chairperson): Mr. Speaker, I wish to present the Second Report of the Standing Committee on Legislative Affairs.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Legislative Affairs presents the following as its Second Report.

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on Legislative Affairs presents the following as its Second Report.

Meetings:

Your committee met on Thursday, December 7, 2006, at 4 p.m. in Room 255 of the Legislative Building.

Matters under Consideration:

Bill 215—The Liquor Control Amendment Act (Helping to Prevent Date Rape); Loi modifiant la Loi sur la réglementation des alcools (prévention du viol par une connaissance)

Committee Membership:

Mr. Cummings

Mrs. Driedger

Mr. Jennissen

Ms. Korzeniowski

Mr. Nevakshonoff (Vice-Chairperson)

Mr. Reid (Chairperson)

Mr. Sale

Mr. Schellenberg

Mr. Schuler

Hon. Mr. Smith

Mrs. Taillieu

Bills Considered and Reported:

Bill 215—The Liquor Control Amendment Act (Helping to Prevent Date Rape); Loi modifiant la Loi sur la réglementation des alcools (prévention du viol par une connaissance)

Your committee agreed to report this bill without amendment.

Mr. Reid: Mr. Speaker, I move, seconded by the Member for Interlake (Mr. Nevakshonoff), that the report of the committee be received.

Motion agreed to.

* (16:20)

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I wonder if you might canvass the House for leave for concurrence and third reading of Bill 215.

Mr. Speaker: Is there leave for Bill 215 to be called for concurrence and third reading? Is there leave? *[Agreed]*

CONCURRENCE AND THIRD READINGS**Bill 215—The Liquor Control Amendment Act (Helping to Prevent Date Rape)**

Mr. Ron Schuler (Springfield): Mr. Speaker, I do want to put a few comments on the record in regard to Bill 215, The Liquor Control Amendment Act—

Mr. Speaker: Order. It has to be moved before we can debate it.

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I move, seconded by the Minister responsible for the Manitoba Liquor Control Commission (Mr. Smith), that Bill 215, The Liquor Control Amendment Act (Helping to Prevent Date Rape), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Schuler: It brings me great pleasure to bring a few comments in regard to Bill 215, The Liquor Control Amendment Act (Helping to Prevent Date Rape).

There does come, from time to time, in this House, where an individual, a member of this Chamber, sees an issue that is developing that is out there that, perhaps, isn't on the radar of public opinion polls. It's not on the radar of the media. It's probably not even on the radar of most politicians,

yet it is an issue that is percolating out in the community. The Member for Charleswood came across an issue, identified it as a problem that is in society and brought it to the attention of this legislative Chamber. She did it under the guise of legislation, went out and did her homework out in the community, and realized that there was a very serious issue with individuals having their drinks laced with some kind of a drug that would within time render them, for up to 12 hours, unconscious. It crosses gender boundaries where individuals, both male and female, have been raped. Unfortunately, there is some memory loss with this drug, so these individuals would not quite remember what had taken place, but knew from physical scars that they had been violated, a very heinous crime, and a crime that is viewed very dimly by our legal system, and by laws that have been passed, and is prosecuted to the fullest extent.

However, these individuals, because of a lot of circumstances, and from what we've been told and what we've come to understand, don't come forward because they're ashamed, they're embarrassed. Often it's because, in most cases, rape is by somebody you know. It could have been a group that you went to the bar with. It could be somebody well known to you. It could be whole different reasons why these individuals do not step forward. It is most unfortunate that these individuals don't feel that they should step forward because then these crimes go unpunished.

Mr. Speaker, I am, at this point in time in my life, not an individual that really does frequent bars. I could, however, tell this Chamber about all the fast food restaurants and children-friendly restaurants between here and all points of this province, that's where I am in life. However, when the Member for Charleswood brought this issue up, it was with horror that I discovered that individuals leave their drink, go to the washroom, come back, and don't realize that their drink has been laced. I do have three little children who may one day join a group of friends at an establishment where alcohol is served, and could find themselves in this predicament. So for me this is a lot more of looking through the windshield at what might be coming at myself and Tanya, my wife, and we as parents, as rather having teenagers and university students who might be going into establishments where they could be confronted with this kind of an issue.

