

**Third 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**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BLAIKIE, Bill, Hon.	Elmwood	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MARCELINO, Flor	Wellington	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McFADYEN, Hugh	Fort Whyte	P.C.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PEDERSEN, Blaine	Carman	P.C.
REID, Daryl	Transcona	N.D.P.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SARAN, Mohinder	The Maples	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELBY, Erin	Southdale	N.D.P.
SELINGER, Greg	St. Boniface	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WHITEHEAD, Frank	The Pas	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, September 21, 2009**

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

**Mr. Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom, know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

**ROUTINE PROCEEDINGS**

**INTRODUCTION OF BILLS**

**Bill 240—The Public Schools Amendment Act  
(Diabetes Protocol)**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill No. 240, The Public Schools Amendment Act (Diabetes Protocol); Loi modifiant la Loi sur les écoles publiques (protocole d'intervention portant sur le diabète), be now read a first time.

**Mr. Speaker:** It has been moved by the honourable member for River Heights, seconded by the honourable member for Inkster, that Bill No. 240, The Public Schools Amendment Act (Diabetes Protocol), be now read a first time.

**Mr. Gerrard:** Mr. Speaker, this act will, like the one that we passed last year, which was on anaphylactic shock, provide for measures to be taken in all schools in Manitoba to make sure that teachers are aware of children with diabetes, that the diabetes, they are aware of how to treat things like hypoglycemic shock, and because we have an epidemic of diabetes at the moment, that this will enhance and create the awareness of the preventive measures as well that are necessary to reduce the epidemic of diabetes.

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

**PETITIONS**

**Flooding Issues—North, Middle and South  
Salt Lakes**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Flooding issues in North Salt Lake since the flood of 2005 have affected municipal infrastructure and private property. North Salt Lake has overflowed into Middle Salt Lake resulting in Middle Salt Lake overflowing into South Salt Lake, flooding property and roads.

On more than one occasion between 1999 and 2006, the R.M. of Strathclair has met with Water Stewardship, Manitoba Highways and CP Railway to discuss possible options to control water levels in the area including excessive runoff.

Manitoba Water Stewardship advised the R.M. of Strathclair that a study of the drainage problems would be conducted.

The R.M. of Strathclair applied to Manitoba Water Stewardship in 2008 to install a tile drain to allow water to move south in a controlled manner.

On April 6, 2009, the R.M. of Strathclair declared a local state of emergency due to the excessive spring runoff and flooding throughout the whole municipality. A trench was dug in the ditch on the south side of the road that runs east-west at the north end of NW 22-16-22. The water ran from the small culvert through the trench and a ravine on NE 22-16-22 to South Salt Lake.

On May 7, 2009, the Minister of Water Stewardship ordered the municipality to permanently close the drain by noon of May 8, 2009, which the R.M. of Strathclair complied with under protest. Built up water in Middle Salt Lake began flowing out of control, flooding on NW 22-16-22, a section already seeded. The water continues to build at the north end of Salt Lake, leaving the road completely underwater since April 2009.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Water Stewardship (Ms. Melnick) consider and approve the licence application to create a ditch across NW 22-16-22 and install a 30-inch culvert with a gate to replace the small culvert that exists on the municipal road between SW 22-16-22 and NW 22-16-22.

We also urge the Minister of Water Stewardship to personally look at the situation involving North, Middle and South Salt Lake, and consider the livelihood of landowners and the lack of access to have property—to their properties and homes.

And we request the Minister of Water Stewardship to consider the height of the flooded lakes along PTH 16 and CP Railway between North Salt Lake and Middle Salt Lake.

And this petition, Mr. Speaker, is signed by Norma Gill, Pat Pollock, Lori Voth and many other Manitobans.

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

#### **Long-Term Care Facilities—Morden and Winkler**

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

These are the reasons for this petition:

Many seniors from the Morden and Winkler are currently patients in Boundary Trails Health Centre while they wait for placement in local personal care homes.

There are presently no beds available for these patients in Salem Home and Tabor Home. To make more beds in the hospital available, the regional health authority is planning to move these patients to personal care homes in outlying regions.

These patients have lived, worked and raised their families in this area for most of their lives. They receive care and support from their family and friends who live in the community, and they will lose this support if they are forced to move to distant communities.

These seniors and their families should not have to bear the consequences of the provincial government's failure to ensure there are adequate personal care home beds in the region.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to ensure that patients who are awaiting placement in a personal care home are not moved to distant communities.

To urge the Minister of Health to consider working with the RHA and the community to speed construction and expansion of long-term care facilities in the region.

This is signed by P.M. Thiessen, Elisabeth Harder, Deanna Wolfe and many, many others.

#### **Provincial Nominee Program—90 Day Guarantee**

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

The background to this petition is as follows:

Reuniting families through the Manitoba Provincial Nominee Program should be the first priority in processing nominee certificates.

