

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

Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 7, 2008

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PETITIONS

Long-Term Care Facility—Morden

Mr. Peter Dyck (Pembina): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

The background for this petition is as follows:

Tabor Home Incorporated is a time-expired personal care home in Morden with safety, environmental and space deficiencies.

The seniors of Manitoba are valuable members of the community with increasing health-care needs requiring long-term care.

The community of Morden and the surrounding area are experiencing substantial population growth.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to strongly consider giving priority for funding to develop and staff a new 100-bed long-term-care facility so that clients are not exposed to unsafe conditions and so that Boundary Trails Health Centre beds remain available for acute-care patients instead of waiting placement clients.

This is signed by Stan Hildebrand, Wes Schroeder, Jan Hand and many, many others.

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

**Hard Surfacing Unpaved Portion—
Provincial Road 340**

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

These are the reasons for this petition.

All Manitobans deserve access to well-maintained rural highways as this is critical to both motorist safety and to commerce.

Provincial Highway 340 is a well-utilized road.

Heavy vehicles from potato and livestock operations, agricultural-related businesses, Hutterite colonies and the Maple Leaf plant in Brandon use this road.

Vehicles from Canadian Forces Base Shilo also travel this busy road.

Commuter traffic from Wawanesa, Stockton, Nesbitt and surrounding farms to Shilo and Brandon is common on this road.

Provincial Highway 340 is an alternate route for many motorists travelling to Brandon coming off Provincial Highway 2 east and to Winnipeg via the Trans-Canada Highway No. 1. An upgrade to this road would ease the traffic congestion on Provincial Highway 10.

Access to the Criddle-Vane Homestead Provincial Park would be greatly enhanced if this road were improved.

The hard surfacing of the unpaved portion of Highway 340 south of Canadian Forces Base Shilo towards Wawanesa would address the last few neglected kilometres of this road and increase the safety of motorists who travel on it.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider hard surfacing of the unpaved portion of PR 340 south of Canadian Forces Base Shilo towards Wawanesa.

This petition is signed by Dennis Thompson, Kurt Heinrichs, Colleen Scott and many, many others.

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

These are the reasons for this petition.

All Manitobans deserve access to well-maintained rural highways as this is critical to both motorist safety and to commerce.

Provincial Road 340 is a well-utilized road.

Heavy vehicles from potato and livestock operations, agricultural-related businesses, Hutterite

colonies and the Maple Leaf plant in Brandon use this road.

Vehicles from Canadian Forces Base Shilo also travel this busy road.

Commuter traffic from Wawanesa, Stockton, Nesbitt and surrounding farms to Shilo and Brandon is common on this road.

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We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider hard surfacing of the unpaved portion of Provincial Road 340 south of Canadian Forces Base Shilo towards Wawanesa.

This petition is signed by Earl Vidler, Karen Kotak, Verna Hutlet and many, many other fine Manitobans.

Education Funding

Mr. Rick Borotsik (Brandon West): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

Historically, the Province of Manitoba has received funding for education by the assessment of property that generates taxes. This unfair tax is only applied to selected property owners in certain areas and confines.

Property-based school tax is becoming an ever-increasing burden without acknowledging the owner's income or owner's ability to pay.

The provincial sales tax was instituted for the purpose of funding education. However, monies

generated by this tax are being placed in general revenue.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Education, Citizenship and Youth (Mr. Bjornson) consider removing education funding by school tax or education levies from all property in Manitoba.

To request that the Minister of Education, Citizenship and Youth consider finding a more equitable method of funding education such as general revenue following the constitutional funding of education by the Province of Manitoba.

This petition, Mr. Speaker, is signed by Roland Dandeneau, Ray Ostertag, Wayne Robson and many, many other fine Manitobans.

Air Canada

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

The background to the petition is as follows:

On September 29, 2008, the Member for Inkster stated in question period: ". . . when Air Canada was privatized, there was a moral, if not a legal obligation, for Air Canada to protect the bases here in Winnipeg."

On September 29, 2008, the Premier (Mr. Doer) responded by saying that: ". . . the wording of the law and the spirit of the law is consistent with the member's analysis that the presence would stay."

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier of Manitoba to consider taking whatever action possible to keep both the Air Canada flight attendant base and the Air Canada pilot base here in Winnipeg.

Mr. Speaker, this is signed by C. Graham, P. Smith, M. Boudreau and many, many other fine Manitobans.

Neepawa, Minnedosa and Areas—Local Hospitals

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for the petition:

Residents of Neepawa, Minnedosa and the surrounding areas are concerned about the long-term viability of their respective local hospitals. Impending retirements, physician shortages and the closure of many other rural emergency rooms have caused residents to fear that their health-care facilities may also face closure in the future.

Local physicians and many residents have expressed their support for a proposed regional health centre to serve both communities.

It is believed that a new regional health centre would help secure and maintain physicians and would therefore better serve the health-care needs of the region.

The success of other regional hospitals, such as Boundary Trails Health Centre, has set the precedent for the viability and success of similar health-care centres in the Neepawa and Minnedosa area.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to consider the feasibility of a joint health centre, including an emergency room to service Neepawa and Minnedosa and the surrounding area.

To urge the Minister of Health to consider sustaining health-care services in this area by working with local physicians and the Assiniboine Regional Health Authority on this initiative.

This petition is signed by D. Cox, Kelly Wisnoski, Matt Soroka and many, many others.

Paved Shoulders for Trans-Canada Highway

Mr. Larry Maguire (Arthur-Virden): I wish to present the following petition to the Legislative Assembly, Mr. Speaker.

These are the reasons for this petition:

The lack of paved shoulders on the Manitoba portions of the Trans-Canada Highway poses a serious safety risk for motorists, cyclists and pedestrians alike.

This risk was borne out again with the tragic June 2008 deaths of two cyclists travelling east of Virden on the Trans-Canada Highway and injuries sustained by two other cyclists.

Subsequently, the Government of Manitoba has indicated it will pave the shoulders on the Trans-Canada Highway but has not provided a time frame for doing so.

Manitoba's Assistant Deputy Minister of Infrastructure and Transportation told a Winnipeg radio station on October 16, 2008, that when it comes to highway projects, the provincial government has a "flexible response program."

In the interests of protecting public safety, it is critical that the paving of the shoulders on the Trans-Canada Highway in Manitoba be completed as soon as possible.

We petition the Legislative Assembly as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider making the completion of the paving of the shoulders on the Trans-Canada Highway an urgent provincial government priority.

To request the Minister of Infrastructure and Transportation to clearly articulate a time frame for paving the shoulders on the Trans-Canada Highway in Manitoba

Mr. Speaker, this petition is signed by Jacey Careme, Donna Knott, Carolyn Grant, Irene Rowand and many, many others.

* (13:40)

TABLING OF REPORTS

Hon. Kerri Irvin-Ross (Minister of Healthy Living): I'd like to table the Healthy Child Manitoba Annual Report '07-08, the Addictions Foundation of Manitoba Annual Report '07-08 and the Manitoba Seniors and Healthy Aging Secretariat Report '07-08.

Hon. Theresa Oswald (Minister of Health): I'm pleased to table the '07-08 Annual Report for Manitoba Health and Healthy Living, which includes the Annual Report for the Manitoba Health Services Insurance Plan.

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): I'm pleased to table the 2007-2008 annual reports for The Cooperative Promotion Board and The Co-operative Loans and Loans Guarantee Board.

Hon. Eric Robinson (Minister of Culture, Heritage, Tourism and Sport): On behalf of the Minister of Aboriginal and Northern Affairs (Mr.

Lathlin), I'd like to table the Annual Report of Aboriginal and Northern Affairs 2007-2008.

Introduction of Guests

Mr. Speaker: Prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us the reeve of the Rural Municipality of North Cypress, Brad Wells.

Also in the public gallery we have with us from Carberry Collegiate 20 grade 9 students under the direction of Mrs. Raegan Dyck. This school is located in the constituency of the honourable Member for Turtle Mountain (Mr. Cullen).

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

ORAL QUESTIONS

Independent Prosecutors Attorney General's Directions

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, the Taman commission report, authored by retired Justice Salhany, indicates that the plea bargain that was agreed to by the independent counsel in the Taman case brought the administration of justice into disrepute. We know that, under this Attorney General's department's policies, he has the right and the power under his own policies to give direction to the independent counsel provided that he makes that direction public after the giving of that instruction to the independent counsel. The objective of the policy is in those special cases where independent counsel is appointed, that the department, which has regular interactions with police officers and others, is essentially set aside and that there's a direct relationship between independent counsel and the Deputy Attorney General or Attorney General to ensure there's accountability for decisions.

Mr. Speaker, we know that the Attorney General in this case, after several briefings leading up to this plea bargain, chose not to exercise that power. He argued vigorously some four or five weeks ago that he ought not to have that power or to exercise it. He then said yesterday that he accepted all of the recommendations of Justice Salhany. One of those recommendations not only acknowledges that power but calls for the clarification and enhancement of that power. Justice Salhany says that there should be a change to the policy, which says, and I quote: Independent prosecutors are required to keep the Department of Justice advised of all significant

decisions that they propose to take in connection with the cases they are assigned. This is done solely to keep Department of Justice officials apprised of the status of the case and to enable the Attorney General or the Deputy Attorney General to give direction as contemplated by section C of this policy.

This is the recommendation of Justice Salhany, which he is recommending. It's the very power that he was arguing against some four or five weeks ago.

I want to ask the Premier who he agrees with, his Attorney General who says that he has no such power and that he ought not have such power, or does he agree with Justice Salhany who says that the power exists and that it ought to be clarified in the department's policies?

Hon. Gary Doer (Premier): Mr. Speaker, this is an excellent opportunity to clarify September 8, 2008, *Hansard*, wherein the Conservatives claim that the Minister of Justice (Mr. Chomiak), in a very serious allegation, had agreed with the offer and conditional sentence, and they accused the minister of interfering with the plea bargain.

In fact, on page 18 of the Salhany report: I am satisfied in this case Mr. Minuk made all material decisions and did not ask for approval from Manitoba Justice officials. That's on page 18 of the report.

I wonder if the Leader of the Opposition can clarify the record in terms of the Salhany report and apologize to the Minister of Justice for the very unfair allegation that he made, Mr. Speaker.

Mr. McFadyen: Mr. Speaker, it's too bad the Premier, by that comment, doesn't understand the purpose of special counsel. What the report says is that department staff are not to be involved in directing independent counsel but that the Deputy Attorney General and the Attorney General do have that right. That's in the Attorney General's policy.

Mr. Speaker, what we said was that the Attorney General had the opportunity to give direction as provided in his policy, and he didn't. The Attorney General chose not to exercise that power.

So, then, rather than trying to confuse the issue, I just wonder if the Premier can indicate: Is he accepting the recommendation of Justice Salhany to proceed with and clarify the already existing power of the Attorney General to give direction to independent counsel provided that that direction is

made public? Rather than trying to confuse the issue, why doesn't he just respond to a direct question?

Mr. Doer: Well, Mr. Speaker, the member opposite and his Justice critic got a lot of media by making an allegation that the Minister of Justice (Mr. Chomiak) interfered and approved the issue of the plea bargain. The quote is: agreed with the offer and conditional sentence.

The reality is I'm satisfied in this case—this is a direct quote from *Hansard*: agreed with the offer and the conditional sentence—that Minuk made all material decisions and did not ask for approval from Manitoba Justice.

You have an allegation made by members opposite. You have a finding made by Justice Salhany. I would expect the members opposite would want to have the honour of correcting the record and apologizing for making an allegation that has proven to be incorrect. It was a major allegation made in this House, Mr. Speaker, and I think that the members opposite have a responsibility.

I would point out, Mr. Speaker, that the member opposite has talked about Mr. Minuk. He's talked about him: I know Mr. Minuk and I know others are involved. I am confident they will put the best case forward. He said that in the media scrum on October 29, 2007.

So the bottom line is, Mr. Speaker, it's easy to be a genius after the fact, I suppose, that the Leader of the Opposition is acting like, but I would ask him to correct the record from the false statement being made by his critic that actually is really detrimental to the good operation of the justice system under the stewardship of our Minister of Justice.

Mr. McFadyen: I'm surprised that some of the longer serving members of the NDP would clap for that response. It's exactly what he did when the former Member for Fort Whyte started asking questions about Crocus. He demanded an apology at the time when members on this side asked questions about Crocus.

He demands apologies every time he's in trouble, Mr. Speaker, and he's learned after many years in politics that the best defence is a good offence, and that's fine. It may work as a political tactic to demand apologies every time he's wrong, to cast himself as the victim in this scenario, but the fact is that we have said all along that we disagree with the Attorney General's decision. He had the opportunity and the power under his own policy to give direction.

He chose not to do it and that's a legitimate issue for debate. He chose not to exercise the power. The Member for Steinbach (Mr. Goertzen) disagreed with that. We think that there's a role for a proactive Attorney General in Manitoba, and Justice Salhany believes there's a role for a proactive Attorney General in Manitoba when it comes to independent prosecutions.

I want to ask the Premier: Does he accept this recommendation of Justice Salhany, or does he side with his Attorney General who thinks there's no role for the Attorney General when it comes to these sorts of issues?

*(13:50)

Mr. Doer: Well, Mr. Speaker, the whole purpose of the—if one goes back in Justice Dewar's report dealing with the establishment of an independent counsel, the first word in that is independent counsel, having somebody that is outside of the stakeholders of the justice system or of the government. That is a principle with an independent prosecutor that's even more important to maintain.

There are a number of recommendations in the report from Justice Salhany to even further enhance independence for the independent prosecutor. We have accepted those recommendations, and, in fact, there are four existing independent prosecutors in Manitoba on a go-forward basis. All those contracts are ended because of the recommendation of Justice Salhany.

We will be building and implementing a larger list of independent prosecutors, as recommended by Justice Salhany. As I say, it will be a new list. It will be a broader list. That list, though, will be made independent of the political arm of government. It will not be the Minister of Justice (Mr. Chomiak) establishing a list of independent prosecutors that might deal with a case of an MLA in the government. It will be the Deputy Attorney General implementing the Salhany recommendation, which the Minister of Justice has said we will implement, Mr. Speaker.

Independent Prosecutors Attorney General's Directions

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, it's interesting that the Premier (Mr. Doer) now confirmed that the Minister of Justice will be refusing one of the recommendations by Commissioner Salhany, because in Manitoba the current independent prosecutor policy allows the

Attorney General to reject the advice of an independent prosecutor before the matter is brought before a judge. The commissioner in the Taman report not only confirmed that power; he made it stronger.

The Minister of Justice refused to use the power given to him in his own department policy to stop a conditional sentence from being brought before a judge in the case of Crystal Taman. He said yesterday it's his practice not to use the power.

Is he now rejecting the recommendation of the commissioner that reaffirms and strengthens the right of the Attorney General to reject advice from an independent prosecutor?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, the member who just spoke said last week that I had agreed with the offer and the conditional sentence. That's what you said on the *Hansard* record, *Hansard*. That's what you said on the *Hansard* record. Now, today, you're trying to turn it around and trying to take political advantage of a case that was one of the most tragic, that had a lot of victims, trying to turn it into a political football that I have tried to avoid.

We put together an independent commission that came down with 14 recommendations that we are following. We will follow through on those recommendations. The members may try to make as many political spins as they want, Mr. Speaker, but we believe that we did the right thing in following the recommendations and, in fact, in setting up the commission which, had we interfered, would probably not be in place.

Mr. Goertzen: Yesterday, the Minister of Justice said that the B.C. Attorney General had rejected the advice of independent prosecutors nine or 10 times, he said. The Attorney General of B.C., Wally Oppal, is a former judge of both the Supreme Court of British Columbia and the British Columbia Court of Appeal.

The Taman report commissioner, Roger Salhany, is a former justice of the Ontario Superior Court, and he recommended that the policy that allowed the Minister of Justice to reject the advice of an independent prosecutor not only remain in place but become stronger. Only our Minister of Justice is saying that the policy should never be used or not be there.

Is he telling Manitobans he was right to do nothing when the former Justice Oppal and former

Justice Salhany were wrong in their actions? Is that what he's telling Manitobans?

Mr. Chomiak: Mr. Speaker, this is not mute court. The recommendations—I was very pleased, as pleased as one can be, with the outcome yesterday, given the tragic nature. A small light of hope, I think, has been raised by virtue of these changes that we're putting in place, and we intend to put them in place despite the political word-smithing.

Despite all of that, the most important thing is to deal with the victims and to deal with the justice system, and I was very proud to be able to do that and to follow the recommendations of Justice Salhany as he sat beside me at a press conference and we delivered our implementation plan that we're going to put in place.

Centralized Police Training Government Support

Mr. Kelvin Goertzen (Steinbach): The Minister of Justice announced that he would be reviewing the police act in Manitoba to install police standards for training. The announcement came a year after we asked for this very action, and it's added to the long list of ideas that opposition members have brought forward and that the NDP first scoffed at and then they rushed to adopt it with much media fanfare.