I would like to say to the Chamber that this is not the first tripartisan piece that we've put through

this session. There are now several pieces of legislation that we have done on a tripartisan basis, and if there are any media listening, why aren't they here covering these kinds of events where we as legislators come forward, whether it be a Progressive Conservative, whether it be a member of the Liberal Party or a member of the New Democratic Party?

We view an issue and it transcends political boundaries. We view an issue; we step up to the plate and say this must be addressed. We deal with it in a proper fashion and a quick fashion, and the legislation moves forward. I believe that, especially in the spirit of the coming season, that all 57 members of this Chamber are to be commended for coming together on issues, rather than allowing an issue like this to become a big problem allowing more victims before we deal with it, that we dealt with it. Today, we dealt with it now, and all 57 members of this Chamber are to be commended and congratulated. Let's continue to see issues like this come forward, and deal with them on a tripartisan basis. I look forward to seeing this legislation move forward to Royal Assent and proclamation. Thank you very much, Mr. Speaker.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I am going to be very brief in support of Bill 215. It is a very positive bill. I think the Member for Charleswood (Mrs. Driedger) has demonstrated as an individual she's come up with a good idea that was supported and brought forward, and ultimately received support from all MLAs inside this Chamber, and has been able to demonstrate that, in fact, if you have the support and the sense of cooperation that you can do a lot inside this Chamber in a very short period of time. I think all of us could possibly learn something from that.

Mr. Speaker, there are other bills, Bill 203, Bill 206, many other ideas on the Order Paper that I think are very important. The last comment that I want to make reference to is the Member for Charleswood circulated a sign, and I thought it was a wonderful sign. You know, hopefully, the drinking establishments will recognize the benefit of adopting a sign. Maybe, you'd do it through regulation. Maybe, you'd do it through legislation if it doesn't happen, but the idea, the idea of signage, I think, is a very positive one. I thought the sign that she circulated was great. I don't think you have to have legislation. Let's see if, in fact, the free market can take on the responsibility and do the right thing and accept that. But what we have demonstrated this afternoon, much like what we did with the Good

Samaritan legislation, is that if government has its mindset and sees a good idea it has an opportunity to make things happen. We only wish that it would make things happen on other good ideas that are presented inside the Legislature in a more apolitical fashion. With those few words, Mr. Speaker, we are happy too see this bill pass.

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I, too, just wanted to put a few words on the record in regard to this bill and, certainly, do want to commend the individual, the Member for Charleswood for bringing forward this very important piece of legislation. I am, certainly, glad to see members and the government also come on board and recognize that this is a very valuable piece of legislation that will, indeed, serve to protect Manitobans down the road. So we, certainly, are looking forward to having this legislation passed today so it can be brought forward.

*(16:30)

Obviously, Mr. Speaker, we are into that festive season when many Manitobans are out and about in the communities and sharing festivities throughout the province, so it's, obviously, very timely that this particular legislation is brought forward. It is unfortunate that we do hear incidences of this particular situation occurring from time to time and, hopefully, as we raise awareness of these particular issues, Manitobans will become more responsible in this regard. I think it's going to be important that we get the buy-in on this particular type of legislation from the people in the industry, the people that are actually out selling the products, the people that own and operate the beverage establishments throughout the province.

Not only that, Mr. Speaker, when we look at social events that are held in various community halls throughout the province, these, too, are areas where this particular situation can arise. So I think it's very important that as we deal with the regulations going forward that all those particular avenues are addressed as we go forward.

So, quite frankly, Mr. Speaker, we're encouraged that the government did see fit to join our party in moving this legislation forward. So I just wanted to put those few words on the record. Thank you very much.

Mr. Kelvin Goertzen (Steinbach): It's a pleasure to again rise this afternoon to put a few words on the record, particularly regarding 215, and I add my

commendation to the Member for Charleswood (Mrs. Driedger) for bringing forward this legislation which I know will certainly make a difference. We might not always know the numbers. We might not be able to statistically quantify how many people were saved from the horrible crime of rape through this legislation, but I think it's safe to say all members will know that there will be some. So we, then, all of us as legislators have made a difference here today in protecting individuals of both genders across the spectrum, that we know that it's not gender-specific, as other members have mentioned.