Lengthy processing times for PNP applications causes additional stress and anxiety for would-be immigrants and their families here in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider establishing a 90-day guarantee for processing an application for a minimum of 90 percent of the applicants that have family living in Manitoba.

This is signed by C. dela Cruz, J. Alimangohan, D. Avena and many, many other fine Manitobans. Thank you, Mr. Speaker.

\*(13:40)

#### **Parkland Regional Health Authority—Ambulance Station**

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

And these are the reasons for this petition:

The communities of Eddystone, Bacon Ridge and Ebb and Flow First Nation rely on emergency medical services personnel based in Ste. Rose, which is 45 minutes away.

These communities represent about 2,500 people. Other communities of similar size within the region are equipped with at least one ambulance, but this area is not. As a result, residents

must be transported in private vehicles to the nearest hospital if they cannot wait for emergency personnel to arrive.

There are qualified first responders living in these communities who want to serve the region but need an ambulance to do so.

A centrally located ambulance and ambulance station in this area would be able to provide better and more responsive emergency services to these communities.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider working with the Parkland Regional Health Authority to provide a centrally located ambulance and station in the area of Eddystone, Bacon Ridge and Ebb and Flow First Nation.

This petition is signed by Sheila Malcolm, Larry Mancheese, Rheal Houle and many, many other fine Manitobans.

#### **Ophthalmology Services—Swan River**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, I'd like to present the following petition.

These are the reasons for this petition:

The Swan Valley region has a high population of seniors and a very high incidence of diabetes. Every year, hundreds of patients from the Swan Valley region must travel to distant communities for cataract surgery and additional pre-operative and post-operative appointments.

These patients, many of whom are sent as far away as Saskatchewan, need to travel with an escort who must take time off work to drive the patient to his or her appointments without any compensation. Patients who cannot endure this expense and hardship are unable to have the necessary treatment.

The community has located an ophthalmologist who would like to practise in Swan River. The local Lions Club has provided funds for the necessary equipment, and the Swan River Valley hospital has space to accommodate this service.

The Minister of Health (Ms. Oswald) has told the town of Swan River that it has insufficient infrastructure and patient volumes to support a cataract surgery program, however, residents of the region strongly disagree.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health to consider rethinking her refusal to allow an ophthalmologist to practise in Swan River and to consider working with the community to provide this service without further delay.

And this is signed by Ray Seib, A. Thomson, P. Graham and many, many others.

#### **Traffic Signal Installation—PTH 15 and Highway 206**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

In August 2008, the Minister of Transportation (Mr. Lemieux) stated that traffic volumes at the intersection of PTH 15 and Highway 206 in Dugald exceed those needed to warrant the installation of traffic signals.

Every school day, up to a thousand students travel through this intersection in Dugald where the lack of traffic signals puts their safety at risk.

Thousands of vehicles travel daily through this intersection in Dugald where the lack of traffic signals puts at risk the safety of these citizens.

In 2008, there was a 300 percent increase in accidents at this intersection.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate installation of traffic signals at the intersection of PTH 15 and Highway 206 in Dugald.

To request that the Minister of Transportation recognize the value of the lives and well-being of the students and citizens of Manitoba.

Signed by J. Ireland, W. Ireland, Mary Coners and many, many other Manitobans.

#### **Long-Term Care Facilities—Lac du Bonnet**

**Mr. Gerald Hawranik (Lac du Bonnet):** I wish to present the following petition to the Legislative Assembly.

These are the reasons for the petition:

Many seniors from the Lac du Bonnet area are currently patients in the Pinawa Hospital while they wait for placement in the Lac du Bonnet personal care home.

There are presently few or no beds available for these seniors in the Lac du Bonnet personal care home.

These seniors have lived, worked and raised their families in the Lac du Bonnet area for most of their lives. They receive care and support from their family and friends who live in the community, and they will lose this support if they are forced to move to distant communities to access personal care home beds.

These seniors and their families should not be required to bear the consequences of the provincial government's failure to ensure that there are adequate personal care home beds in the region.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to ensure that patients who are awaiting placement in personal care homes are not moved to distant communities.

To urge the Minister of Health to consider working with the RHA and the community to speed up the construction and expansion of long-term care facilities in Lac du Bonnet.

Signed by R. Nazer, C. Kyritz, E. Robert and many other Manitobans.