But it doesn't go far enough. What is needed along with these standards is the centralization of training for municipal officers. We need a Manitoba police college, a centre of excellence to ensure that our municipal police officers have the same high level of training across the province.

Will the minister commit today to accepting our proposal for a Manitoba police college which we asked for more than a year ago?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, I don't care where a good idea comes from. If members opposite want to take credit for everything we've done, that's fine. The public gets a chance every four years.

As I've already indicated to the members opposite, we will be going public with our new police act in January and February. I am glad we had the advice of Commissioner Salhany. We are looking at the issue of a training centre. We are reviewing that particular issue, Mr. Speaker.

The important thing, Mr. Speaker, is we will have a police act that will have—I, in fact, announced the police act would be brought in next session. We

will bring it in next session, and I'm very glad that we have the recommendations of Commissioner Salhany to add to the work that we've done with the police act in order to—

Mr. Speaker: Order.

Federal NDP Tax Policy Government Position

Mr. Hugh McFadyen (Leader of the Official Opposition): Just as thousands of Manitobans were starting to recover from the Crocus debacle, then, there today, as a result of the debt crisis that is now global, reeling from lower stock prices and hits to their retirement savings, last week, Mr. Speaker, 368 Manitobans learned that they were being laid off at DeFehr's, and many others are concerned about the prospects for their jobs and their incomes.

I just want to ask the Premier if he can be clear today: Is he in favour of or is he against Jack Layton's plans to raise taxes on corporations like DeFehr's in Manitoba that are trying to stay afloat?

Hon. Gary Doer (Premier): Mr. Speaker, I'm very much in favour of the platform that we brought in in the last election campaign that was given a great strong vote of confidence by the people of Manitoba.

I think the fact, Mr. Speaker, that we had targeted tax cuts in the last budget dealing with the manufacturing sector, if you look at those targeted tax reductions on the capital tax, the corporate depreciation for manufacturers, the corporate tax reduction—when we came into office we had the highest corporate taxes in Canada—those targeted tax cuts for the manufacturing sector in '08 that the members opposite voted against I would argue were a lot more prudent than the reckless tax cuts of \$900 million proposed by the Leader of the Opposition and repudiated by the people of Manitoba.

So, Mr. Speaker, we certainly support the kind of balanced approach that we brought forward to lowering the high corporate taxes in Manitoba.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you very much, Mr. Speaker.

We certainly support the measures we took. We support the fact that our budgets say subject to balanced budget, Mr. Speaker, and I think you'll find—[*interjection*] I'm glad that they're using the

phrases I used last week. Flattery is a wonderful form of imitation, Mr. Speaker.

* (14:00)

Mr. McFadyen: We do remember that platform when he said we will not run the next transmission line down the west side of Manitoba. We recall what he said in the election campaign. Oh, and what was that thing you left out of the platform? Oh, yes, the million-dollar-vote tax that we're going to put on Manitobans right in the middle of a recession, Mr. Speaker.

Now, Mr. Speaker, Jack Layton, yesterday, was on Charles Adler and is using this Premier (Mr. Doer) as an endorser of their tax-increasing platform. He said on Charles Adler yesterday: We would adopt a more strategic approach as the Manitoba NDP leader pointed out when he and I talked about this. It would make no sense to lower the corporate tax rates across the country to a lower level than they are right now.

Mr. Speaker, he said in the *Free Press*—Layton claims the Manitoba NDP leader has told him he doesn't believe now is the right time for Canada to cut its corporate tax rate because it's already lowered. I've spoken to the Premier about this, said Layton. I'm sure he'd say the same thing if you asked him.

So now I'm asking him: Is he in favour of raising corporate taxes, as Jack Layton is proposing for Canadians?

Mr. Doer: Well, Mr. Speaker, I find it passing strange that the former chief of staff can't confirm—and I've certainly confirmed it with friends of mine; in fact, a brother of mine who's an accountant—that we had the highest—when the member opposite was sitting an arm's length away from the Premier as the chief of staff, the corporate tax rate was 17 percent. The small-business tax rate was 9 percent. We had the highest corporate taxes in Canada.

We have lowered that, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. For the information of members, I've been standing quite a while. When the Speaker is standing, the members should be seated, and the Speaker should be heard in silence.

We have question period time. That's for asking questions and hearing the responses. The honourable First Minister is trying to give a response, and we need to hear the response, and we need a little bit of

decorum in here. So I'm asking the members' cooperation.

The honourable First Minister has the floor.

Mr. Doer: Mr. Speaker, the people that are against corporate tax reductions in Manitoba are actually the Progressive Conservative Party of Manitoba.

When we lowered the corporate tax from 17 to 16 percent, did they vote for it or did they vote against it? They voted against it. When we lowered the corporate tax from 16 to 15 percent, did they vote for it or against it? They voted against it. When we lowered the corporate tax from 15 to 14 percent, did they vote for it or did they vote against it? They voted against it. When we lowered the corporate tax in this budget from 14 to 13 percent, they voted against it. When we lowered the small-business tax from 9 to 8 to 7 to 6 to 5 to 4 to 3 to 2, did they vote against it? Yes, they did.

The party that's against corporate tax reductions and education tax reductions and against more nurses is the party opposite, Mr. Speaker.

Mr. McFadyen: Mr. Speaker, that would have been a convincing response if it wasn't for the fact that in the answer that he gave right before it, he accused us of being in favour of tax cuts. So he said in one response that we're wrong because we're in favour of tax cuts. Now he says in the next response that we're against tax cuts.

Mr. Speaker, the key to being successful is to pick a message track and stick with it. He can't even stay consistent from one response to the next.

Now, Mr. Speaker, speaking of inconsistent message tracks, we've got Jack Layton on the public record all day yesterday in media outlets all over the place using the Premier (Mr. Doer) as an endorser of his plan to increase taxes on companies like DeFehr that are putting hundreds of Manitobans out of work as a result of the economic struggles. He's on the record saying that the Premier of Manitoba approves our plan to increase taxes on companies that are struggling.

Will the Premier just provide clarification? Is Jack Layton misleading Canadians, or is this just another case of the Premier saying one thing to one audience in private and something completely different to another audience in public?

Mr. Doer: You know, I want to say to the people of Manitoba that we are in challenging times in North America. We're certainly in challenging times in the

world. We're in challenging times across Canada and we're in challenging times in Manitoba.

The fact that the member can't ask a specific question on the Manitoba budget and the Manitoba economy is quite surprising to me, Mr. Speaker. I would say that we should all be judged by what we do, and what we're doing is lowering corporate taxes, lowering personal taxes, lowering small-business taxes. But the one thing I would say, that everybody said the same, when I watched—in between the Vikings winning the football game last night—the news, every leader was talking about the necessity to balance the budget.

You'll notice that all our tax reductions in our budget say, subject to balanced budget legislation, and that is a very important part of our platform, Mr. Speaker, because their platform to bring back the Jets and to have a 1 percent sales tax reduction immediately would have been a reckless way of using public finances.

Our targeted tax reduction for manufacturing was \$34 million last spring. The members opposite voted against it. They voted against the tax reduction for manufacturers. They voted against a reduction of the corporate capital tax. In fact, we eliminated the corporate capital tax for manufacturers, along with having the smallest and lowest small-business tax in Canada.

That's balanced. That's what we bring and that's why we're moving forward, Mr. Speaker.

Economy Fiscal Strategy

Mr. Rick Borotsik (Brandon West): What the Premier neglected to say is that even with all those wonderful tax reductions, we are still the highest taxed regime in western Canada. We have the highest personal taxes. We have the highest corporate taxes, Mr. Speaker, and they are going nowhere with the reduction in taxes.

Stephen Harper and the federal government have announced an economic plan to get Canada through these tough economic times. His plan consists of no operating deficits, controlled spending, balanced budget and reduce taxes.

Manitoba, Mr. Speaker, on the other hand, has its own economic plan: get rid of the balanced budget legislation, get back to deficits, continue to be the highest taxed regime in western Canada, no

control over spending and be totally dependent upon the federal government for equalization.

Why is this Minister of Finance so out of step with sound fiscal planning?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, when the member opposite talked about the program for keeping solid fiscal relationships and growing the economy, he said that you had to have balanced budget legislation. We have it; the federal government doesn't. He said that you have to reduce corporate taxes—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Sorry, I can't hear. Let's have some decorum, please. The honourable member asked the question and the honourable minister [*inaudible*] We have a lot of people in the gallery that came here to listen to the questions and the answers, and we have the viewing public. Let's have the decency to at least allow people to hear that.

The honourable minister has the floor.

Mr. Selinger: Thank you, Mr. Speaker. If the member would just refer back to the budget book on page C-1, he will see that we eliminated the capital tax for manufacturers July 1 of this year. He will see that the Manufacturing Investment Tax Credit has been made refundable up to 70 percent. He will see that the capital cost appreciation allowance has been moved to a 50 percent \$9-million benefit to manufacturers. He will know that in Manitoba, the cost of a manufacturing enterprise doing business in Winnipeg or Brandon is among the lowest in Canada and, indeed, lower than 59 cities in the United States, and our payroll taxes are lower as well.

All of those things bode well for the future of Manitoba. Not only have we kept the costs affordable, but we have several initiatives. Private sector investment is up 22 percent and public investment will generate new wealth in this province every single year that we're in office.

Mr. Borotsik: The Finance Minister would also recognize that we have the lowest productivity in western Canada, Mr. Speaker. He'll also recognize that we do have the highest corporate taxes in western Canada.

Jack Layton, the other day, Mr. Speaker, said the Premier (Mr. Doer) believes that there should be additional corporate taxes. That's what Jack Layton said. Jack Layton also said that he does not believe in

deficits. This Premier believes in what Jack Layton is out to sell.

Will the Minister of Finance commit today, commit today, that he will not run an annual operating deficit for the next three years?

* (14:10)

Mr. Selinger: Mr. Speaker, we commit to moving forward on everything we promised in the election. We said that we would continue to keep taxes among the most affordable in Canada. We said we would keep the cost of living among the most affordable in Canada. We said we would invest in infrastructure which helps grow the economy.

The member opposite wants to cut and run when the economy starts showing some issues on a global basis because of financial turmoil.

It's steady as she goes in Manitoba with progressive investments that will grow the economy, keep Manitoba affordable, keep Manitobans educated, give them opportunities for apprenticeship programs, provide housing for them and, in addition, Mr. Speaker, allow us to balance the budget every single year.

Mr. Borotsik: Mr. Speaker, the Finance Minister can certainly ramble on about all the things that he says he's going to do, but the one thing, the one thing that I ask him to stand today and tell this House, the one thing I want him to do on behalf of Manitobans is to stand today and say that he and his government will not run an operating deficit for the next three years.

Can you commit to that today to Manitobans?

Mr. Selinger: Mr. Speaker, we have balanced the budget nine times in a row under anybody's rules, including the legislation the members opposite brought into effect.

We have every intention of balancing the budget going forward. We will balance it this year. We will balance it next year. We will balance it in subsequent years, and while we're doing that, we will continue to grow the economy. We will grow the economy in a balanced way that allows all Manitobans to participate in the labour market. We will grow the economy in such a way that we manage to provide more assets in Manitoba for the future, more private assets as well as more public assets.

Members opposite, when they get into a crunch, they privatize, they deregulate and they cut everybody loose that doesn't vote for them.

**Clean Environment Commission Report
Scientific Advice for Nutrient Reduction**

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, this NDP government has forced the City of Winnipeg to spend tens of millions of dollars removing nitrogen from waste water, when according to respected scientists like Dr. David Schindler, it won't help the algal problem in Lake Winnipeg. In fact, it could make these problems worse.

Mr. Speaker, why did the government take so long to admit that its nitrogen removal strategy is flawed?

Hon. Steve Ashton (Minister of Intergovernmental Affairs): Well, Mr. Speaker, I would caution members opposite, who only a few years ago didn't believe the science on climate change, that when you're dealing with the environment, what you do is you don't listen to only one scientist. You look to independent bodies who will listen to all the scientific evidence.

The member opposite might want to also read the Clean Environment Commission report and understand that we have indicated already that we are quite prepared, as part of the Clean Environment Commission process, to refer the question in terms of nitrogen.

But every other major western Canadian city has been removing both phosphorus and nitrogen, including the City of Regina, and I say to members opposite, politicians shouldn't be making decisions in terms of science. It should be independent bodies such as the Clean Environment Commission.

Mr. Speaker, they were wrong on Kyoto, and they should listen to the scientific evidence on this.

Some Honourable Members: Oh, oh.

Mr. Speaker: Once again, can we have a little decorum.

Mrs. Mitchelson: Mr. Speaker, it was politicians that made the decision that the City of Winnipeg should remove nitrogen against the scientists that said that it wasn't necessary.

Mr. Speaker, a year and a half after we asked this government to reconsider the direction that they had given to the City of Winnipeg, they have now

referred the issue back to the Clean Environment Commission, after millions of dollars have been spent by the City of Winnipeg removing nitrogen.

Mr. Speaker, will the government now put a hold on any further expenditure on nitrogen removal until the CEC report is back?

Mr. Ashton: Well, Mr. Speaker, once again, we know members opposite don't believe in the Clean Environment Commission process, because the City of Winnipeg waste-water treatment licensing was supposed to go to the Clean Environment Commission in 1992 and 1993.

The NDP, in 2002, referred it. In fact, the first and only licensing that has taken place in terms of the waste-water treatment for the city of Winnipeg is under the NDP. They don't believe in the Clean Environment Commission. They didn't believe in it then, and they clearly don't believe in it now.

The members also should know, Mr. Speaker, that the \$23 million has been spent for both ammonia and nitrogen. We have indicated our openness, through the Clean Environment Commission, to any and all of the scientific evidence, but we're not going to take lectures from a party that wasted 11 years.

They didn't license one waste-water treatment plant, and some of the problems we're dealing with in Lake Winnipeg now should rest squarely on that decision. They ignored waste water; we're dealing with it.

Mrs. Mitchelson: It somehow seems that the louder the minister yells, the more he thinks people might believe what he's saying, Mr. Speaker.

But, Mr. Speaker, we're in a time of real economic turmoil, and it's incumbent upon governments to try to make sure at this time more than ever that they're spending taxpayers' dollars wisely.

The City of Winnipeg is doubling their water rental rates, Mr. Speaker, and they're talking about doubling them again because of the NDP that has forced them to remove nitrogen from waste water.

I'm asking a straight question today, Mr. Speaker: Will the minister now put on hold any further expenditure on nitrogen removal until the Clean Environment Commission reports?

Mr. Ashton: Let's put one thing clearly on the record here. Let's look at what the cost might have

been if the members opposite in 1992 and 1993 had referred the City of Winnipeg waste-water licensing to the Clean Environment Commission. Let's understand that.

An Honourable Member: One-third the cost.

Mr. Ashton: One-third the cost. Let's understand that they didn't refer it once during that period. Let's also understand that the \$23 million is for the removal of both nitrogen and ammonia, Mr. Speaker.

So we don't take any lectures from members opposite who didn't do a thing about waste water, who wasted 11 years. We, in this government and in the NDP, are making up for that lost time, and we are committed, by the way, to one-third of the operating of the three plants in Winnipeg. We're going to have complete licensing, and we are on the way, Mr. Speaker—are going to deal with one of the biggest single point sources in terms of Lake Winnipeg.

That's the NDP record. The Conservative record is they did absolutely nothing for 11 years.

Brandon University Strike Binding Arbitration Strategy

Mr. Gerald Hawranik (Lac du Bonnet): The Brandon University strike is now well into its second week with no end in sight. The conciliation process is an ongoing process that could still take some time to resolve the dispute.

In the meantime, the students are suffering. They paid for an education that they're not getting.

So I ask the Minister of Advanced Education: Why has she failed to ask the faculty at the Brandon University to go back to work while the conciliation process is still ongoing?

Hon. Diane McGifford (Minister of Advanced Education and Literacy): I do thank the member for the question. But I do point out to him he hasn't been keeping up with his news releases because last week the Minister of Labour (Ms. Allan) and I did publicly request that both the administration and the faculty agree to binding arbitration.

Mr. Hawranik: Mr. Speaker, the minister hasn't been keeping up with the news. Doesn't she realize there is no arbitration going on at this point? A press release is not action.

The well-being of students at Brandon University should be a top priority for this minister, but clearly it's not. She has the opportunity to use her influence now with the union by asking the faculty

association to ask the faculty to return to work while conciliation continues. But she refuses to do so.

So I ask the Minister of Advanced Education: Why has she placed the interests of the union ahead of the students?

Ms. McGifford: This is, indeed, a distortion of the facts, and I'm really quite surprised at the Member for Lac du Bonnet, who is a lawyer. I thought he would know a little better than he's shown today.