I also want to acknowledge the work of the Government House Leader on this to ensure that there were the appropriate amendments made that needed to be made to the legislation to ensure that it went through. I know from the discussions that we had this morning, there was some concern about whether or not it could be done, but I would often say that these are often just obstacles and they have to be overcome. None of them should stand in the way of good legislation in a co-operative, bipartisan fashion, Mr. Speaker, or, as my friend from Springfield said, a tripartisan fashion because the Liberals have also agreed with this legislation as well.

As we go forward with the legislation, at some point I know it'll be proclaimed. It won't be proclaimed today. It will be passed today, but a proclamation date will be set at some point in the future. To encourage the members opposite to ensure that there's an appropriate campaign to raise awareness regarding this piece of legislation but also regarding the general problem around date rape drugs and the tremendous impact and hardship it can cause, with the bipartisan spirit in the House today, it might be a good time to recommend, to suggest to members opposite, to members of the government, that they work with the Member for Charleswood (Mrs. Driedger), who, I know, has a passion for this and other issues related to women and the protection of women from a number of different areas and the protection of society more generally.

So I would encourage and certainly ask the Member for Brandon West (Mr. Smith), the Minister responsible for the Manitoba Liquor Control Commission, to continue this co-operative approach and to work with the Member for Charleswood who has been good enough to bring forward this particular piece of legislation.

Of course, when it comes to issues of crime, prevention is always the first step and it's the most effective step, but we also know that enforcement is an important part as well. When a crime has taken place, we need to ensure that the laws are in place to ensure that those individuals who committed these heinous crimes upon individuals face the full extent of the law and that there is no quarter given to those who are proven to be guilty of rape, whether it's using the date rape drug or any other sort of act of violence, Mr. Speaker.

I would encourage certainly the Minister of Justice (Mr. Chomiak) to ensure that there is strong enforcement on this particular crime and other crimes of violence against individuals. So prevention, while it is one of the key elements, we also look towards enforcement. I think that if we would have strong enforcement of the laws, Mr. Speaker, then others would feel more comfortable in coming forward.

We know that there are—and I'll use women more generally in this sense—women who sometimes do not want to come forward because they feel they'll be victimized a second time within the court process, that they'll be put up to such scrutiny that they choose not to come forward to tell their story. That, I think, is another way that individuals can be victimized through this crime. We need to ensure that we bring down those barriers to make it easier for individuals to tell their story and not to feel ashamed because they have become a victim of crime.

It's not an unrelated issue, Mr. Speaker, that there still is an outstanding appeal that I believe should be brought forward regarding a case of rape. We've certainly heard that earlier in the Legislature. It started off in that way. I know the Minister of Justice, at that time, said he couldn't speak to the issue and used the legal doctrine of *res judicata*. Of course, I know and he knows that, in fact, it does not apply to that particular case because the case has been settled at this point. His inability to speak to the case does not apply between the sentence and the launch of the appeal.

In fact, I think that the actual definition of *res judicata* is before the courts. In fact, the case that I refer to, the Ladouceur case, Mr. Speaker, isn't, in fact, before the court. If the Minister of Justice wanted to bring forward an appeal, he certainly could do so. There is a 30-day window on that particular case of rape, one of the more heinous crimes that

we've seen here in the province of Manitoba. In fact, it was compared to the case of Paul Bernardo and Karla Homolka.

As the window of the appeal closes there, I would be hoping that the Minister of Justice (Mr. Chomiak) would be ensuring that officials within his department are closely looking at that because it's certainly one thing, and it's an important thing to pass legislation like, I'm assuming, we will here today, to send that message that we have prevention laws in place, and that we'll look, perhaps, at other ways of preventing date rape and rape more generally.

But we know that without enforcement it doesn't mean as much, and then when the courts fail us, and I say that without hesitation, Mr. Speaker, because I think in the case that I've referenced to the minister and this House that the courts have, in fact, failed us. I don't think that we should hang our heads in shame when a sentence comes down that is so off the mark of what society demands for a particular crime that we shouldn't hang our heads in shame and say, well, we aren't going to speak to that. We aren't going to say anything about that. We're going to remain silent as the government has on that particular case.

I say, in fact, I'm proud. I'm quite proud to stand up and say the reforms are necessary where changes need to take place, that we as a party, our particular party, the Progressive Conservative Party is willing to drive those changes. We're not the party of the status quo as is the minister or the New Democrats who want to have everything remain the same and nothing change when it comes to the justice system in particular, Mr. Speaker.