## COMMITTEE REPORTS

### Standing Committee on Legislative Affairs Sixth Report

**Mr. Mohinder Saran (Vice-Chairperson):** Mr. Speaker, I wish to present the Sixth Report of the Standing Committee on Legislative Affairs.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Legislative Affairs—

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense? Dispense

*Your Standing Committee on LEGISLATIVE AFFAIRS presents the following as its Sixth Report.*

## Meetings

*Your Committee met on Thursday, September 17, 2009 at 6:00 p.m. in Room 255 of the Legislative Building.*

## Matters under Consideration

- **Bill (No. 26)** – *The Apprenticeship and Certification Act/Loi sur l'apprentissage et la reconnaissance professionnelle*
- **Bill (No. 31)** – *The Manitoba Floodway Authority Amendment Act/Loi modifiant la Loi sur la Commission du canal de dérivation du Manitoba*

## Committee Membership

- *Hon. Ms. ALLAN*
- *Mr. DEWAR*
- *Mr. GOERTZEN*
- *Hon. Mr. LEMIEUX*
- *Mr. MAGUIRE*
- *Ms. MARCELINO*
- *Mr. PEDERSEN*
- *Mr. SARAN*
- *Ms. SELBY*
- *Mrs. TAILLIEU*
- *Mr. WHITEHEAD*

*Your Committee elected Ms. SELBY as the Chairperson.*

*Your Committee elected Mr. SARAN as the Vice-Chairperson.*

## Public Presentations

*Your Committee heard the following presentation on **Bill (No. 26)** – *The Apprenticeship and Certification Act/Loi sur l'apprentissage et la reconnaissance professionnelle:**

*Peter Wightman, CLRAM, Executive Director*

*Your Committee heard the following two presentations on **Bill (No. 31)** – *The Manitoba Floodway Authority Amendment Act/Loi modifiant la Loi sur la Commission du canal de dérivation du Manitoba:**

*Grand Chief Ron Evans, Assembly of Manitoba Chiefs*

*Chief Donovan Fontaine, Sagkeeng First Nation*

**Bills Considered and Reported**

- **Bill (No. 26)** – *The Apprenticeship and Certification Act/Loi sur l'apprentissage et la reconnaissance professionnelle*

*Your Committee agreed to report this Bill without amendment.*

- **Bill (No. 31)** – *The Manitoba Floodway Authority Amendment Act/Loi modifiant la Loi sur la Commission du canal de dérivation du Manitoba*

*Your Committee agreed to report this Bill without amendment.*

**Mr. Saran:** Mr. Speaker, I move, seconded by the honourable member for Wellington (Ms. Marcelino), that the report of the committee be received.

*Motion agreed to.*

**TABLING OF REPORTS**

**Mr. Speaker:** In accordance with section 28(1) of The Auditor General's Act, I'm pleased to table the report of the Auditor General on the Study of the Board Governance in Crown Corporations.

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** Mr. Speaker, I'd like to table the 2008 Annual Reports for the Residential Tenancy Branch and the Residential Tenancy Commission.

**Hon. Nancy Allan (Minister of Labour and Immigration):** Mr. Speaker, I'm pleased to rise today to table the Manitoba Lotteries Corporation Annual Report for the fiscal year ended March 31st, 2009 and the Manitoba Lotteries Corporation First Quarter Report for the First Three Months ended June 30th, '09.

**ORAL QUESTIONS****Manitoba Hydro Bipole III  
Location Consultations**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, over the weekend we saw yet another study from an expert talking about the problems with the west-side hydro transmission line and that it runs right through Manitoba's tornado alley. We are pleased to see on Friday that the Premier's hand-picked successor has opened the door now to reversing the government's position on bipole. We've just seen a news release come out from Manitoba Hydro this morning saying they're about to embark on their third round of consultations and that

they will be considering, and I quote, "alternative routing options" as part of this consultation process.

I want to—I wanna just say that after two years of debate on the issue, we support the government's decision to reverse their position. Is the Premier prepared today to simply announce the intention to run the bipole line where it should have gone in the first place, down the east side of Lake Winnipeg?

**Hon. Gary Doer (Premier):** Mr. Speaker—

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

**Mr. Speaker:** Order. Order. Order.

**Mr. Doer:** Mr. Speaker, there has, indeed, been a reversal of a transmission decision. There's been a reversal to put a transmission line from Labrador through a UNESCO World Heritage Site in Newfoundland and Labrador, and I'm pleased that Premier Williams, even though the cost is higher to run it around Gros Morne UNESCO World Heritage Park, has decided that environment and energy sustainability can be managed together. That's what we plan on doing here in Manitoba.

**Mr. McFadyen:** Mr. Speaker, the scale of the Newfoundland project is entirely different and environmental experts, financial experts, engineers have all identified massive problems in terms of risk to Manitoba Hydro customers, financial risk to Manitobans and excessive environmental damage with the west-side option. Hydro has said today in their news release they're gonna examine alternate routing options as part of the third round of consultations. The Premier's hand-picked successor opened the door to a reversal on Friday.

Why not just go all the way and announce today that they're gonna make the right decision for Manitobans?