Mr. Speaker, the Minister of Labour (Ms. Allan) and myself have requested both the administration and the faculty to agree to binding arbitration. The member over there knows full well that it is not in the powers of my office to force the union and to force the administration to engage in binding arbitration. I think it shows a sad lack of understanding of the issue. I'm really disappointed.

* (14:20)

Canadian Communication for Physicians Trained Abroad Program Government Support

Hon. Jon Gerrard (River Heights): Mr. Speaker, there are many Manitobans who are without a family physician, and yet at the same time we have many doctors who've come from other countries and are not yet able to practise here.

In the gallery today is a representative of a group of more than 20 doctors who have come from the Philippines but are not currently able to practise their profession in Canada. Mr. Speaker, one of the programs which could be more helpful is the Canadian Communication for Physicians Trained Abroad program at Red River, but the program is run only once a year and has a very limited number of spaces.

I ask the Minister of Health (Ms. Oswald): When will she expand this program and make sure that it has adequate spaces and is run at least twice a year?

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, everyone in this House knows full well that Manitoba's Qualifications Recognition Strategy is the most advanced of any jurisdiction in Canada.

An Honourable Member: Focus on the question.

Ms. Allan: Well, I am going to focus on the question, thank you very much.

Everyone knows, Mr. Speaker, that we introduced the Medical Licensure Program for International Medical Graduates in 2001. It was introduced by our government, and it was the first of its kind in Canada. Other jurisdictions have adopted similar versions of this program because it is so successful.

Mr. Gerrard: And yet the Web site for the Canadian Communication for Physicians Trained Abroad program at Red River says inactive at the moment. The minister can talk, but things aren't happening.

Helping physicians from other countries to meet Canadian qualifications is worthwhile because it can increase the supply of physicians and improve the quality of practice that they provide. When we come to one of the critical exams, the Canadian Medical College Evaluating Exams, new immigrant doctors from the Philippines and elsewhere are given a book and said write the exam. You know it would be much more helpful if there was at least a short tutorial program to help the new physicians arriving here, working in a different language, to do better on this exam.

There are some simple things that the minister could be doing but is not. When will the Minister of Health (Ms. Oswald) or the Minister of Labour make sure that there's such a tutorial available for doctors before they do the MCEE exams.

Ms. Allan: Mr. Speaker, I'd just like to remind the member opposite about Manitoba's Qualifications Recognition Strategy here in Manitoba. One of the reasons it is so successful is we work in partnership with the employers and the self-regulatory bodies. That is what has made this program so successful. In June we passed The Fair Registration Practices Act, and that is going to strengthen what we are doing here in Manitoba.

You know, I find it curious strange that the MLA has ideas now on how to make our QR program more successful, because he has never once walked through my door with one idea about how we can strengthen our QR program or our immigration program. He's never even once walked through my door to be briefed on any one of the 14 pieces of legislation that I have passed in this House.

Economic Forecast Government Report

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, the silence from the Minister of Finance is deafening

given the economic environment that is around us. Whether it is the U.S., the European or what's happening in Ontario, the impact that that's going to have on the province of Manitoba is overwhelming.

Let us not underestimate the potential cutbacks on equalization payments, transfer payments, the loss of jobs and the economic downturn that Manitoba could be facing.

I'm asking for the Minister of Finance to indicate whether or not he is in a position in which he might be able to provide an economic statement before the end of the year as to what this current situation will be in the province of Manitoba.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, we will have a quarterly report that shows the state of finances in Manitoba, also a forecast of what's expected going forward.

We will have a Throne Speech that will indicate further progress we're going to make in Manitoba.

The member opposite needs to ask himself today, does he think that a green carbon tax at this time is the right thing to do given the economic turbulence out there? Could he just give us a clear answer on that, whether he wants to implement that carbon tax in the next immediate period of time.

Mr. Speaker: Time for oral questions has expired.

MEMBERS' STATEMENTS

Team Manitoba Ringette Champions

Mrs. Mavis Taillieu (Morris): Mr. Speaker, today I want to congratulate the members of the Macdonald Wildfire Belle A, later Team Manitoba, on a more-than-successful ringette season. In January, the team travelled to Regina to participate in the 19th annual Jim Benning Ringette Tournament. They placed first in their division, bringing home the gold. This was the very first time Macdonald Wildfire had won a gold medal in the Belle A Division in a tournament outside the province of Manitoba.

The Wildfire also dominated the tournament in Steinbach, winning all their games, assuming the division's top spot and bringing home another gold. Later they participated in the Winnipeg Ringette League playoffs and won silver.

In the Manitoba 2008 provincial playoffs the team stepped up their performance winning all their games and another gold spot. This earned them the right to represent Manitoba in the Western Canadian Ringette Championships held in Prince George,

British Columbia. They now became known as Team Manitoba. Team Manitoba was comprised of the core group from the Macdonald Wildfire from Oak Bluff, Domain, LaSalle and Sanford, and expanded to include players from Dakota, Lorette, North Forth Garry, Park City West and Winakwa community clubs. The team defeated reigning champs, Team Alberta, 3-0 in the gold medal final. This is the first time that Manitoba has ever won the Western Canadian Ringette Association Belle A Division.

On May 9, 2008, Team Manitoba received the Sport Manitoba, Order of Sport Excellence Award for their achievements. Members of the team are: Melissa Brick, Reisa Brooks, Kelsy Brown, Rachel Campbell, Jaelyn Dryden, Tessa Harvey, Sidney Irving, Maya Lafond, Michelle Lavoie, Rheanne Marcoux, Claudia Muller Moran, Rielle Nault, Joelle Remillard, Laura Simons, Shelby Sinclair, Kerri-Ann Tyschinski, Courtney White, Eric Bohemier, Cara Friesen is the trainer, Jacque White, manager, and Wayne White the coach.

Congratulations to all the members of Team Manitoba. Thank you, Mr. Speaker.

Job Works Youth Builders Program

Mr. Rob Altemeyer (Wolseley): Mr. Speaker, I'd like to recognize the success of the Job Works Youth Builders program on Ellice Avenue in my constituency of Wolseley. This program, funded by the Department of Education, Citizenship and Youth, brings Aboriginal youth into a comfortable setting and enables them to pursue educational opportunities and trades training.

Youth Builders caters to the unique challenges of Aboriginal youth by placing all 30 students in an environment of community. Every Monday morning the program offers a life skills workshop, which includes a traditional smudge, providing an opportunity for participants to get grounded for the week ahead and also to get to know one another better. Cultural, family and life skill components are clearly an important part of the Youth Builders program and each student is known by name and by their community heritage.

The academic component of the program is based on grade 12 math and English and the completion of high school equivalency, as well as courses in woodworking and work as education. After the completion of the 10-month program, Youth Builders offers graduates the opportunity to participate in their Trades Exploration Program.

There are currently seven students in this program who are supported by a journeyman carpenter as they train for a career in the trades.

With an 89 percent employment success rate, I would like to commend the Youth Builders program for the positive influence it has on the lives of Aboriginal youth. I am very pleased that the provincial government is supporting initiatives such as Youth Builders that are actively engaging Aboriginal youth in our economy. Having recently visited the Youth Builders site, I can attest to the determination and focus of staff and students alike to make a better future for themselves, their families and their communities.

I applaud the Youth Builders program for their vision and wish them the very best of luck as they approach their 10th anniversary next year. Special recognition should also go to Mr. Rob Loiselle, who serves as the project co-ordinator for Job Works Youth Builders.

In closing, please allow me to congratulate all students, past and present, and to encourage them to share their experiences with others who are interested in joining such an influential and effective program as Job Works. Thank you very much, Mr. Speaker.

*(14:30)

Mr. Gladwyn Scott

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I rise in the House today to recognize and congratulate Mr. Gladwyn Scott of Carberry who was inducted into the Canadian Baseball Hall of Fame this past summer.

Gladwyn began his sporting career in the 1940s in McConnell, Manitoba, playing baseball with his father and brother Glennis while his mother kept score. Gladwyn was a player and is a builder that has been involved in sports in Manitoba for many years. Gladwyn enjoyed a rewarding career as an educator in Manitoba where he shared his talents with many students. Gladwyn's accomplishments in sports in Manitoba are many. One year he played senior hockey on a team that won the league title, coached two high school basketball teams, a minor hockey team, three baseball teams and played senior baseball. He coached seven provincial championship teams in five years and received three titles in one season at Hamiota.

When Mr. Scott moved to Carman in the 1960s, he founded the Carman Cougarettes high school basketball team, Carman Goldeyes baseball team and the Carman Beavers senior hockey team. He was instrumental in establishing the Manitoba High School Athletic Association of 1962, which is so important to high school sports today.

Mr. Scott coached for 38 years straight. He has worked with the Canadian National Baseball team, served on the executive of Baseball Canada and has also served as president of both Manitoba Baseball Association and Manitoba Amateur Hockey and has always stayed on top of community sports wherever he resides.

In 1992, Gladwyn Scott was inducted into the Manitoba Sports Hall of Fame as an All Round Builder for sport. He stays in touch with his community in sports, attending the events in his own and nearby communities and reporting special accomplishments and achievements in the local paper. Mr. Scott is always interested in athletic news and maintaining contact with Manitobans as they pursue a career in sports, education or coaching.

Mr. Speaker, Mr. Scott is a very deserving inductee into the Canadian Baseball Hall of Fame. I would like to congratulate Gladwyn of his most deserved honour. Thank you.

Flin Flon Arts Council 25th Anniversary

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, last Saturday evening, October 4, 2008, my wife and I were thrilled to attend the gala evening at the R.H. Channing Auditorium celebrating a quarter century since the incorporation of the Flin Flon Arts Council.

Buz Trevor, master of ceremonies for the event, pointed out that there was a vibrant arts and cultural community in and around Flin Flon for almost 50 years before the Arts Council's incorporation of March 26, 1982. In fact, people then supported and enjoyed the local Glee Club as much as their famous local hockey team, the Flin Flon Junior Bombers.

Arts and culture in the Flin Flon, Creighton, Denare Beach and Cranberry Portage region is uniquely northern. Where else could you enjoy a rapturous musical called *Bombertown* that artistically blended our twin passions, hockey and creative expression, with such expertise? Where else can you enjoy the angelic voices of our singers, intensified by Aboriginal drumming and the world's largest canvas teepee other than in Cranberry Portage during the performances of *Night on an Old Trade Route*? I

would have to describe it as sheer magic. There is huge diversity in the northern arts and culture scene: performing arts, poetry, writing, sculpture, quilting, painting, copper casting, caribou hair tufting, birchbark biting and more.

I'd like to thank the performers of this gala evening, music by The Trio which included Crystal Kolt, Mark Kolt and Roger LeBlanc; The Usual Suspects band who performed at the dance and social later in the evening and the many readers, singers and performers. Mr. Speaker, I congratulate the Flin Flon Community Choir and the creative talent of their many members, some of whom have performed in Carnegie Hall, New York, and also with the Winnipeg Symphony Orchestra under conductor Bramwell Tovey.

Our government applauds and congratulates the Northern Palette Art Club, Northstar Quilters, Ham Sandwich Theatre Productions, the Pottery Club, Copper Tones choral group, Borealis and Pantyhose choral ensembles, to name a few. We are looking forward to enjoying another 25 years of great talent in the north. Thank you, Mr. Speaker.

Air Canada Flight Attendant Base Closure

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I wanted to put some words on the record in regard to the Air Canada flight attendant base closure that's being talked about and the possibility of us losing the pilot base. I want to express my appreciation to individuals, George Bouchard, Rob Weiser, Suzie Lamond [*phonetic*], and, in particular, Local 4093, for their efforts in trying to make sure that this Legislature is kept informed as to what's taking place with Air Canada.

We truly believe that there is a moral, if not legal, obligation for Air Canada to sustain those bases here in the province of Manitoba, and we're calling on the Premier (Mr. Doer) to take action.

I was very happy with the response I received, once I had circulated a petition—and I'm still getting more and more in every day—in which we're calling on the government to take action. To quote the petition, it says: To request the Premier of Manitoba to consider taking whatever action possible to keep both the Air Canada flight attendant base and the Air Canada pilot base here in Winnipeg.

Mr. Speaker, we have hundreds of Manitobans that are getting behind these petitions. It's something in which the Premier has an obligation to stand up for Manitoba. Both opposition parties have indicated

their support to co-operate. We need to get the Manitoba Chamber of Commerce, work with the local unions and try to make sure that Manitoba does not lose these two bases, especially if you put it in the perspective of our geographical location and the long-term interests of the province of Manitoba in that whole industry. Thank you.

ORDERS OF THE DAY
(Continued)

GOVERNMENT BUSINESS

Hon. Steve Ashton (Deputy Government House Leader): Could you please call debate on third reading for Bill 37.

Mr. Speaker: We'll deal with concurrence and third reading of Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act.

CONCURRENCE AND THIRD READINGS

Bill 37—The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act

Hon. Steve Ashton (Deputy Government House Leader): I move, seconded by the Minister of Agriculture (Ms. Wowchuk), that Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act; Loi sur l'inscription des lobbyistes et modifiant la Loi électorale, la Loi sur le financement des campagnes électorales, la Loi sur l'Assemblée législative et la Loi sur la Commission de régie de l'Assemblée législative, as amended and reported from the Standing Committee on Justice and subsequently amended, be concurred in and be now read for a third time and passed.

Motion presented.

Mrs. Bonnie Mitchelson (River East): I'd like to put a few comments on the record about Bill 37 and indicate to the Deputy House Leader on the government side of the House that I'm glad to see he's calmed down since question period and he's able to present his thoughts in a little calmer manner, because I do know that my colleague the Member for Steinbach (Mr. Goertzen) was recommending that he

maybe move to decaf and it might help him to calm a bit. So I'm glad to see that he is able to conduct House business in a little more appropriate fashion, Mr. Speaker.

Moving to Bill 37, Mr. Speaker, I do want to indicate that I certainly cannot stand in this House today and support Bill 37. We know that many, many Manitobans had an opportunity to come out to committee and present their point of view and, by far, the vast majority of Manitobans that spoke, spoke against Bill 37 and what this government has brought to the Legislature in the form of five different pieces of legislation that were combined into Bill 37.

* (14:40)

I don't think I've ever seen this kind of precedent in this Legislature before. I've also never seen the First Minister shirking his responsibility when it comes to The Elections Act. You know, Mr. Speaker, it is usually the Premier of the province that takes the lead role in making changes to elections and elections financing acts. I think it's unprecedented in this Legislature that the Premier would shift that responsibility to the House Leader or to the Minister of Justice and try to hide behind some—[interjection]

Well, I wonder if you might call—Mr. Speaker?

Mr. Speaker: Order.

Point of Order

Mrs. Mitchelson: Mr. Speaker, on a point of order, I wonder if you might call the Minister of Advanced Education (Ms. McGifford) to order. She's being extremely rude from her seat, as she usually is, and very condescending, and I would hope that you would ask her to curtail her chattering from her seat, so that I might have the opportunity to put my comments on the record.

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

Mr. Ashton: On the alleged point of order, I've seen the Member for River East (Mrs. Mitchelson) partake in various discussions from her seat.

Mr. Speaker, this is not a point of order, and I think it's highly objectionable that the member would use those kinds of terms. There was a discourse with the member from her seat. It's not a point of order.

Mr. Speaker: Order. This gives me a good opportunity, because during question period there

was a lot of distraction. I think members, all members in this House, should really reflect on why we're here and, also, how much respect do we have for the institution that our constituents have sent us to.

We have guests many times during question period and the viewing public, and I'm sure, just as I can't at many times, I can't hear a word that is spoken. So I think we should all do some serious thinking about that.

Also, when members have the floor, whatever member has the floor, they have the right to be heard whether members agree with them or not. The member that has the floor has the right to be heard.

I think we could all use a little soul-searching and maybe show some respect to each other, especially whichever member has the floor.

The honourable member does not have a point of order, but I just wanted to make a few statements because I think we do have to have a little reflection here.

* * *

Mrs. Mitchelson: Thank you very much, Mr. Speaker.

As I was indicating, it's very unusual for the Premier (Mr. Doer) or the First Minister of the province of Manitoba to shift the responsibility for moving a piece of legislation like this through the Legislature.

I know that when the news release was put out, Mr. Speaker, he was front and centre saying that democracy would be enhanced with proposed changes to The Elections Act, that we would have fixed election dates, a partial public financing and a lobbyist registry and all other wonderful features in this bill.

But where was the Premier when this bill was debated and when this bill went before committee and over a hundred Manitobans registered to make presentation? Mr. Speaker, the Premier was nowhere to be seen in committee when this bill and when Manitobans came forward to make their comments on this legislation.

It's very, very unusual that five pieces of legislation would be rolled in together unless there was some ulterior motive by this government to try to fool Manitobans or confuse Manitobans with all five pieces of legislation, The Lobbyists Registration

Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act.