The party of the status quo across the way, when it comes to issues of justice, doesn't want to change anything. I've seen the Minister of Justice's comments in the paper regarding judges more generally, and he says, well, I'm loath to change anything, loath to do anything on any of these issues.

Now, I would encourage him as we go into the break, and there are more gatherings and he's able to interact with more people, to ask ordinary Manitobans if they believe that the justice system in this province is working in a way and in a fashion that there shouldn't be any change. If he can find those Manitobans and a critical mass of Manitobans who will come forward and say, there's nothing wrong with the justice system, let's leave it the way it is, let's not talk about reforms, well, then, I think he should bring those individuals forward because I

don't believe that there are many. In fact, I would say the opposite.

I would say that the vast majority of Manitobans would stand with us as Conservatives and say there needs to be changes to the justice system, because we're not satisfied with the decisions that are coming from the courts, that we're not satisfied with the enforcement that's coming, and we're not satisfied with the prevention that's coming from this particular government.

* (16:40)

Mr. Speaker, that is why we come forward with proposals, come forward with changes. We see only one example here today from the Member for Charleswood (Mrs. Driedger). We, I think, will look very boldly at ways in which the justice system can be improved, and ways in which we can ensure that people truly get justice in Manitoba.

We've seen examples as Conservatives in the past where legislation was brought forward, we've seen examples of legislation in the past, for example, with the seizure of vehicles regarding drinking and driving. Now, this is a law that hasn't worked so well under the current government, but when that law was introduced here in the Legislature there were some in the New Democratic Party who said, well, you can't do that, we need to remain at the status quo because you don't have jurisdiction over the Criminal Code. The Conservative government at the time said, well, that's actually a property issue because vehicles are property, and you can, in fact, impact upon the property of an individual even though with a Criminal Code offence that sparks the particular incident. So, Mr. Speaker, we know that there are times when the status quo simply isn't good enough and that we need to have changes.

I see the Minister of Education (Mr. Bjornson) mouthing some words. That's all we ever really hear, is lip service from that Minister of Education. We would hope that at some point he would stand up and put some words behind his lip service. But, Mr. Speaker, I won't be distracted and I won't be thrown off track by the Minister of Education who doesn't want to talk about justice for Manitobans. I won't be derailed that easy.

I can tell you that when the Conservatives form government, we won't be derailed that easily by those who—

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

Hon. Jon Gerrard (River Heights): Mr. Speaker, I just want to speak very briefly on this legislation which deals with date rape and preventing date rape. I think this is an important issue and certainly we support it.

It deals with the liquor act and it deals with alcohol consumption. It deals with people putting drugs into alcoholic beverages or other drinks, and clearly to the extent that we can prevent these problems, it's highly desirable.

I would also like to mention that I think it's unfortunate that my colleague, the MLA for Inkster's bill on preventing fetal alcohol spectrum disorders which also deals with the liquor act and putting labels on liquor and preventing fetal alcohol spectrum disorders was not supported by the government and that we didn't have an opportunity to move it through in the same way. I think that the measures to prevent and decrease the incidents of fetal alcohol syndrome are worthy of a lot of attention, and it's too bad that we didn't have that attention during this or the last legislative session. Certainly, from the perspective of the number of lives that would be benefited from preventing fetal alcohol spectrum disorders, the potential benefits are huge, and it's too bad that this government wasn't ready to act on that legislation as well as on this legislation.

I certainly applaud the willingness of all members to support this bill and to make sure that it passes in a timely fashion, so that it will be implemented and can be implemented quickly. Certainly, from the perspective of where we are at the moment, at the close of the session, it's a good thing that we are able to pass it. It is too bad that we were not able to sit longer because we could've accomplished so much more, and we have left so many bills on the table that could have been passed had we been able to sit a little longer, had this government decided that we could sit for a reasonable length of time instead of having this foreshortened session. It ended almost as soon as it began so that we had to push this legislation through with all sorts of unusual approvals and procedures in order to get it passed instead of being able to consult and have people who are citizens come and present at committee, that their opportunities to contribute were not there because this was called on such short notice because of the imperatives to be able to act quickly in these circumstances.