Mr. Speaker, these are pieces of legislation that should have been amended individually, so that Manitobans could have had an opportunity to come out and present on each different aspect of the changes that were being made.

Yet they tried, I think, Mr. Speaker, to slip through the vote tax and maybe think that Manitobans wouldn't see or wouldn't understand what was happening with this legislation. But, in uncertain times economically, I'm not sure that we want to see taxpayers having to support political parties that they don't necessarily choose to support. It's my belief that, if someone supports a political party and the direction and the philosophy that they're taking, those individuals have every opportunity and ample opportunity to make personal contributions to those political parties. I don't believe that the taxpayers, generally speaking, right across Manitoba have to support or should be supporting political parties that they don't necessarily believe in.

Mr. Daryl Reid, Acting Speaker, in the Chair

This is one of the most offensive pieces of the legislation that presenter after presenter made comment on at the committee review, Mr. Acting Speaker. We also know that the fixed election date that was set in the legislation has a significant loophole in it.

It has a loophole. We've seen and we've heard the Premier say that he fashioned it; he wrote the legislation based on what the federal election act said and the changes that were made to the federal Parliament that allowed for fixed election dates. We saw that there was a loophole in the federal legislation, just as there is a loophole in the provincial legislation. After the next election, there will be set, fixed election dates, but the Premier still has the opportunity now to change that, Mr. Acting Speaker. *[interjection]*

Thank you, Mr. Acting Speaker, and it's passing strange that members on the government side can speak from their seats, but none of them have the courage to stand up and speak about this legislation. So it's fine for them to sit in their seats and criticize members on this side of the House when they don't have the nerve to stand up and say that the vote tax is wrong, absolutely wrong.

Mr. Acting Speaker, they're going to stand in their places later today and say, we support gouging taxpayers once again; we support taking money out of taxpayers' pockets to support our political agenda. Stand up, have the courage to put it on the record rather than chirping from your seats about this.

Mr. Acting Speaker, I will not be supporting Bill 37. I will not be supporting it. I know that government members, even though they don't have the nerve to stand up and talk about taxpayers and protecting taxpayers, they will not stand up and admit that they're lining their own political party's coffers with money from the taxpayers of the province of Manitoba, so I will not be supporting Bill 37.

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Acting Speaker, I find the comments of the Member for River East very interesting because, when the bill was introduced about providing taxpayer funding for political campaigns, the member and all the members of the Conservative Party chirped and complained and said, no, no, no, this is wrong, and they took every single penny of the money, every cent.

During this federal election, the bill that's similar in Parliament the Conservative government introduced, they're taking every penny of the money, Mr. Acting Speaker. When we banned corporate and union donations, they voted against it; when they voted against our bill banning union and corporate donations, they said we were destroying democracy. Now there's a similar bill in Parliament, and we think it's a fair way, a fair way of distributing.

*(14:50)

Every single duck they lined up when they had all the ex-Tory candidates come to committee. Every Tory candidate that ever ran against me was at committee, Mr. Acting Speaker. Unfortunately, one was deceased, but every one that ever ran against me was there. I recognized more Tories in that committee room. It was like a Tory convention at the committee room, and they all came up and said the same thing, how awful that you're going to censor documents. They went out and did a bunch of media things. Of course, that was not our intention. In fact, we amended it to ensure that members opposite who, as usual, misconstrued, misread and went, alarming, right off to the reckless side as they often do, recklessly said that it would do this and it would do that. We amended all of those portions. We amended it to make it clear. The great irony is we used the

same wording that Prime Minister Stephen Harper used in terms of our fixed election date just to make sure.

What am I not getting here, Mr. Acting Speaker? We used the same wording of the Prime Minister. I know the Member for River East (Mrs. Mitchelson) is out there campaigning on behalf of her candidate. I know that. I know that because during the provincial campaign they were phoning from her constituency into my constituency. So I know they help each other. I know that because the woman on Lansdowne said, why is the number phoning during the provincial campaign Bonnie Mitchelson's office. I said, well, I know why it's Bonnie Mitchelson's office, I know that. I know they help each.

The Acting Speaker (Mr. Reid): Order, please. I think all members of the House know that we refer to members by their constituencies, and I ask the honourable Minister of Justice to refer to members by their constituency.

Mr. Chomiak: Right, I should indicate that my constituent's phone records indicated that it was the Member for River East's constituency office that was phoning into her home during the provincial election campaign, Mr. Acting Speaker.

So my point is, Mr. Acting Speaker, we've amended all of the provisions that the members went out and said, the sky is falling, the sky is falling, the sky is falling. We amended those provisions. We think it's reasonable that a fair representation and financing be provided. I know members have a store chest of money they're using for a little advertising. We are trying to make it fairer. We are trying to make it more democratic. We're going to have the Liberals in the LMAC. We are going to expand the capacity for parties to have an opportunity to get their message out on a fair ground, on a fair basis.

The members might quibble about the way we're doing it. We're doing it in the way that seems to me to be the most obvious, the most logical, based on previous election campaigns. That will work its way throughout the political calendar and, I daresay, one day when members opposite, that dreaded day when members opposite may form government, it will continue to work. But I know that there won't be any cheques returned from members opposite. I know that it will go right into the election campaigns, and we won't begrudge them. But I have to admit, Mr. Acting Speaker, they say one thing in this Chamber, they said one thing at committee when they were surrounded by all their ex-Tory candidates, but

they'll still take the money and run. I don't mean that in a negative sense. They will do that.

We think it's a fair way to go to the election. We think that having a fixed election day is important. I know they were really angry because the headline said fixed election day, and they somehow, because we introduced the bill, we were sneaking it in. You know, we introduce a bill, and that's sneaky. We provide a bill to the public, and we have public hearings, and that's sneaky. I don't pick what headlines the—heaven knows, I don't pick what headlines the newspapers put in. I have no control over that, Mr. Acting Speaker. But somehow, in these conspiratorial-minded ventures of members opposite, everything is a conspiracy. Everything is the sky falling. Everything is an extreme.

We're a balanced government that tries to approach all issues from a balanced perspective, representing all Manitobans. We don't say one thing in this Legislature and go out to the public and say another thing. Having indicated that we support this legislation, we think it's a natural evolution in our democratic process. It's in place in many jurisdictions. It's in place in other provinces. It's in place in Ottawa where a Conservative government is in power. It's in place where they provide these resources to a Conservative government, to all political parties. So it does stretch credibility a touch when members opposite stand up and pronounce the fact that somehow what we're doing, which is exactly what's done in Ottawa and many other provinces, is somehow some conspiratorial means on the part of this government to take away from—you know, at the end of it, the public gets it right. The public knows what's going on. They knew what was going on in the last election. They knew what was going on in 2003. They certainly knew what was going on in 1999.

I suggest to members opposite they pay attention. We can't fool them. I think it's a fair and honest approach. We provided the legislation. Members can choose to vote how they want. Our job is to go forward and try to make this Province more open, more democratic and broader for all Manitobans. Thank you, Mr. Acting Speaker.

Mr. David Faurichou (Portage la Prairie): Mr. Acting Speaker, I would like to say it's a pleasure to participate in the debate. However, this particular bill I will not be in favour of, and so I can't really say it's a pleasure in which to debate because it is an

omnibus bill to which all of us are being asked to vote on many, many changes.

I will read the actual title of the bill, and I think, Mr. Acting Speaker, you'll get the flavour of what I speak: Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act, The Legislative Assembly Management Commission Act. Obviously, this government is trying to take an opportunity, because they know it's controversial, to minimize the length of time to which they come to public scrutiny by ramming this omnibus bill through the Legislative Assembly in a fashion that otherwise would have afforded Manitobans the opportunity to come before committee and express their concerns at perhaps four, maybe five other occasions. But, no, this government says they listen to people, but, in fact, they do not.

There were more than 100 registered presenters for Bill 37 that came before committee earlier this year. The vast—and I will emphasize, the vast majority of those making presentations expressed their disappointment toward Bill 37 and, indeed, expressed that they did not support Bill 37 as it was currently presented.

Now, Mr. Acting Speaker, I have had occasion previously to bring forward points regarding Bill 37, so I will be brief this afternoon. In specific, I will say that I have spoken very positively about having an established election date with a four-year duration between general elections here in the province of Manitoba, as I believe it is incumbent upon those elected to put forward their election platform and carry forward throughout the next four years and completely fulfil their election promises. But, as it currently exists, even in this legislation, the call of an election still rests with the First Minister.

I would also like to say from my own personal observation—and I have mentioned it in the House in previous debates—is that we should take great care in expenditure of taxpayers' monies because we are just the custodians of those monies.

The expenditure of taxpayers' money on the election process, I believe, could very well be placed in better use. If we were to harmonize the election dates that are now in existence for the school boards and the municipal councils throughout the province with that of a general election for the Manitoba Legislative Assembly, we would save millions and millions of dollars which could be better spent in

whatever program the government of the day might believe would be a better investment. I would suggest education for one. We could take those millions of dollars and put it right into the classrooms rather than have a separate election date, which is stated in this Bill 37.

*(15:00)

So I would like to see, and, I believe, I will hopefully have the opportunity to put forward private members' legislation that will call for an amendment to The Elections Act that would propose that we have a provincial general election on the fourth Wednesday of October every four years, commencing with the year 2010. In that way, then, we would be in sync with the other levels of elected officials here in the province. I believe that Manitobans would appreciate having the opportunity to come out just on one occasion and be able to select their school board member, their mayor, reeve, municipal council member and, in due course, saving millions of dollars that could be put to other uses.

Also within the bill we have—and I had the fortunate experience of serving on the LAMC, which is the Legislative Assembly Management Commission that governs the activity of our Assembly, and I was very disturbed to see some of the requirements brought forward by Bill 37, that they impose scrutinization by the Speaker and by the Management Commission that I believe, to this point in time, we have had a very, very good working relationships within the House and how we as elected officials interact with our constituents. So it leaves me wondering what is the reason for this bill and the proposed changes as it pertains to the scrutiny of our communications. I have yet to have had anyone in my tenure here in the Legislative Assembly come forward with a concern or complaint regarding mailings or any type of communications that I have had with my constituents in Portage la Prairie. So I believe that Bill 37 really—and the changes called for in that area—not necessary.

So, Mr. Acting Speaker, I do appreciate the opportunity to participate in third reading debate, but express at this juncture and time that I am not supportive of Bill 37. I hope members on the government side of the House will show their support for what they do say more often than I can count, that they believe in the ability of Manitobans to put forward ideas and their thoughts, and if the government is listening, then they themselves will not be supporting Bill 37 because it was quite

evident in committee when Manitobans spoke that Bill 37 was a bill that needs to be significantly changed from what we see here before us.

Mr. Larry Maguire (Arthur-Virden): I, too, like the Member for Portage la Prairie just indicated, stand to speak to Bill 37 today with trepidation. I certainly am concerned with a bill like this coming forward in the Legislature in Manitoba. It's like an omnibus bill. But it's an extremely unaccountable bill in the form that it was originally put in. There have been a number of amendments come forward on it, but it's certainly a bill that is all encompassing in a whole number of areas that I'll talk about in a moment, Mr. Acting Speaker, and could have been brought in in many separate forums, as was mentioned by the Member for River East (Mrs. Mitchelson).

Mr. Acting Speaker, the Member for Kildonan (Mr. Chomiak) today, I believe, indicated that you can't fool the public, and he's absolutely right. That will come home to roost as part of this bill is to have a set election date. It will come home to roost on the NDP because in three years, approximately three years this last weekend, we will have a vote in Manitoba if the amendment brought in by the Liberal members of this House, which did pass, carries forward. I assume that the bill will pass unless the government has some means in their wisdom to withhold the bill this afternoon.

Mr. Acting Speaker, I would assume that with that amendment we'll have an election in about three years, and the public of Manitoba will not be fooled, and it will come home to roost to the NDP. They will be thrown out of government. This will be part of the reason why: the very bill that we're debating today in the House along with other bills like 38. Manitobans are a small "c" conservative lot, as you know. Whether they vote NDP or Progressive Conservative or Liberal in this province, they like to know that their money's being managed well. They really get their backs up when they see somebody trying to misuse funds the way the NDP are planning to do in this bill, and that is, of course, referring to the vote tax that I will talk about in a moment.

Bill 37, when I talked about an omnibus bill, just listen to the name. Bill 37 is called The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act. Well, Mr. Acting Speaker, and it was brought forward by the Minister

of Justice, the Attorney General (Mr. Chomiak). It's somewhat surprising and shocking that all of these would be wrapped into one particular bill when they could have been dealt with separately. If the government wasn't trying to slide four or five of these items through under the auspices of what the public wanted and that is set election dates—they are quite right in that area, that Manitobans have indicated that set election dates are favourable to them. We only have to look at the combined school board and municipal elections that occur now every four years across this province. The government, as our members, who were bringing forward a private member's bill as well on this very point—only we had the credentials and I guess, if you will, the stomach to bring it forward as one particular bill.

The government here brings in set election dates with all of these other—Lobbyists Registration Act, Elections Finances Act, vote tax, scrutinize your information that you're sending out to your constituents before they—so that they have it—what's the word I'm looking for, Mr. Acting Speaker? I think it's incumbent upon—censorship, that's the one. So that the information that we're sending isn't censored by the NDP, which was originally what was going to happen with information going out to our constituents in this bill until it was amended, and of course, we spent many hours, long hours in the summertime making sure that this bill did not pass last summer, making sure that it was corrected. Of course, even at this late fall session or the session that we've had here in the fall, at the last minute the amendment brought forward by the Liberals to not have an election on the second Tuesday of June but on the first one of October was accepted by the New Democrats as a sound motion to be brought forward.

We don't have a problem with that, Mr. Acting Speaker. They're going to have a set date. It just shows the lack of planning that went into this bill when the government can't even figure out which time of the year they want to have the election on their own. They wanted to have set dates, but they didn't. All they had to do was really probably talk to anyone and they would have been able to find that out, but they didn't even put it in the bill properly. They had to have someone else amend it because it would have looked kind of funny for them to have done it, so I commend the Member for Inkster (Mr. Lamoureux) for bringing that forward and putting that in the bill.

But that's just one area. That was the public part of the bill, and that's what Manitobans accepted. The

government came out with a great flurry of expectations in Bill 37, bringing it forward. We're going to have set election dates. But they didn't tell Manitobans in that news conference that they were going to have a vote tax. Have to pay a \$1.25 or have \$1.25 sucked out of their pockets or put into a special slush fund that they have to run political party operations. Now we're all hit by the same bill. They brought in a cap of \$250,000 on every \$1.25 that comes out of every voter's pocket. It just so happens that they capped it to about \$2,500 lower than what they would have got at a quarter of a million dollars.

* (15:10)

I made this comment in the House many times in regard to this ill-conceived bill, and that is we would end up with about \$192,000 and the Liberals about \$60,000 on this bill. That's a considerable amount of money, Mr. Acting Speaker, but that's not what Manitobans were happy about when they said that they were in favour of this bill on the initial press release on that day.

It was brought in by the Premier and the Minister of Justice (Mr. Chomiak)—the Attorney General. There was an absolute look of consternation and shock on many of the backbenchers on the government side of the House the day they brought this bill forward and tabled it in the House. It's as if they had never heard of it before. Then back in subsequent debate in the late nights that we used to hold this bill up and to force the government to put amendments in to make the bill somewhat acceptable or more acceptable, at least livable in some cases, there were discussions across the table in the night by some of the members from the government side saying that they really didn't know much about this bill before it hit the table.

Mr. Acting Speaker, we're not surprised by that. Most of the items that have—part of what will bring the government down today is that everything's being run out of the Premier's office anyway, and the ministers don't have much say. We saw that in Bill 17 where the Minister of Agriculture (Ms. Wowchuk) from Swan River and the Minister of Conservation (Mr. Struthers) from Dauphin were certainly being used as political puppets by the Premier in this whole process and should have at least had the courage to resign or withdraw from their portfolios if they had been backing up farmers and supporting farmers and even supporting conservation in the province of Manitoba, instead of

going ahead and dumping Bill 17 on Manitobans, particularly farmers who have built an extremely valuable industry in Manitoba and farmers who are extremely valuable stewards of their own land and land in the province of Manitoba, who know the benefit of making sure that land is kept in an extremely safe environmental manner because they make their living off that land.

So it's incumbent upon each and every one of them, and I certainly know that from farming for over 30 years myself. It's a concern to all Manitobans and we're finding even people in the city here as well know that this was just a political ploy on behalf of the government to bring Bill 17 forward, but that's just an example of how this government has misaligned and not read the public properly.

By bringing Bill 37 in—they didn't bring in Bill 37 and another bill holding just the set election dates, Mr. Acting Speaker, because they couldn't even figure out what time of year they wanted to have set election dates, as I pointed out earlier—but they also brought in about four or five other amendments or parts of bills to be looked at in this whole process.