I would certainly hope that in the future the Premier (Mr. Doer) or whoever the Premier may be—hopefully, it will be a Liberal premier next time around—that we would certainly give more time for consideration of bills instead of the skimpy Premier that we have at the moment who has given us such a foreshortened session.

I don't believe we're even going to get to 80 days this year. Eighty days is the absolute minimum of what we should have had. I just don't believe that this government would have the courage to bring us back. This government doesn't have that sort of courage to bring us back and make sure of all the other pieces of legislation which could have been dealt with properly in an appropriate fashion and with people able to come forward and present at committee because there was timely notice of committees.

There is a way, a dignity, that this House should have. We shouldn't be forced to ram things through at the last minute. Certainly, what has happened with this government has demonstrated to everyone's satisfaction that we need to get rid of this government and have proper procedures, have a minimum of 80 days, have an ability to operate this House, so that people can come to committee and present and have an opportunity to consider important legislation like the concern with fetal alcohol spectrum disorders. It is too bad that this government wasn't concerned enough about fetal alcohol spectrum disorders, phosphorus in Lake Winnipeg, all sorts of other things, accountability in health care and in the price of milk.

The fact of the matter is that this government has not given us the appropriate length of sitting time that we should have had, and, therefore, all these wonderful things that we could have done we're not able to do because this government has not given us sufficient sitting time to be able to adequately deal with them. There are a lot of things that could have been done that will not be done and will not be passed and will have to wait until the spring session or perhaps until after an election, depending on exactly what happens.

Accountability in health care, something as fundamental as that was left on the table because this government wasn't ready to support it and help bring it forward. I would say that there could have been so much more done had this government deemed to bring us back early enough and soon enough in the fall. The rule said we could have come back on the

first Monday after Labour Day. That would have given us lots and lots of time.

Clearly, we appreciate the co-operation of the government in passing this legislation, but it is just a small example of what could have been done with good organization if this legislative session had been called back earlier so we could have dealt appropriately with many bills which are on the table.

You know, we still have bills which were initially going to be passed in June and they're not passed, Bill 38, for example. That's all because this government really can't get its act together, can't call the Legislature back soon enough, can't have scheduled sittings because we aren't even going to sit for 80 days. *[interjection]*

* (16:50)

That's right. We don't even know when we're coming back. It may be before or after an election. It may be in March or April or May or whenever. Certainly, it would have been smart and, you know, congenial and establish a better working environment if we'd had that date for when we return established now and available for members now before we depart for the legislative session. We would look forward to having set dates for elections so we can plan, so people who are interested in participating in politics can plan their lives. We should have scheduled dates in advance for the Legislature, and the excuse that has been given for not doing that is somewhat vacuous, but we will continue to press, as Liberal Party members, for a better scheduling of the Legislature, a more appropriate length of the legislative sitting, and to have a government which doesn't try to hide from the public and from questions by not having a sitting as long as a minimum of 80 days. Certainly, you know, we have the opportunity to make changes. We are looking forward to an election where we can make changes and elect a Liberal government, Mr. Speaker.

Some Honourable Members: Oh, oh.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 215, The Liquor Control Amendment Act (Helping to Prevent Date Rape).

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

Hon. Dave Chomiak (Government House Leader): I would like to announce that the Standing Committee on Public Accounts will meet on Thursday, December 14, at 10 a.m., to deal with and consider the Auditor General's reports on the Examination of the Crocus Fund, the Environmental Audit on the Review of the Province of Manitoba's Management of Contaminated Sites, the Protection of Well Water Quality in Manitoba, and the follow-up report on St. Boniface College.

Mr. Speaker: I closed my book too soon.

It has been announced that the Standing Committee on Public Accounts will meet on Thursday, December 14, 2006, at 10 a.m., to deal with and to consider the Auditor General's reports on the Examination of the Crocus Fund, the Environmental Audit on the Review of the Province of Manitoba's Management of Contaminated Sites and the Protection of Well Water Quality in Manitoba, and the follow-up report on St. Boniface College.

Mr. Chomiak: Mr. Speaker, I understand His Honour the Lieutenant-Governor—est sur le point d'entrer dans la Chambre de l'Assemblée.

Translation

—is about to enter the Legislative Chamber.

Mr. Speaker: Give us a second here to prepare for the arrival of His Honour the Lieutenant-Governor.

ROYAL ASSENT

Acting Deputy Sergeant-at-Arms (Mr. Ray Gislason): His Honour the Lieutenant-Governor.

Mr. Speaker: Your Honour:

At this sitting, the Legislative Assembly has passed certain bills that I ask your Honour to give assent to:

Madam Clerk Assistant (Monique Grenier):

Bill 2—The Employment Standards Code Amendment Act; Loi modifiant le Code des normes d'emploi

Bill 4—The Consumer Protection Amendment Act (Prepaid Purchase Cards); Loi modifiant la Loi sur la protection du consommateur (cartes prépayées)

Bill 5—The Personal Investigations Amendment Act (Identity Protection); Loi modifiant la Loi sur les enquêtes relatives aux particuliers (protection de l'identité)

Bill 6—The Registered Retirement Savings Protection Act; Loi sur la protection des régimes enregistrés d'épargne en vue de la retraite

Bill 9—The Grandparent Access and Other Amendments Act (Child and Family Services Act Amended); Loi sur le droit de visite des grands-parents et apportant d'autres modifications (modification de la Loi sur les services à l'enfant et à la famille)

Bill 25—The Consumer Protection Amendment Act (Payday Loans); Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage)

Bill 28—The Manitoba Museum Amendment Act; Loi modifiant la Loi sur le Musée du Manitoba

Bill 29—The Degree Granting Act; Loi sur l'attribution de grades

Bill 33—The Northern Affairs Act; Loi sur les affaires du Nord

Bill 34—The Public Interest Disclosure (Whistleblower Protection) Act; Loi sur les divulgations faites dans l'intérêt public (protection des divulgateurs d'actes répréhensibles)

Bill 39—The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine

Bill 41—The Pharmaceutical Act; Loi sur les pharmacies

Bill 214—The Good Samaritan Protection Act; Loi sur l'immunité du bon samaritain

Bill 215—The Liquor Control Amendment Act (Helping to Prevent Date Rape); Loi modifiant la Loi sur la réglementation des alcools (prévention du viol par une connaissance)

* (17:00)

Madam Clerk (Patricia Chaychuk): In Her Majesty's name, His Honour assents to these bills.

Mr. Speaker: Please be seated.

Mr. Kelvin Goertzen (Official Opposition House Leader): Mr. Speaker, members of the Progressive Conservative caucus wish to wish you and the pages and the table clerks, all members of this House and staff in the building a Merry Christmas and a Happy New Year.

Hon. Gary Doer (Premier): Yes, on behalf of our caucus, we would like to wish everyone a Merry Christmas, a happy Diwali, and a joyous Hanukkah. Thank you.

Hon. Jon Gerrard (River Heights): On behalf of our caucus, I would like to wish to MLAs, to staff and indeed to the public a wonderful holiday, a happy Christmas, a good Hanukkah and Diwali and other celebrations. Thank you.

House Business

Hon. Dave Chomiak (Government House Leader): I'd like to announce that the Standing Committee on Legislative Affairs will meet on December 14, at 5 p.m., to deal with the report of the Judicial Compensation Committee.

Mr. Speaker: It's been announced that the Standing Committee on Legislative Affairs will meet on December 14, at 5 p.m., to deal with the report of the Judicial Compensation Committee.

* * *

Mr. Speaker: Before we leave, on behalf of myself and my family and all the staff of the Manitoba Legislative Assembly, we want this opportunity to wish each and every one of you a very Merry Christmas and all the best in the New Year also.

The hour being past 5 p.m., this House is adjourned and stands adjourned, and we will return at the call of the Speaker.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 7, 2006