Before I leave the tax grab, Mr. Acting Speaker, I just want to say that over 100 individual Manitobans came to speak at committee on this bill last summer, last June, as we held it up until 2 o'clock, 3 o'clock, sometimes 4 o'clock in the morning before the government actually got to the point of bringing in amendments that could actually be livable on this process and agreeing to debate these bills here in the fall before they came back after the committees.

They were long, long hours and hard work by the opposition leaders, of the critics responsible for these bills. I commend my colleagues and my leader for the work that they did on making the government accountable. That's what a strong good opposition does, Mr. Acting Speaker, in Manitoba or any other province—keep the government accountable.

It took a considerable amount of effort, and I commend our House Leader for the work that he did in those areas and the work that was done at that time and certainly our whip from that end of things. Certainly it kept everybody going, but it was an enjoyable time for us in opposition, Mr. Acting Speaker—if there is such a thing—because we were keeping the government accountable and showing Manitobans how terrible the legislation is.

I have stated that Bill 37, along with 38 and 17—and probably 46, but I'll stick to these three because I've said it before—are three of the worse bills to ever come before the Manitoba Legislature. It's a shame that the government doesn't recognize the damage that they're doing, because we've been warning them about an economic downturn for years, some years. What will they do when that happens? I'd say if it isn't here now, Mr. Acting Speaker, as we speak in this Legislature today, when will it come because we've seen, certainly, the lowest level on the stock exchange in over three years, and it's all happened in the last week. But yet, the government, they still don't understand the impact that these bills could have on the downturn in our Manitoba economy.

Mr. Acting Speaker, it's incumbent that I point out that this tax grab, the vote tax, as it's going to be referred to forever in the province of Manitoba, will cost taxpayers about \$500,000 annually, about half a million dollars which will—over half of that will go to the New Democratic Party. Well, you don't think they knew what they were doing when they put this in place? They certainly did, \$250,000. They short-changed themselves by \$2,500 and, you know—

An Honourable Member: That was nice of them.

Mr. Maguire: That was nice of them, yeah. It was under the auspices of looking good. We'll just have a nice round number that just happens to be less than 1 percent below what we're going to set it at.

But, anyway, Mr. Acting Speaker, I just want to say that half a million dollars may not be a lot to a New Democratic government that's been absolutely flush with transfer payments and equalization, 40 percent of their budget coming from Ottawa on an annual basis now, but it's an awful lot to Manitobans. Manitobans want accountability. They want to know what their money's being used for. When Manitobans already get a tax credit for donations up to \$1,275 of an individual donation in the province of Manitoba, when the political parties and individual MLAs get half of their expenses refunded if they get 10 percent of the vote during the election campaign by Elections Manitoba, that money comes out of Manitoba taxpayers' pockets. We're not the only province, of course, that get those, but to add this on top of it, is like an insult to injury.

For a provincial party like the New Democrats that have put so many roadblocks in place, limits on the amount that individuals can spend, only individuals can donate to parties, not unions or corporations, they already had everything going their

way that they wanted in the previous bills that they brought in in previous years, but that insult by injury, by putting this bill in leads me to believe that they can't get their members to give them any money anymore. When this comes in, they'll have even less of a reason to give the New Democrats' members money. But, Mr. Acting Speaker, I just want to point out that, if they were actually out raising funds in their constituencies or raising funds for the next election, they wouldn't need this bill. They wouldn't need a bill that gives them \$250,000 a year to operate. So it's a concern that I certainly have.

Many, many Manitobans came to speak out against this bill, but I thought there was one—I was in the other committee room the night that Sid Green showed up. I want to tell you, I just have to say that he put it in about as a succinct manner as I've ever heard anybody put it and that is if the Nazi Party ever gets any kind of vote and money out of this, if they should get the status to where they could ever get a dollar out of this kind of a thing, they could throw him in jail because he would never pay his taxes again. I believe that many Manitobans feel, certainly in the back of their minds, that conviction about this kind of a bill, but Mr. Green was the one that articulated it very, very clearly to the New Democrats, many of whom he perhaps had sat in this House with, particularly the Premier (Mr. Doer). I want to say that I think it's absolutely appalling that the government won't listen to a former member from their own political party on this particular area.

I just wanted to say that we have forced the New Democrats to take a look now that the election date is in the fall and not the spring, that there is an amendment that came forward to increase the limit that you can have on political party election spending for advertising in the year of an election. Of course, that's another one that they agreed on with trying to leave it the same so that there would be fewer dollars for opposition parties to spend in the year of an election. They've moved it back and prorated it somewhat now that the election would be held in October. I have to say that they've extended the limit to 90 days from 60 days before the election for advertising, for unrestricted taxpayer-funded advertising campaigns until a few weeks before the writ is dropped, Mr. Acting Speaker. So it's a concern, but it still doesn't make up for capping the kinds of political party advertising that they're allowed to continue to do.

* (15:20)

Mr. Speaker in the Chair

Mr. Speaker, it was a concern of mine, as a constituent indicated to me, that they phoned me up when this bill was coming before the House and, you know, which just shows to me that people do watch what's going on. They certainly know the kind of legislation. But they don't phone until there's something that extremely negatively impacts them, and I got calls on this bill. I got calls on 17 and 38 as well, but this bill they said: What are they trying to do to you, Larry? You've kept very good contact with us. You've kept in touch with us throughout. You've usually been a member, and this government wants to censor the kind of information you're going to send out to us in the future.

I just believe, Mr. Speaker, that it's an absolute travesty that what the government was trying to do there by setting up a committee that they would control to scrutinize the kinds of franking pieces and information that we could send out in direct mails to the members that elected us and all of our constituents in any of our constituencies across Manitoba and have a say that they were going to control, if you will, the types of information that was going out. Not to mention that the government already has all of the department information mechanisms at their hands and convenience to send out information, as well as the annual, the daily press releases that they roll out on issues anyway.

So I want to say that I'm going to close on this bill, Mr. Speaker, by saying that I was very concerned about the censorship. I noted that the vote tax is in this bill. The next election would be October 4, 2011, but I have to say that the government has left themselves an out with this because it doesn't necessarily mean that there'll be an election. It means that unless a general election has been held between the coming into force of this section and October 3—and that's to do with the election change.

Mr. Speaker, we're not in a minority situation, which is why you would have the opportunity of a leader to be able to call an election before the set election date might occur. In a minority government situation in our British democracy, minority governments can occur. I would believe that the Premier (Mr. Doer) would have to have the right to go to the Lieutenant-Governor and allow for the dissolution of the Legislature so that an election could be called. But this is right in a bill at a time when the government has a majority in power, and

they're saying that unless a general election has been held between the coming into force of this section and October 3, 2011, then we'll have an election on October 4, 2011.

Well, Mr. Speaker, it still looks like the government is going to have it both ways on this bill, and that's a travesty in my mind because there are so many things that they've mixed up in this bill with set election dates that it certainly should have been separated and brought forth as a single amendment on this bill.

Mr. Speaker, this bill also talks about The Lobbyists Registration Act and excluding basically some sectors, particularly unions, on The Lobbyists Registration Act, that others would have to be registered lobbyists before they can lobby the government. I don't know if that goes to committee meetings. It would seem to me to be an unfair practice if we're actually going to have to be registered as a lobbyist to make a presentation at committee. I would certainly dump that. I would hope that the government doesn't invoke that kind of mandate on Manitobans because it makes a sham of the committee process if that's what they do.

I guess I'd just like to say that a couple of third-party commentaries on Bill 37 came from the likes of, well, one was Preston Manning, I think, in the *Winnipeg Free Press* on June 1, when this bill was up. Mr. Manning said, and I quote: Tommy Douglas would be turning over in his grave if he saw legislation introduced last month by Manitoba's NDP government. And that was to deal with Bill 37. It probably referred to some of the other bills that they've got in the House as well. Another one was, and I quote: It's so obviously self-serving and to present it as some kind of altruistic move is laughable"—end quote. That one's by a reporter called Tom Brodbeck from the *Winnipeg Sun*. The *Winnipeg Free Press* said that the amendments Mr. Chomiak now offers are simply a tactic to lull voters back to sleep.

Mr. Speaker, I guess the circumstance is that, when you've got a situation—and I mentioned Mr. Sid Green earlier. I guess what I'd like to say is—what I'm indicating is that the people of Canada are being asked and forced by law to contribute to political parties that they don't believe in. I believe that is unconscionable. That's a quote from the former MLA, Sidney Green, on the 27th of May in the committee and committee *Hansard*.

Mr. Bidhu Jha, Acting Speaker, in the Chair

So, Mr. Acting Speaker, with those comments, I'd just like to say that I certainly will not be voting in favour of Bill 37. I know that there are many other colleagues who want to speak to this bill. With that, I just want to reiterate that I will not be supporting this bill.

Mr. Kelvin Goertzen (Steinbach): It's a pleasure to speak to Bill 37, one of the bills that's probably had the strangest lives of any bill that I've seen in my six years here in the Legislature. I'm sure that other members might want to recall other pieces of legislation, but certainly this bill has had a strange existence, stranger than most pieces of legislation that we would see come before this Chamber.

It started with the introduction of the bill. I remember the Premier (Mr. Doer) having the bill distributed late into question period, which was unusual. Normally, bills would be distributed at a sooner time. *[interjection]* The Member for Minto (Mr. Swan) wonders if there was a conspiracy, and maybe he wants to save his judgment because, when he hears me lay out the case, he might, in fact, think that it is something akin to a political conspiracy that he may or may not have been aware of in the context of his government.

So the bill was distributed late in a question period, which was unusual. We all thought it was unusual. Then the Premier left part way through question period which was—I'd like to say it was terribly unusual for this Premier, but maybe not that unusual for him—but he did leave part way through a question period. He went out into the hallway, and he crowd the media together, crowd them all together to hold a scrum.

We were hearing reports of this, and this seemed very strange. Then, instead of holding the scrum in the hallway, which is the traditional way to do things after or during the context of a question period, he crowded them all down the hallway into his office, so that nobody else from the opposition or any passers-by, I suppose, could hear what the Premier was saying to the media. Then a news release went out that trumpeted that the government was moving on set election dates.

An Honourable Member: Maybe he didn't want his own members to know.

Mr. Goertzen: The Member for Arthur Virden (Mr. Maguire) raises the point that he might not have wanted his own members to know.

I, in fact, believe that to the extent there was— to use the Member for Minto's (Mr. Swan) words—a conspiracy, it would have been fairly limited. I actually don't believe that the majority of the New Democratic members of their caucus knew what this bill was about when it was introduced. It probably came as a surprise to them as it was unfurled over the course of the day. I'm sure that many of them were surprised to learn its content.

But, of course, at first blush, the government, the Premier (Mr. Doer) tried to sell this simply as a set election date bill, and it could have been easy to be fooled, any person who would have just heard that and would have probably said, well, that sounds good.

The Member for Inkster (Mr. Lamoureux), whom I hold up as an honourable individual and a person who works hard on behalf of his constituents, I think, at first blush took the Premier at his word as well, took the Premier at his word that this bill was simply about set election dates. You could hardly hold the Member for Inkster at fault for that. He maybe has grown more suspicious since then about when the government introduces bills, but I think he and then probably other Manitobans who heard those initial early reports about the bill being about set elections said, well, that sounds reasonable, and that's something that most Manitobans would support.

* (15:30)

Then, of course, we got the actual bill and realized this is a pretty thick bill for something that's supposed to just deal with set elections, because it wouldn't take more than a couple of pages to put a law to change the election dates to a set election in Manitoba. So you started to go through it and you realized, my goodness, this is an omnibus bill. There are all sorts of things contained within it, Mr. Acting Speaker.

We went from the set election part of the bill, which was near the front, then you got into the lobbyist registration part of the bill, and we go, that's probably not so bad. There are some good aspects to lobbyist registration. Members of the opposition have talked about that in the past. Then you got into the real reason this bill was brought in by the government when they tried to limit the ability for political parties to advertise outside of the context of an election, to try to shut that down. *[interjection]*

I appreciate the fact that the Minister of Intergovernmental Affairs (Mr. Ashton) wants

silence in the Chamber to hear this because that means he's probably still thinking about his position on this bill, and it's not too late in terms of how an individual would vote on Bill 37.

So we got into the aspects of whether or not political parties, through this bill, would be limited in their ability to advertise. We, of course, have talked about the lack of constitutional validity to limiting political parties from advertising when you have— *[interjection]* The Member for Minto seems quite agitated by this bill since he's gone into the hallelujah choir of Cabinet. He's been given the song book and he tries to sing it more often than not when it comes to this bill. I remember at committee that the Member for Minto got into a heated argument with a committee presenter, which was very much outside of the nature of the Member for Minto who, I would say, we differ politically but is a nice individual generally. You could tell that he was so agitated by what his own government had foisted upon him that he was taking it out on presenters who were coming to the committee trying to make a valid point.

Certainly, Mr. Acting Speaker, there are questions about the constitutionality of limiting political parties from advertising outside of the context of an election. You can see quite apart from the constitution, the fairness argument about a government that has unlimited ability to spend and to try to disseminate information with taxpayers' funds versus an opposition party, or any political party, trying to counter that message by putting out a different perspective. That's really what democracy's about. It's about that give and take, that free flow of ideas, that back and forth, which the government, through Bill 37, was trying to limit, trying to restrict, and trying to shut down.

As we went a little further into the bill that afternoon, we saw that one of the reasons why the government was trying to bring in Bill 37 was because they were very offended by some direct mail or franking pieces that were going out to constituents of MLAs. So sensitive was this government to any sort of message against their message, against their propaganda, that they wanted to shut down and limit the ability of individual MLAs to speak with their constituents, or to speak with Manitobans more broadly,

I mean, you can tell a government's been there too long when they don't even want to defend their own ideas, when they don't even want to have an

open discourse. When they don't even want—*[interjection]* I can understand—I hear the Minister of Agriculture (Ms. Wowchuk) speak from her seat—and if there's anybody who should be defensive about the policies of the government, it should be the Minister of Agriculture, whether it was Bill 17 or her inability to help farmers who needed help in the Interlake this spring, I can understand, Mr. Acting Speaker, why she wouldn't want the opposition to be able to put out an unfettered message to constituents, hers or anybody else's.

Manitobans by the hundreds came forward, and I know that the Member for Minto and others will speak negatively about who those Manitobans were or will try to cast aspersions on their motives, and that's another sign of an arrogant government, I would say, Mr. Acting Speaker.

I'll say to his credit that the Minister of Intergovernmental Affairs (Mr. Ashton) didn't speak disparagingly at the committee. Of course, he, I think, had been at a few different other committees where people came forward, when he was in opposition, and people like the Member for St. Norbert (Ms. Brick), I believe, who came and made a presentation on a bill. The current Member for St. Norbert wasn't the Member for St. Norbert then, made presentations, and I don't think any of us, or any of the people who were in government then were casting aspersions on her.

Mr. Acting Speaker, I would say that the Minister of Intergovernmental Affairs didn't at the committee. He listened to the presentations. He didn't say anything very negative, unlike many of his colleagues who were saying negative things and taking on the presenters there because I think that, in his heart of hearts, the Minister of Intergovernmental Affairs knows that this is an undemocratic bill, that it's not good for democracy, because he is one of the members that has actually sat on both sides of this House. That can't be said for all of the members of the current government.

Mr. Acting Speaker, I know that some of the other ministers put up their hands and they say they've been on both sides of the House. Maybe they just don't have as good a memory as the Minister of Intergovernmental Affairs. Maybe they don't have that same sense of balance and that same sense of democratic proportion.

But the Minister of Intergovernmental Affairs knows that governments change, oppositions change, positions and parties change positions within this

House. He knows that what seems like an advantageous position for the government today, when they move into opposition, it's something that they wouldn't want to live with themselves. So I'm glad that he is thinking about his own vote on this bill if it comes to a vote this afternoon. I look forward to him doing the right thing. Not just for his party today, but for democracy generally and for this Chamber and those who will come after us and those who will be sitting in whatever position they do in opposition or in government.

Then, of course, we went further into the bill. Perhaps this was the heart of it. There's an old saying that money is at the root of all evil. I'm not sure that is always the—*[interjection]* I think the good reverend knows the source of the quotation.

I would say, Mr. Acting Speaker, that when you look at the true motivation of why this government brought the bill in, this is probably the one they wanted the most: the vote tax, the ability for them to take out of the pockets of taxpayers a certain amount of money for every vote that they'd receive in the last election.

Perhaps they didn't anticipate the economic turbulence that would be coming forward. Certainly they would have had much warning from members of this side of the House, the Member for Brandon West (Mr. Borotsik). Perhaps they didn't anticipate the economic turmoil.

But, regardless of that, regardless of the economic times, the reality is that trying to take money from individual taxpayers to fund your political parties simply isn't, I don't believe, in accordance with what most Manitobans would be asking for. In fact, I knocked on a lot of doors in the last provincial election, both in my constituency and other constituencies. I don't remember one constituent, one Manitoban, saying to me, you know, if you get elected or whoever gets elected, what you need to do is bring in a law that will allow political parties to get a certain amount of money for every vote they get in the election. I don't remember that.

Mr. Acting Speaker, maybe the Minister of Agriculture (Ms. Wowchuk) or the Minister of Advanced Education (Ms. McGifford) or the Minister of Intergovernmental Affairs (Mr. Ashton) will correct me. Maybe they will stand up and say this was something in fact that their constituents were looking for and that they're representing their constituents by bringing forward this vote tax. I

doubt it. I doubt that they would stand up and say that because I don't think they ever heard it.

But I do think that those within their Cabinet and their party have decided that this is a necessary way for them to fund their own political party because they can't do it on their own, because they're not confident enough to go to Manitobans to knock on the doors, to go to the individual meetings and places and say, you know what, this is what we stand for as a political party. This is what we want to run on in the next election. Will you support that with your dollars? With your \$10? With your \$20? With your \$50 or whatever the amount of the donation is. That's not an easy thing. Mr. Acting Speaker, you know, you've run in campaigns.

All members here know that it's not an easy thing to raise money for political parties. It takes a lot of work, it takes a lot of contact. You have to sell the fact that your political party would do something that will benefit the individuals who you are asking to give a donation to you. That's not a simple or an easy—you know, there are a lot of people who are in elected life who don't like that part of the job, who don't like to go and ask for that funding and to try to sell the policies of the political party or to have others do it for them. It is hard work.

* (15:40)

What the government clearly was trying to do with Bill 37 is to eliminate that hard work. To say they didn't have to actually go out and sell their ideas, either because they weren't confident that they could do it and that they, perhaps, saw their own ability to raise money diminishing currently or in the future, or simply because they didn't want to have to go and do the hard work.

So they did what democrats, New Democrats and socialist governments around the world have done in the past. They simply said, well, instead of going out and earning the money, we're just simply going to take the money. That's what Bill 37 is about, taking money from taxpayers instead of going out and trying to sell the idea that you bring forward. I think that that's not only bad for taxpayers, of course, it is that, but it's also bad for the democratic system and the process because it doesn't give you that motivation any more, to go to Manitobans to listen to their ideas, to sell your own ideas, and to really engage in a true dialogue, a democratic dialogue that we all benefit from when we engage with Manitobans.

They've decided, the New Democrats have decided, that they don't want to have that sort of discourse. They don't want to have that sort of responsibility to the taxpayers and so they would simply bring in the vote tax. I do remember also, as the Member for Arthur-Virden (Mr. Maguire) has mentioned, the presentation by one Sidney Green, and I would say I've now seen Mr. Green present at a number of different committees in this Legislature on a number of different topics. It's something you don't want to miss when Mr. Green is presenting at a committee because not only is it entertaining, it's enlightening every time he brings forward a presentation. I remember him saying—and I don't have it written down so, if I miss a word or two, members of the Chamber or Mr. Green will forgive me, but I remember him saying: I used to donate to the New Democratic Party and now that I've stopped donating to the party, they're going to make me donate through my taxes.

I think that there are many Manitobans who would echo the sentiment that now they are being forced to donate to political parties whose views and whose ideas they may not necessarily support now, in the future, or in the past. So I think the sentiment that came forward from the hundreds of Manitobans who came to the committee rings as true today as it did in the spring, and I hope that the emotion of those committees hasn't been lost. When you're at a committee table and it's in the evening or it's at midnight or into three or four in the morning as it was sometimes with those particular committees, you do get a sense of the emotion of what's going on.

I remember some of the members who were at committee, I see some of them here today. I could see the shock on some of their faces because some of them were new members, they'd been elected for about a year, and they'd never seen that sort of pushback on a legislation because I'm sure that after the bill was introduced there would've been a caucus meeting with the New Democratic caucus, either that day or the next day, and somebody would've stood up in a chair in the middle of the room, probably the Attorney General, and pounded his fists and sold the bill and tried to get everybody to come on board in the emphatic way that the Attorney General often does, either in this House or perhaps in his caucus, and I've heard some stories from time to time. No doubt many of the new members for the New Democrats took that as the truth and that this would be something that all Manitobans would like and they never thought for a second that there'd be that

sort of public pushback with the media but also in committee.

So I saw the shocked faces of many of the New Democrats who listened as presenter after presenter came forward and said, you need to scrap this bill. You need to rethink the idea of making people pay for a vote. You need to rethink the idea of trying to vet communications from MLAs. You need to rethink the idea of trying to stop political parties from advertising in between elections.

I had a degree of hope at that time during those committees, and I know that many in the Chamber here, not just MLAs, but staff for the Assembly were at those committees late at night, and I had the hope that the emotion that was expressed at those committees would resonate with the government, because it seemed to me, when I looked into the eyes of the members opposite, that they were starting to think, boy, I don't know where our Premier and the leadership of our Cabinet and caucus have taken us, but they've taken us in the wrong direction.

The problem is, of course, that the emotion of those meetings fades over time, and now we're several months removed from that, and many of the members may not remember how passionate Manitobans were against this bill. I think that they still have that passion. They still are very concerned about the elements that remain in this bill that are of concern, but it's hard to rekindle and to remember the concern of Manitobans.

So I would ask members, the government members to think back and to remember how strongly Manitobans were against things like the vote tax, and how strongly they were against limiting political parties and to stopping communications from political parties. And if they remember that emotion, I think that when we have the vote, whether it's this afternoon or at another time, they will vote the right way. They might think that they can simply ride out some of the concerns with Bill 37, but if they remember, if they remember what they've heard at that committee and they can remember the passion with which Manitobans presented, I think that they will, in fact, change their minds.

In fact, you know, the reason, and I alluded to it—I specifically talked about it at the beginning of my comments, this bill was brought under the smokescreen of the set election dates. Now, as I've discussed, there are a number of other issues that the set election dates was intended to mask. But even on the issue of the set election dates, we see that there's

wiggle room, that the government has written into the legislation, to not truly make it a set election date, because what it says is there'll be an election on a certain date and now that's a day in October of 2011, unless the Premier (Mr. Doer) decides to call an election before that.

An Honourable Member: It will be like the federal legislation.

Mr. Goertzen: Well, you know, to quote Sarah Palin, there he goes again, the Minister of Intergovernmental Affairs (Mr. Ashton), going back and trying to blame the federal government for all of its problems and all of its ails. But the reality is that this bill was written and crafted by the provincial government. They wrote in this clause, probably at the behest of the Premier, probably for the benefit of the Premier—there is probably nobody else who would benefit more than he in this Chamber—to allow that escape clause if he wanted to call the election sooner.

Mr. Acting Speaker, while I know that the Minister of Agriculture (Ms. Wowchuk) and the Minister of Intergovernmental Affairs, on the one hand they like to try to say that they support some of the things that the federal government is doing, and then the next day, when they're in front of a different audience, not unlike the leader of the party, whom we heard today, when he has an audience with New Democrats and with Jack Layton, is in favour of having higher taxes on businesses, and then the next day, when he's in a different audience he says, no, I have a different position than the one I took in front of a different audience.

You know, Conservatives, I think, believe and have stood for the fact that you say the same thing in front of different audiences, and when you do that, when you have a consistent position, whether it's in front of audience A or audience B or audience C, people actually respect that. Even the audiences that don't agree with the position, I think, generally go, well, you know what, we may not agree with that particular position, but we appreciate the fact that what that individual is saying is consistent with what he has said in other areas.

That clearly isn't what the New Democrats are about. The Premier will go in front of a union hall and say one thing, go in front of New Democrats and say something slightly different, and come into the Legislature in front of the media and say something absolutely completely diametrically opposed to what he had said at a different function or at a different

event. I think that eventually that does catch up with you. When you're talking about a set election date, you can't on the one hand say, we believe in set election dates, on the other hand say, but we want this escape clause just in case the date that we set doesn't suit our timing. And that's typical of the double-speak that we get from the NDP government, typical of the double-speak that they give to Manitobans, and I think that Manitobans are catching on to that. They're growing tired of it and growing more weary of that type of government.

*(15:50)

So I know that my time is running short. I know that there is still time, though, even though my time is running short in terms of my presentation here, that there is still time for the government members to do the right thing, to make sure that they vote the will of those who came forward at the committee, to ensure that they don't go down in the history of Manitoba as being a government that decided to take cash from Manitobans instead of going out and trying to earn the cash from Manitobans, that they have put in that policy that they're deciding to put in, which will live on for too long, I would say.

With those comments, I look forward to hearing members of the government stand up and talk about how they can justify the different problems in Bill 37 and how they can justify voting for a bill that not one of their constituents has asked for, voting for a bill that not one Manitoban has phoned them and said they should support.

I look forward to those comments from the Minister of Agriculture (Ms. Wowchuk), from the Minister of Advanced Education (Ms. McGifford), from the Minister of Intergovernmental Affairs (Mr. Ashton). Thank you very much.

Hon. Jon Gerrard (River Heights): Mr. Acting Speaker, I rise to put a few words on the record with regard to Bill 37.

In any legislation, there are often positive things and negative things, but we have decided in the Liberal Party that we will be supporting this legislation, and I will explain why.

First of all, we have called for quite some time for set dates for election. That would allow better planning for all parties in the lead up to the election. It would allow, in particular for candidates, people who would like to stand for elected office, to be able to plan their lives ahead of time, to be able to know

when the election is going to be held, to be able to plan their campaigns.

I believe that, in this fashion, we'll be able to get better candidates coming forward and willing to become MLAs. I think that that will improve the quality of the work here and is also a fairer situation for all MLAs.

We see the changes with respect to lobbyists as less clear in terms of exactly how they will come out. We will wait and see. We have some concerns that these may not be optimum, but we will be watching this very, very closely.

We see that, in an era where we need to have better accountability, where we need to make sure that political parties are being highly accountable to Elections Manitoba and to the public, this is reasonable to have some level of public funding. We might quibble about the level. We could argue against the cap, the considerable amount of money that the New Democratic Party will be taking from this legislation but, looking at how things have been done in other provinces, it looks like this is the direction that provinces, indeed federal parties, are going. So we will see how this works.

We think that it is reasonable that there be some modest level of funding. We have argued and considered whether the cap should be lower, but we have decided that we will support the legislation as a package even though, if we had been writing it, we might have written it a little bit differently.

We appreciate that, concomitant with this legislation, we have an agreement that Liberals will be represented on the LAMC. This is a measure which is clearly needed and has been some time in coming. I thank the members of the government for acknowledging that that is important.

Mr. Acting Speaker, I believe that there's a fair number of others who would like to speak as well, so I will give others the opportunity. Thank you.

Mr. Rick Borotsik (Brandon West): Mr. Acting Speaker, it's nice to see you in the Chair and doing such an admirable job. It's very nice as well to be able to stand and have a few moments, an opportunity to speak against Bill 37.

Unlike the leader of the third party, the Liberal Party, the Member for River Heights (Mr. Gerrard), we as the Conservative Party will certainly not support Bill 37 for any number of reasons, which I will share with this House some of those reasons

today. I, like the Member for Steinbach (Mr. Goertzen), would certainly hope that some of the democratic members on the other side of the House who really believe in democracy, who really believe in having a true open transparent government in opposition will, in fact, search their souls and vote against the government and this particular piece of legislation because quite frankly, Mr. Acting Speaker, this legislation does nothing to set stronger and higher democratic standards for this House and, certainly, this province.

I find it very difficult that the members of government would simply blindly go ahead and support such a flawed piece of legislation, and this flawed piece of legislation actually started out as being a flawed piece of legislation and a misnomer quite frankly. This was tabled in the House in a very obscure fashion. It was brought forward on the last day so that it could be identified as a specified bill. The government could have brought this bill in anytime earlier but they didn't. They brought it in at the eleventh hour, brought it forward to this legislature, tabled it again outside of the norm. They tabled it after the question period or before question period and they identified it as, Mr. Acting Speaker, the fixed election date legislation.

Fixed election dates, that's what Manitobans had the opportunity of seeing in the newspapers the next day, is that Manitoba now is going to have a fixed election date, not unlike other jurisdictions, not unlike the federal, not unlike B.C., not unlike Ontario. Now we were going to have, in Manitoba, the opportunity to have a date that was going to be fixed and now Manitobans could, as well as us as MLAs, could be able to plan for the next election.

So there's the headline, this piece of legislation, Bill 37, that came in at the eleventh hour. It's now a specified bill, it's going to be rammed through the Legislature, is specifically fixed elections. Well, to our surprise, when one got into the bill, which is quite substantial quite frankly, in fact it's more substantial than a lot of other pieces of legislation that were tabled in this House, when we got into the bill and we looked at the different clauses, we found that there were quite a substantial number of issues that were going to rise out of this piece of legislation more so than just fixed elections when one thought it was simply going to be fixed elections. That's pretty simple, one clause, we're going to have fixed elections in a certain time frame, and that's all that we're going to deal with.

Well, quite frankly, Mr. Acting Speaker, there was a lot hidden within this bill. We'll talk about all those areas that were included in the bill that certainly were a surprise to us as well as a number of presenters that came forward to speak against this bill in committee. But the fixed election dates, let's first of all talk about that. One would simply say the legislation's in place, the next date is going to be June. It was supposed to be in June of 2011. Well, guess what? There's another little clause that says it will be in June of 2011 only if the Premier doesn't call it sooner.

Well, that's not quite the fixed election date. Now we do have an amendment so we now know that the fixed election date, unless, of course, the Premier doesn't decide to call it sooner, is going to be October 4, 2011. So, Mr. Acting Speaker, on October 4, 2011, Manitobans are going to have the opportunity of finally getting rid of this government and put in place a government that's going to actually do something that's absolutely necessary for the province of Manitoba and Manitobans, and that is bringing fiscal policy forward that is going to look at lowering taxes. We can get into the fiscal responsibility, but I won't. But, on October 4, 2011, Manitobans can change this government, finally, because we have a fixed election date, but it may be sooner because the Premier, if he decides for whatever reason that he's going to call an election sooner, then we may have to go to the polls sooner than that. So it's not quite the headline that the Premier suggested.

*(16:00)

Now this legislation came forward, as I said, in a bit of a clandestine fashion, but it came out of the Premier's office. By the way, most of all of the members of the governing side didn't even know it was coming, didn't even know what was in it and they didn't even know that the Premier was forcing this on them. But the worst part was, he forced the Minister of Justice (Mr. Chomiak) to carry the legislation. That was wrong. The Minister of Justice didn't know what was in the bill, didn't know how to defend the bill, didn't want to defend the bill, but was put in a very, very difficult position by the Premier, and that was wrong. I have a lot of respect for the Minister of Justice. I wish, at that point in time, he would have said, no, Mr. Premier, if you want to bring in an elections piece of legislation, then you do it yourself. But no, he took it on the chin, brought forward this legislation, sat in committee for days and days and days.

In the committee, Mr. Acting Speaker, we heard hundreds—not tens, not dozens—hundreds of presentations opposed to this legislation. Now, this is a democratic government, so they say, who listens to the people, listens to the electorate as to what they have to say, right and wrong with legislation. Well, everybody that I listened to in that committee—and there were hundreds—spoke totally against this piece of legislation. Did this government listen to them? No. In fact, for the most part, as was mentioned by the Member for Steinbach (Mr. Goertzen), some of the government members even decided to take on those presenters and question why they would, in fact, question the government of the day as to why they were bringing forward this legislation.

Well, Mr. Acting Speaker, the people were concerned, not only about the headline of having fixed election dates, they were concerned about another little clause that they found in that legislation. It's a clause that wasn't actually identified as a vote tax, but certainly, since that clause was identified, has, in fact, been brought forward by numerous people, as being just that: a vote tax. When you vote in a Manitoba election and whichever party you vote for, there'll be \$1.25 per year going to that party. Now, we believe that you should go out and raise your own money.

As was mentioned, Mr. Green came forward as a presenter and he was, and used to be, a supporter of the New Democratic Party, but he said that if I want to donate to a political party, I should be given that option, I should be given that right. If I want to donate, it's my money and I'll donate. They can run a political party on those donations. We believe that. But, no, this NDP government decided that maybe their fundraising wasn't just going as well as it should be going. Maybe they weren't raising as much money as the opposition party. Maybe they don't have the financial support of their supporters to keep the party going the way they want it to. So how are they going to, Mr. Acting Speaker, find another revenue source? They're going to tax the voters. As the Finance Minister knows, we're in some very difficult times now, economically. We recognize that there are some very major issues that we're facing right now in not only Manitoba and Canada, but the United States as well as other areas in the globe.

Ms. Marilyn Brick, Acting Speaker, in the Chair

We have some serious economic issues facing us. Manitobans should be concerned, are concerned, and shouldn't have to pay any more than what they're

already paying in usurious taxes that are being put on them by the Minister of Finance (Mr. Selinger). Why should they be responsible for another million dollars going to the NDP over a four-year period? Why should Manitobans have to pay that tax that's identified in this piece of legislation, which, by the way, wasn't the headline, wasn't the headline when the Premier (Mr. Doer) sent this bill to the House, wasn't in the headline, vote tax? It is going to be foisted upon Manitobans. It was fixed election dates, not vote tax.