CONTENTS

ROUTINE PROCEEDINGS			
Introduction of Bills		Wawanesa	
		Rowat; Chomiak	606
Bill 15–The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)		Rural Health Care	
Selinger	601	Rowat; Chomiak	606
Bill 16–The Children's Advocate's Enhanced Mandate Act (Various Acts Amended)		Crocus Investment Fund	
Mackintosh	601	McFadyen; Selinger	607
Bill 215–The Liquor Control Amendment Act (Helping to Prevent Date Rape)		Child Care	
Driedger	601	Gerrard; Mackintosh	609
Bill 204–The Workplace Safety and Health Amendment Act (Harassment in the Workplace)		Gerrard; Doer	610
Gerrard	601	Mining in Manitoba	
		Jennissen; Rondeau	610
		Government Spending	
		McFadyen; Doer	611
		Speaker's Statement	
		Hickes	611
		Members' Statements	
Petitions		Clubhouse of Winnipeg	
Provincial Slogan		Altemeyer	611
Lamoureux	602	Athletic Therapy Profession	
Removal of Agriculture Positions from Minnedosa		Rowat	612
Rowat	602	Positive Parenting Program	
Headingley Foods		Maloway	612
Taillieu	602	Charles Paul Balmer	
		Taillieu	613
		<i>2020–Manitoba's Transport Vision</i>	
Tabling of Reports		Dewar	613
Annual Report of the Manitoba Development Corporation for the fiscal year ending March 31, 2006		Grievances	
Smith	603	Lamoureux	614
		ORDERS OF THE DAY	
		(Continued)	
Oral Questions		GOVERNMENT BUSINESS	
Children in Care		Concurrence and Third Readings	
McFadyen; Mackintosh	603	Bill 29–The Degree Granting Act	
Taillieu; Mackintosh	604	Derkach	615
Cardiac Surgeries		Bill 33–The Northern Affairs Act	
Driedger; Chomiak	605	Rowat	621
ICU Nurses		Lamoureux	621
Driedger; Chomiak	605	Gerrard	622

Bill 38–The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization)		Bill 4–The Consumer Protection Amendment Act (Prepaid Purchase Cards); Loi modifiant la Loi sur la protection du consommateur (cartes prépayées)	
Goertzen	626		636
Bill 39–The Court of Queen's Bench Small Claims Practices Amendment Act		Bill 5–The Personal Investigations Amendment Act (Identity Protection); Loi modifiant la Loi sur les enquêtes relatives aux particuliers (protection de l'identité)	
Goertzen	627		637
Gerrard	627	Bill 6–The Registered Retirement Savings Protection Act; Loi sur la protection des régimes enregistrés d'épargne en vue de la retraite	
Chomiak	628		637
Bill 28–The Manitoba Museum Amendment Act		Bill 9–The Grandparent Access and Other Amendments Act (Child and Family Services Act Amended); Loi sur le droit de visite des grands-parents et apportant d'autres modifications (modification de la Loi sur les services à l'enfant et à la famille)	
Goertzen	628		637
Gerrard	629	Bill 25–The Consumer Protection Amendment Act (Payday Loans); Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage)	
Bill 215–The Liquor Control Amendment Act (Helping to Prevent Date Rape)			637
Schuler	631	Bill 28–The Manitoba Museum Amendment Act; Loi modifiant la Loi sur le Musée du Manitoba	
Lamoureux	632		637
Cullen	632	Bill 29–The Degree Granting Act; Loi sur l'attribution de grades	
Goertzen	633		637
Gerrard	635	Bill 33–The Northern Affairs Act; Loi sur les affaires du Nord	
Debate on Concurrence and Third Readings		Bill 34–The Public Interest Disclosure (Whistleblower Protection) Act; Loi sur les divulgations faites dans l'intérêt public (protection des divulgateurs d'actes répréhensibles)	
Bill 5–The Personal Investigations Amendment Act (Identity Protection)			637
Taillieu	616	Bill 39–The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine	
Gerrard	616		637
Bill 2–The Employment Standards Code Amendment Act		Bill 41–The Pharmaceutical Act; Loi sur les pharmacies	
Schuler	617		637
Lamoureux	618	Bill 214–The Good Samaritan Protection Act; Loi sur l'immunité du bon samaritain	
Gerrard	619		637
Allan	620	Bill 215–The Liquor Control Amendment Act (Helping to Prevent Date Rape); Loi modifiant la Loi sur la réglementation des alcools (prévention du viol par une connaissance)	
Second Readings			637
Bill 215–The Liquor Control Amendment Act (Helping to Prevent Date Rape)			
Driedger	623		
Smith	624		
Gerrard	625		
Debate on Second Readings			
Bill 11–The Insurance Amendment Act			
Goertzen	629		
Committee Reports			
Standing Committee on Legislative Affairs Second Report			
Reid	630		
Royal Assent			
Bill 2–The Employment Standards Code Amendment Act; Loi modifiant le Code des normes d'emploi			
	636		

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/index.html>