There are other little nuances within this piece of legislation which, when we started looking at it, were wrong. By the way, before we get to that, I do know that the Liberals are going to support this legislation. They are going to support it, knowing full well that they're going to get their little piece of the pie, as it is. They're going to take the cash and they're going to have their little piece of the pie. They're going to support it, but you know what, that's what gives politicians a bad name. It really does. When I'm asked about politics in general, and being in this House, and I say, unequivocally, that the members in this House are here for the right reasons. They are. I have a lot of respect for people who put their name on a ballot. I have a lot of respect for people who sit in this House and do what they believe are the right things for their constituents and the residents of this province.

I believe that, but when you read the newspapers and you hear how politicians are actually seen by the public, it hurts. It hurts me and it hurts you and it hurts the people that sit in this House, but it's this kind of legislation that gives us that reputation, and it's wrong. It gives us the bad name as politicians. It's not right. We should have and should be more respected for what it is that you are doing here. Putting this kind of legislation forward just speaks to—and now I'll use it, going to the trough as the Liberals are going to do and support the NDP government.

The other areas in this piece of legislation certainly were trying to control free speech. I can't believe that. I can't believe that a New Democratic Party, the name democracy in your name believes that they should curtail free speech, that they should not allow other parties the ability to advertise during an election year. They were going to put a \$75,000 cap. This is a clause in this legislation that was snuck in. They were going to put a clause in there that we would only be able to spend \$75,000 for advertising during an election year. Sure, their supporters, their

unions, they could go out there and they could spend third-party money as much as they wanted to, but a political party was going to be allowed only to spend \$75,000 a year.

Why? What are you afraid of? You're afraid that other political parties are going to get their message out to Manitobans when they're going to vote? Isn't that terrible that Manitobans should have the opportunity to hear all sides of the issues and all sides of the story? No, let's put a muzzle on the other political parties because you were government and can do that and you can put forward these kinds of legislation, that was wrong.

Manitobans said it was wrong. The people that presented said it was wrong—don't muzzle. Don't muzzle the other political parties. That did change but why is there a limit at all? Why should political parties not be able to raise their own money instead of having a vote tax? When they raise their money, spend the money the way they want to spend it, and if that means communicating with Manitobans, so be it. Let them communicate with Manitobans. That's what it's all about—that's democracy but, no, we're going to control that as the NDP government. They're not going to allow us to spend that money but that's not it—it gets worse than that.

Now, Madam Acting Speaker, they're going to control my communications to my constituents. They were going to vet my communications. If I wanted to say that what they were doing was wrong fiscally, they weren't going to let me send that piece of material out to my constituents. I was going to tell them how wrong it is to waste \$600 million on a west-side line. I can't do that because I'm critiquing and criticizing the government which should be critiqued and criticized, but, no, they weren't going to let me do that because they were the government. They can put in this piece of legislation, any kind of stop gaps that are going to disallow me from communicating with my constituents. That's in this legislation.

* (16:10)

There were amendments. Why were there amendments? It wasn't well thought initially when it came forward to this House. It was a knee-jerk piece of policy, and they thought that they could sneak it through by simply a headline saying this is fixed election dates. Well, they couldn't do it. They couldn't sneak it through and they're not going to get support from the Progressive Conservative Party. They may from the Liberals. They're going to go to

the trough and be happy about it, but they're not going to get it from the Progressive Conservatives. They are not going to get support on a piece of legislation that is wrong, that is absolutely not right, that is an affront to democracy, Madam Acting Speaker—nice to have you in the Chair now—that's an affront to democracy, and it shouldn't be allowed to happen.

Madam Acting Speaker, I would suggest that, when these members of government look at this legislation, they think of only one thing: they will not be in government forever. This is going to come as a shock—things change; times change; governments change.

Madam Acting Speaker, governments become very arrogant. Governments become arrogant to the point where they try, where they try to stop democracy in its tracks by putting in legislation like this but, when this legislation goes through—and it will—there are numbers, I know; there's 36 to 19. There are numbers but, when it goes through, they have to recognize that, in the not-too-distant future, they're going to be on the other side of the House. They're going to have to deal with the legislation that's put forward right now, and they're going to have to deal with the issues with respect to advertising and limits and the lack of democracy that's put in this legislation.

So, Madam Acting Speaker, thank you for the opportunity of allowing me to put my views forward. It's a wrong-headed piece of legislation. It's wrong. This government should vote against it; however, I know they won't, but we will be there maybe in October of 2011, maybe sooner, to be able to make the changes.

Mrs. Myrna Driedger (Charleswood): I am pleased to rise and put a few comments on the record on Bill 37, the bill that the NDP brought forward without the knowledge of the caucus. It appeared very much to be legislation that came straight out of the Premier's (Mr. Doer) office, something that he has probably spent some time crafting along with his staff. It certainly looked like his caucus had been caught off guard when this was brought forward.

Then, unlike normal circumstances, when legislation like this comes forward, it would normally be brought forward by the Premier. Instead, as has been pointed out, the Minister of Justice (Mr. Chomiak) was made the fall guy for this legislation.

As my colleagues have indicated, this is not any legislation that we feel comfortable with. It's an unworkable piece of legislation that we do not feel we can support. Certainly, a lot of Manitobans have spoken out against it. We continue to hear comments about it from the public. Certainly, people in my constituency do not support this legislation, and I think there are many comments out there that this is not a democratic bill.

There certainly were a number of people that came forward in the public hearings to make their comments about this. The vast majority spoke against many parts of the bill. That was one of the surprising things about the bill, because it certainly was brought forward giving the impression it was just about fixed election dates. Really, it ended up about being many, many other things too, whether it was the vote tax, political party advertising, lobbyist registry or advertising by political parties.

Once you looked at all of it and addressed each part of it, it became more and more obvious that this was a very difficult piece of legislation to support.

When we saw that many people coming forward, too, and making comment about this legislation—and it happened with other pieces of legislation around this same time too—this really created a sham of public hearings in Manitoba. I think a lot of the public felt that they could come forward here, because Manitoba had public hearings. Not all provinces do, and we took a certain amount of pride in what public hearings meant for Manitobans.

But this government, I think, for the first time in my 10 years in politics, made a sham of public hearings and wasted a lot of people's time. They basically shut their ears to what everybody was saying. I will indicate that they did make some changes to this legislation, enough that it actually showed that they didn't know what they were doing when they first crafted the legislation, because they did make a number of changes throughout which really indicated they had not properly thought it through when they first brought it forward. It was a hurried piece of legislation. They've tried to ram it through, but this is one time where they never had that ability to do that, and here we are now, finally, at third reading, considering this legislation.

The vote tax is probably the most egregious aspect of this legislation and it is not sitting well with a lot of people. What it means to this government appears to be about \$1 million towards their next election. I think there are a lot of people that feel that

if you're going to get into politics, you have a responsibility to raise that money yourself; go out there, ask people for money so that they know where their dollars are going, they are able to represent the candidate and the party of their choice.

Instead, this way, taxpayers are just throwing or having to put all this money into this vote tax and they don't have a say in where that money goes. There will be a number of people that will have a lot of problems voting for some of the political parties, but that choice has been taken away from them.

I think, generally, this is probably the aspect of the legislation that just doesn't sit well with a lot of people. Unfortunately, the strong message that was sent to this government fell on deaf ears. It looks like here's a tax grab that they're gleefully holding their hands out for.

Political party advertising was another aspect to this bill. Again, it was something else that this government basically was trying to control, the amount of advertising that is out there. Taking away free speech in terms of advertising.

Everything they were doing was to position themselves to have the upper hand in an election. It was not about playing fair. It was not about giving the public all the information they needed in order to make a good decision come an election. It was taking an opportunity at every angle to find a way for this government to give itself the upper hand and the advantage.

Disclosure of investigations by Elections Manitoba—again we had put an amendment forward there and it was not accepted.

Fixed election dates—here was an instance where the government has given themselves a loophole and some wiggle room because at first, when this was about fixed elections—then all of a sudden, it was well, unless the Premier decides otherwise. So it was double-speak by this government, giving them wiggle room in order to look again for the best opportunity for themselves.

Madam Acting Speaker, I can recall a number of times standing and speaking on the occasion of submissions by unions being excluded in the lobbyists registration component of this act. By virtue of the broad language used, oral and written submissions by unions are essentially excluded in The Lobbyists Registration Act.

I've made many comments on this since this legislation came out. It is certainly not something that I think is fair. It's not something that we should be supportive of.

Madam Acting Speaker, the act does not apply to submissions made to a public official by a union relating to the administration or negotiation of a collective agreement, with a government, or government agency or relating to the representation of a member or former member of a bargaining unit who is or was employed by the government or a government agency.

We contend that much of the work done by unions constitutes lobbying in the same sense as other groups coming forward, like the Winnipeg Chamber of Commerce, who comes and lobbies government. But the union has been given an exemption in this. They are not held to the same level of standard and accountability that other lobbyists are. We do not think that is fair.

The government was also attempting to control our communications to our constituents. Again, as has been pointed out many times, it wouldn't have given us the opportunity to tell our constituents that this government was getting rid of balanced budget legislation that a lot of people liked when it was brought in. It wouldn't have allowed us to be critical of the government about where the hydro line went. It wouldn't have allowed us to talk to our constituents about the number of deaths in Child and Family Services. It wouldn't have allowed us to talk to our constituents about the horrible mess this government is making of health care. But, again, to look to what advantages they could find for themselves, again, they were going to vet all of our material. That is just something that is totally undemocratic and unacceptable.

* (16:20)

So there are a lot of aspects to this legislation that are just not anything we can support. I would hope that the government would have some second thoughts by the end of the day and maybe revisit this, but this is certainly not any legislation that I can support, Madam Acting Speaker.

Mr. Kevin Lamoureux (Inkster): During the summer of 2005, I had the opportunity to tour a good part of the province of Manitoba, and the subject matter of the tour was on reform—democratic reform. On October 31, 2005, on behalf of the Manitoba

Liberal Party, I actually brought forward a report with a series of recommendations.

The five points of my report included having set dates for elections; level the financial playing field; election day voting hours—close for 9 p.m., which was looking at extending the hours; allow people to vote in shopping centres, and the fifth one was none of the above on the ballot.

Madam Acting Speaker, I am pleased to see that this bill reflects a number of what I believe are very positive reforms for the province of Manitoba.

First and foremost, setting a fall election date is a very strong positive. Manitobans will benefit by that. We will have a healthier democracy as it puts all political parties on more of an equal playing field, knowing when candidates can actually commit.

It helps out immensely, Madam Acting Speaker, to the way in which one would raise money. There are so many advantages to having set dates, and a vast majority of Manitobans support that. Levelling the financial playing field or the vote taxes—the Conservatives will often make reference to it—you'll find that generally speaking, if you were to poll Manitobans as a whole, they don't necessarily support having money going directly to political parties, based on a vote.

But, if you get the opportunity to sit down with Manitobans and you share with them the concept of levelling the financial playing field as I did during that summer, Madam Acting Speaker, a vast majority did see the merit of providing annual support to political parties.

In fact, over the years, I have consistently argued that it was in democratic best interests to bring in a subsidy to political parties. This is what's happened in other jurisdictions and has proven to be very successful. We need only look at the health of the Green Party today at the national level to illustrate that point, or what other jurisdictions have done. So I see that as a positive.

The bill also does extend voting hours which is again something that is very positive. Elections Manitoba has also now allowed for voting to take place in shopping centres. We saw this in the last provincial election where it did assist in increasing the number of people participating in the democratic process. So we see these as positives.

With regard to the bill itself, when it had first come out, I had initially opposed the bill after having

read through the bill in detail, knowing full well that there were a couple of points in it that I felt very passionate about and felt that it would be good to see passed.

But, through negotiations with the government and some amendments the government was prepared to bring forward, whether they were formal amendments dealing with issues such as the mailings, the censorship issue or the LAMC, by allowing for our participation with the LAMC, we ultimately are in a position today of being able to support and endorse Bill 37. There are a couple of amendments, at some point, that would be nice to see to our elections act. I still believe that the outcome of investigations should be made public. I still believe that we should have none of the above listed on our ballots, Madam Acting Speaker.

I still believe that we should be mandating Elections Manitoba and its advisory committee to come up with a proposal that would, in fact, overhaul the numbers inside this Legislature. In that report I made reference to, I talked about an alternative to the 57 seats, and I believe that would be something that would be healthy for the province and reflect the democratic process in a more positive way in terms of what people are voting for is closer to what it is they will get at the end of the day.

A number of the ideas that I've brought forward were gained from Manitobans both in the city of Winnipeg and in rural Manitoba. They reflect the ideas that have been talked about not only in the province of Manitoba but across Canada and indeed, abroad, Madam Acting Speaker. We should never take our democracy for granted. We need to tread carefully. In the future, I hope and trust that governments of whatever political stripe will work with all the stakeholders in ensuring that we have a better democracy.

The Member for Brandon talked about the advertising. I think that's an area that has to be addressed, we have to address. There are some inequities in that area, and it would be wonderful to see it addressed at some point in time in the future on a consensus of the different stakeholders. With those few words, we're prepared to see the bill pass. Thank you, Madam Acting Speaker.

Mrs. Mavis Taillieu (Morris): I want to just say a few words in regard to Bill 37. With all due respect to the Member for Inkster, with whom I often do agree on issues, I don't agree with him on this particular bill. He did say that he had been speaking

with Manitobans and felt that Manitobans were understanding of this tax to be taken and used by the governing party.

I have to ask the question. I'm wondering who in the public in Manitoba came to this government and said, we want you to take money from our taxes and pay yourself. I just didn't hear that at committee. I heard people come forward when they talked about this bill and saying that this was something they did not support. They did not support the government taking their tax dollars and using them for their own purposes. If the government does do this, by supporting this bill, I think, really, if you vote to support this bill, you do support the demise of democracy in this province.

When we saw this bill first brought in, Madam Acting Speaker, this portion of the bill was fairly buried in the bill, and we saw a bill that talked about set election dates. That was something that we had supported so we looked further in the bill, then we found there was much more in this big, omnibus bill that we couldn't support.

The notion of taking taxpayers' dollars and then using them to pay political parties, I think what has happened is that in the last election the NDP looked at who raised the amount of money in the province. They looked and saw that the Conservatives actually raised a lot more money than the NDP. I think that really scared them pretty badly, and they thought, okay, well, we better get some more money for ourselves. Instead of actually going out and raising the money by putting forward the policies and enticing people in the province to vote for them and to support them, which, I guess, they felt that they were failing on because they weren't raising the money they thought they could. So I guess they got pretty scared of that and said, well, you know, we better legislate this. We better make sure then that we get the money. If people aren't going to give us the money, I guess we're going to have to take the money. So I guess the new slogan is, if you can't raise it, we'll legislate it, and if we can't raise the money by going out and raising the money from people that support us, we'll just put it in legislation and we'll make the people pay us.

* (16:30)

I don't think that's democracy and we heard hundreds of people come to the committee and say that this isn't what they thought would be democracy either. Of course, maybe that is their political

agenda, that they'll just outlaw all political donations and pay themselves in perpetuity.

We also know in this bill that—I think that there are a number of things that we need to tell Manitobans in our constituencies and all across the province, and we have a message that goes out because there are different points of view. I think the government is a little afraid that we're sending messages from our party to their party members and they're actually looking at our information and saying, yeah, I think maybe they're right. So they're saying, well, we can't allow this to happen so we've got to cut off their communications. We don't want them being able to communicate to the public.

We don't want Manitobans to hear the messages of opposition parties so I know what we'll do. We'll legislate it. We won't allow them to do that any more. That is curtailing freedom of speech, Madam Acting Speaker, and it's certainly terribly undemocratic that any party would try and muzzle another party in their communications with Manitobans.

The idea of the set election dates—we see a bill that, as I said originally, we looked at it and thought, well, that's one portion of it, but it's a pretty big bill so there's got to be a lot of things buried in this bill, which is, in fact, the case in this bill. But it's what the modus operandi of this government is, is to bring in large pieces of legislation with one particular thing in it that is supportable and then filling it with a lot of other things in a bill that aren't supportable.

Instead of bringing separate pieces of legislation where you can have a reasoned debate on that particular issue, they'll bring in a piece of legislation with a number of pieces of law, proposed law in the bill that doesn't get the attention of the public. That is why they, quite frankly, that's why they do it, so that the public doesn't see what is in the proposed legislation but, Madam Acting Speaker, the public did see this because we brought it first and foremost to their attention. They came out and they presented to committee and they told the committee that they didn't support this kind of legislation and this manner of doing the people's work in Manitoba.

It's interesting that we have a set election date, and now by amendment I understand it was going to be in June, and now it's amended. It will be in October of 2011, unless of course the Premier decides to call an election before that. That's very interesting. So we'll wait and see what the political fortunes of the Premier are, whether he finds that he's

got some better offers and decides to leave early. We'll see what he does, but certainly another piece of this legislation was the exclusion of unions in The Lobbyists Registration Act, that they would not have to lobby as—or not have to be registered as lobbyists.

As the Member for Charleswood (Mrs. Driedger) explained, I don't think that that is fair because members of unions are huge lobby groups and have huge power with this government. In fact, it's the power of their union supporters that puts them where they are, and that's why they have to kowtow to them and bring in pieces of legislation that they want. They're a huge lobby influence on this government. So it really isn't fair that they shouldn't have to be registered as lobby groups just like others are, and, certainly, groups like the Chambers of Commerce in the province. Why would you want to exclude the unions from being registered as lobby groups?

Madam Acting Speaker, for a number of reasons, we can't support this bill. Certainly, they're limiting our ability to communicate with our constituencies and our Manitobans with our direct mail. They're trying to curtail our freedom of speech. They—*[interjection]*

The Acting Speaker (Ms. Brick): Order. I would just like to remind all members that we do have the loges. If people wish to have conversations, that they can take place in the loge.

Mrs. Taillieu: We do, with this bill, see set election dates, of course, in this particular next three-year period, unless the Premier (Mr. Doer) calls an election before that. But, certainly, the idea that the public does not know how to choose the political party they want to represent, and so the government will do it for them and take tax and use it for their own political purposes does not sit well with Manitobans that we have heard from. So, because of these portions of this bill, we cannot support Bill 37. Thanks very much.

Mr. Leonard Derkach (Russell): I get up on this bill and my memory goes back to a time when I recall another bill similar in nature was passed in the Legislature. It was where MLAs, after an election, would receive 50 percent of the amount they spent on election back from the Province of Manitoba. There was, certainly, an issue of debate at that time, just like the bill before us is today.

One faces this bill with some trepidation because, first of all, a set election date that has been

called for was fine for June, and now we're moving it to October. I'm not one who wants to give this government another day that I have to, to be in government, so I don't understand the Member for Inkster (Mr. Lamoureux) who wants to give the NDP an additional six months to govern. I don't understand that, but there are strange things in this world and strange approaches to things, so, if we are going to have a set election date, I wish it would be sooner rather than later, because Manitobans deserve some reprieve from this kind of government that they've been faced with over the course of the last nine years.

What does this bill really do? The intent of the bill was a fixed-date election or a set-date election. That was sort of the thing that everybody was hearing about, and, of course, a lot of the population in Manitoba do support a set-date election, but what was buried in the bill was something that Manitobans weren't prepared for. They were not prepared for having to spend tax dollars to political parties so that political parties can fatten up their wallets in preparations for elections. There was a time when all of us honourable members in this House used to have to go out, and those who were seeking office used to have to go out and raise money privately from donations to be able to run a campaign. Now, today we think that the taxpayer should be contributing to our election funds so that we can get elected into the Legislature.

Now that, to me, says that we have become—if we supported this bill, we'd all become lazy. That's kind of characteristic of the government. They don't want to have to work. They don't have to go out and raise any money for their own political futures. They would rather put their hands in the taxpayers' pockets, fleece their pockets for their own purposes, and that's why this bill is objectionable.

Mr. Speaker in the Chair

Now, whether we like it or not, there are 35 members of the government, and they're going to have their way with this legislation. We know that, and the legislation is going to become law. But it doesn't make it right. It does not make it right. I don't know how any member of the government can look at his constituents and honestly think that they are doing the right thing by fleecing the taxpayers' pockets for their own benefit as a political party.

* (16:40)

Now we've got many needs in this province. There are many people living in poverty. There are many people who have health-care needs, who can't get access to health care. There are many people who are living on social assistance who probably could use that money for training so that they can get themselves into a position of job opportunity in this province. But, instead, the government has chosen, as one of its priorities in this session of the Legislature, to put their hands in the taxpayers' pockets and to take money out for their own benefit.

Now, Mr. Speaker, how much money is that? How much money is that? Well, over the course of the next four years, it's going to amount to a million dollars for the government. Now, it's going to amount to something less for the opposition parties, but it's still going to be in the neighbourhood of in excess of \$1.5 million for that purpose. I think that \$1.5 million, taxpayers could better spend on better things in this province than to shore up the political parties that we have in this province who are too lazy—and I'm talking about the government political party—that is too lazy—

An Honourable Member: And the Liberals.

Mr. Derkach: —and the Liberals, of course; they like this bill—to go out there and raise some money on their own by going out and asking for donations, because, indeed, if you are a worthy candidate for election, then people will support you. If you're not worthy, they won't support you. So, in this bill, that is all lost and the government now has the right, by virtue of their majority, to put their hands into taxpayers' pockets and say, whether you like it or not, you are going to support my cause.

Now why should I as a taxpayer who does not believe in the philosophy or the principles of the NDP, have to support the NDP? Or, if I don't believe in the principles of the Liberal Party, why do I have to support the Liberal Party? Or, if I don't believe in the Conservative Party, why would I have to take my tax dollars to support the Conservative Party? That is wrong, Mr. Speaker, because, in my view, those people who support the political philosophy of a particular party have an obligation to support it with their own dollars.

So I'm opposed to this bill. I think it's wrong. I know Manitobans think it's wrong, and I just don't understand how a government with any conscience at all can come forward with a bill like this and think that it's good for Manitobans and good for the taxpayers of our province. Thank you, Mr. Speaker.

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, I am pleased to rise today and speak against Bill 37. This bill is a bill that does a number of things that are damaging to the people in the province of Manitoba. Many of those have been well outlined in previous comments, certainly in the media, almost unanimous media commentary that says this bill is the wrong direction for Manitoba and almost unanimous submissions from those who came out to committee earlier this year. When Bill 37 was before committee, almost every person who came forward, every organization came forward and said that this bill is wrong for Manitoba. It's bad for democracy; it hurts taxpayers; and it moves the province in the wrong direction.

Mr. Speaker, what is bothersome about this is that the government refused to listen to those concerns and those submissions by Manitobans. They have proceeded on a path that is self-serving and political and anti-democratic. For all of those reasons, we are going to vote against Bill 37.

There are things within this bill which look good from a PR perspective and in principle which are supportable: set election dates; things that we've been calling for for some time are things that we think are good for Manitoba and the time has come. A registry for lobbyists is the right thing to do, provided it's not set up as an opportunity for the NDP government to abuse their position of authority rather than make the government more transparent.

We have every reason to doubt their approach to the implementation of the lobbyist registry. We only need to look at other examples. The fanfare that came with The Public Health Act that was announced in 2001. It was going to be a public health act. It was going to prepare Manitobans for any eventuality. That was introduced over two years ago and not proclaimed.

The Victims' Bill of Rights in 2001 that was introduced was not only going to change the course of justice for Manitoba, but for all of Canada, according to the news release. We all know what happened there. Now, here we have, with Bill 37, once again, a blazing headline in the *Free Press*, a great picture talking about how we're going to get fixed election dates in Manitoba, and then you look beneath the surface and what you find is a lot of undemocratic provisions and provisions that are harmful to the taxpayers of Manitoba.

We are pleased that some amendments were made through the process that addressed a few of the

concerns, but, unfortunately, those amendments don't go far enough to rescue this bill from failing to pass the sniff test for the people of Manitoba, who are pretty savvy people when it comes to looking at what their governments are doing.

We also know that nowhere in the NDP's campaign platform, when they were campaigning just over a year ago, was there any reference at all to a vote tax, or any reference at all to moves to cut off information from the people of Manitoba. In fact, they campaigned that they were not going to run the next power line down the west side of the province. They didn't mention anything about a vote tax. There was no reference to cutting off MLAs' right to communicate with their constituents. There were all kinds of other promises made, none of which have been followed through on, and this bill is an example of an abuse of the government's authority that is just wrong and which we cannot support.

The process which led to the introduction of the bill, no consultation with other parties, as is the practice when amendments come forward to The Elections Act or The Elections Finances Act; no consultation with other parties when it came forward to amendments to The Legislative Assembly Act and the way that we communicate with our constituents; and, in fact, Mr. Speaker, we are led to believe, no prior consultation with the NDP caucus prior to this bill being introduced, just before the deadline by the Attorney General (Mr. Chomiak), who is the most partisan Attorney General. When you look at this bill, this is a partisan bill introduced by a partisan political Attorney General who is advancing the Premier's (Mr. Doer) agenda of changing the playing field for elections in Manitoba, so that they could attempt to stack the deck in a way that would make the outcome of elections based not on ideas or track records or what their plans are for the future, but instead on manipulating the rules, taking taxpayers' dollars to spend for political purposes, cutting off opposition parties from communicating with their constituents and doing everything in their power to manipulate the rules rather than have a fair and open fight.

But we shouldn't be surprised, Mr. Speaker. When you think about the way the Premier ducked debates in the election campaign, the way they misled Manitobans about their plans for Hydro, the way they concealed their plans to change The Elections Act, none of this is surprising. It's all part of a pattern of deception and manipulation that has

come to be the hallmark of this Premier and this NDP government. incompetence on a level that we've never seen.

They are going to spend \$640 million, minimum, extra on a power line that is less reliable, transmits less power, will result in discounts on what we're able to sell the power for, more susceptible to blackouts, unable to accept loads if the existing bipoles go down compared to the option that was \$640 million cheaper, which is more reliable, provides a better stream of power to our customers, allows us to get a higher price and can handle the load if the existing lines go down—another remarkable example of incompetence and waste and mismanagement on a grand scale. Hydro rates go up because of their incompetence on hydro. Water rates go up because of their incompetence on waste water, and now they want to take \$1 million from Manitoba taxpayers just as people are trying to recover from the Crocus collapse. They are now dealing with reductions in their pension funds because of the worldwide debt crisis. Now they want to take another million dollars out of their pockets, Mr. Speaker, in order to finance their own political party.

The vote that is about to take place on this bill will say something about each and every MLA in this Chamber. It gives every MLA a chance to stand up and say: Are we on the side of Manitobans, are we on the side of taxpayers or are we here to line our own pockets? Are we going to put our party ahead of the hardworking families throughout the province who are struggling to get by or are we going to stand with those families and say no to taking tax dollars out of their pockets and putting it into a political fund to spend on things like political advertising.

Mr. Speaker, we know that Manitobans have other priorities. They want governments that invest in the basic infrastructure of the province. They want governments that spend money wisely in areas like health care and education. They want their taxes to come down so that we can attract jobs, but not just attract jobs, but save the ones that we've got—over 300 families today hurting as a result of the layoffs at DeFehrs; other families who are worried about their ability to make ends meet as the economy goes into uncertain times. What is this government's top priority in the midst of all of this—taking a million dollars from those very same families and putting it into their party's bank account? They will have a chance when this vote comes to say that we are on the side of taxpayers, but we fear that they are going

to stand up and say, we are here for ourselves. We put party ahead of taxpayers, party ahead of province. Those who vote against Bill 37 are putting the taxpayers first, putting Manitobans first, and saying that in these uncertain economic times when many are hurting and many are worried about their jobs. We're not going to vote in favour of a bill that lines the pockets of political parties when so many people are dealing with their own issues.

An Honourable Member: Will you take the money?

Mr. McFadyen: They are asking across the floor, will we take the money, Mr. Speaker, and there will be lots of time for debate on that point. I look forward, I look forward—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. McFadyen: I look forward to the rest of this session, Mr. Speaker, and I look forward to the days and the weeks to come as we debate the impact of Bill 37 on Manitobans. They've got an opportunity, and I wish that we could capture the gloat on the smiling face of the Minister of Finance (Mr. Selinger) right now as he sits there and asks whether we're taking the money. I wish we could have it on tape right now because I think that would be a great thing to be able to show Manitobans in the days, weeks and months ahead as we continue to debate this bill.

The debate over Bill 37 doesn't end with today's vote. This is a debate that is going to go on every single day from now until the next election. It is a debate that is going to allow one party to be able to say that they stood on the side of taxpayers and other parties to require the defence of a decision to line their own pockets.

The taxpayers' association and others have said that members of this House have raised the issue of whether members have a conflict of interest in voting on a bill that lines their own pockets. Because we are voting against the bill, Mr. Speaker, we know we're on the right side of it. We know that we are voting in a way that is contrary to the interests of our own political party, but that's why we were sent here, not to represent our own party, not to line our own pockets, but to stand up for Manitoba taxpayers.

I'm really pleased to hear the comments coming from the Member for Riel (Ms. Melnick) asking whether we're going to take the money. I say to her, stay posted, vote against Bill 37 and let's put Manitoba on the right track here. Vote against Bill 37. Stand for taxpayers or stand for lining your own pocket. That's the choice we face right now. Vote against Bill 37.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

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 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act.

As amended, is it the pleasure of the House to adopt the motion?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Mr. Speaker: All those in favour of the motion, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the motion, say nay.

Some Honourable Members: Nay.

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

Formal Vote

Mr. Gerald Hawranik (Official Opposition House Leader): A recorded vote.

Mr. Speaker: A recorded vote having been requested, call in the members.

Order. The question before the House is concurrence and third reading of Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Ashton, Bjornson, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Gerrard, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lamoureux, Lemieux, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Wowchuk.

Nays

Borotsik, Briese, Cullen, Derkach, Driedger, Dyck, Eichler, Faurschou, Goertzen, Hawranik, Maguire, McFadyen, Mitchelson, Pedersen, Taillieu.

Madam Clerk (Patricia Chaychuk): Yeas 31, Nays 15.

Mr. Speaker: I declare the motion carried.

The hour being past 5 p.m., the House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 7, 2008

CONTENTS

| ROUTINE PROCEEDINGS | | | |
|---|------|--|------|
| Petitions | | Annual Report of the Department of Health and Healthy Living for the fiscal year ending March 31, 2008 | |
| Long-Term Care Facility–Morden | | Oswald | 3813 |
| Dyck | 3811 | Annual Report of the Cooperative Promotion Board for the fiscal year ending March 31, 2008 | |
| Hard Surfacing Unpaved Portion–Provincial Road 340 | | Wowchuk | 3813 |
| Rowat | 3811 | | |
| Cullen | 3811 | Annual Report of the Co-operative Loans and Loans Guarantee Board for the fiscal year ending March 31, 2008 | |
| Education Funding | | Wowchuk | 3813 |
| Borotsik | 3812 | | |
| Air Canada | | Annual Report of the Department of Aboriginal and Northern Affairs for the fiscal year ending March 31, 2008 | |
| Lamoureux | 3812 | Robinson | 3813 |
| Neepawa, Minnedosa and Areas–Local Hospitals | | | |
| Briese | 3812 | Oral Questions | |
| Paved Shoulders for Trans-Canada Highway | | Independent Prosecutors | |
| Maguire | 3813 | McFadyen; Doer | 3814 |
| | | Goertzen; Chomiak | 3815 |
| Tabling of Reports | | Centralized Police Training | |
| Annual Report of the Healthy Child Manitoba Office for the fiscal year ending March 31, 2008 | | Goertzen; Chomiak | 3816 |
| Irvin-Ross | 3813 | Federal NDP Tax Policy | |
| | | McFadyen; Doer | 3817 |
| Annual Report of the Addictions Foundation of Manitoba for the fiscal year ending March 31, 2008 | | Economy | |
| Irvin-Ross | 3813 | Borotsik; Selinger | 3818 |
| Annual Report of the Manitoba Seniors and Healthy Aging Secretariat for the fiscal year ending March 31, 2008 | | Clean Environment Commission Report | |
| Irvin-Ross | 3813 | Mitchelson; Ashton | 3820 |
| | | Brandon University Strike | |
| | | Hawranik; McGifford | 3821 |

Canadian Communication for Physicians
Trained Abroad Program
Gerrard; Allan 3821

Economic Forecast
Lamoureux; Selinger 3822

Members' Statements

Team Manitoba Ringette Champions
Taillieu 3822

Job Works Youth Builders Program
Altemeyer 3823

Mr. Gladwyn Scott
Cullen 3823

Flin Flon Arts Council 25th Anniversary
Jennissen 3824

Air Canada Flight Attendant Base Closure
Lamoureux 3824

**ORDERS OF THE DAY
(Continued)**

GOVERNMENT BUSINESS

Concurrence and Third Readings

Bill 37—The Lobbyists Registration Act and
Amendments to The Elections Act, The
Elections Finances Act, The Legislative
Assembly Act and The Legislative Assembly
Management Commission Act
Mitchelson 3825
Chomiak 3827
Fauschou 3828
Maguire 3829
Goertzen 3833
Gerrard 3838
Borotsik 3838
Driedger 3841
Lamoureux 3843
Taillieu 3844
Derkach 3845
McFadyen 3847

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>