**Mr. Doer:** Well, like Premier Danny Williams, we think that the obvious course that we're taking is the right decision. When members opposite talk about risk—and it's appropriate to talk about that—there is risk on the east side; there's risk on the west side. There's a risk—the biggest risk is to run the transmission down through the existing route in the Interlake. We also know there's reward. There's reward—you know, the members opposite talked in opposition in the past about Limestone; they never talked about the revenues. There's some \$2 billion in proposed sales to the state of Wisconsin. That is the reward of doing it right and doing it in an environmentally sustainable way. That's why, on a

scale, the reversal of Newfoundland and Labrador is absolutely consistent with the kind of direction we've been taking, managing environmental stewardship and managing a sustainability of revenues through transmission lines that will build more reliability and more export sales, Mr. Speaker.

\* (13:50)

**Mr. McFadyen:** Mr. Speaker, all Manitobans want to see us go ahead with large-scale power sale agreements to the United States, and those agreements—those agreements cannot happen on a large scale until Bipole III is complete. We've already had two years of delay as a result of the decision to go down the longer, more expensive west side. We now have the Premier's hand-picked successor saying he wants to dither for at least another year before he can make up his mind on the decision.

Why not do what's right by Manitobans and simply announce today that we're prepared to go down the east side, accelerate the construction, get the project done and get the money flowing into Manitoba?

**Mr. Doer:** Well, Mr. Speaker, the only reversal that's taken place is a reversal from the Conservative leader, the Leader of the Opposition, that he, in fact, is in favour of large-scale hydro-electric power sales.

They—history allows that statement to fall like a house of cards, Mr. Speaker. They in fact mothballed Limestone after the NDP government had it ready to go. They mothballed it. The NDP government built it. They mothballed Conawapa. They are the mothball party; we are the builders, but we will do it in a sustainable way for all our future generations.

### **Manitoba Hydro Bipole III Minister's Position on Location**

**Mr. Cliff Cullen (Turtle Mountain):** Well, Mr. Speaker, as we know, over the weekend, another expert on electricity transmission questioned the decision by this government to build Bipole III on the west side of the province. In the *Free Press*, Mr. Roschuk raises the issue of the additional risk associated with a west-side line. I trust the new minister responsible for Manitoba Hydro has had time to review the file on this.

Mr. Speaker, what is the minister's position on the future Bipole III?

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

**Mr. Speaker:** The honourable First Minister.

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

**Mr. Speaker:** Order. Order. Order. Order. Order. Let's have a little decorum, please. Order. The honourable First Minister has the floor.

**Hon. Gary Doer (Premier):** Thank you for the question. Mr. Speaker, I wanna point out that Hydro did request the report from Mr. Farlinger who identified risks and rewards on both the east and west side. That report was made public through the committee to all the people of Manitoba.

Mr. Speaker, I would also point out, in that report, that if an east-side route location develops into a confrontation with First Nations and environmental groups versus Hydro, it will draw national and likely international environmental attention. This creates a risk. Do—may I repeat that? This creates a risk to the export energy markets. This is the same reason that Premier Danny Williams reversed his government's position not to build it through—

**Mr. Speaker:** Order. Order.

**Mr. Cullen:** If the Premier wants to read the entire report, it talks about the east-side corridor minimizing exposure to line failure and making it the most economical to build. And that's exactly what Mr. Roschuk's talking about in his letter on the weekend.

Now, Mr. Speaker, this line has been sold under a premise of reliability. And Mr. Roschuk says the west side of Lake Manitoba, extending from the Swan River Valley to the U.S. border, is known as the most severe thunderstorm and tornado region of Manitoba. Now, the minister—new Minister responsible for Manitoba Hydro (Ms. Wowchuk) should be familiar with this side of the province, and it also doesn't take an engineer to figure out if a line's 400 kilometres longer, there's going to be less reliability, more risk.

Mr. Speaker, has the minister—the new Minister responsible for Manitoba Hydro reviewed all the risks associated with the NDP's decision, and what is her position?

**Mr. Doer:** Here—here we have—here we have—

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

**Mr. Speaker:** Order.

**Mr. Doer:** Here we have the Boreal Forest Network of Canada saying Premier's reversal on proceeding with transmission line through the UNESCO World Heritage Site in Newfoundland, demonstrates—*[interjection]*—demonstrates Manitoba government's decision to go the western route with Bipole III was a sound decision, Mr. Speaker.

Here we have the risk of environmental concerns and oppositions, and potentially, in markets like Minnesota and Wisconsin, and here we have the reward of being able to have and protect and propose a UNESCO World Heritage Site.

I hope members opposite watch the PBS series that Ken Burns is going to have about Theodore Roosevelt setting aside all that land for national parks in United States. He had a vision. They don't, Mr. Speaker.

**Mr. Cullen:** Well, if the Premier wants to talk about risk and reward, let's talk about risk. Mr. Speaker, he should know, the new minister responsible for Hydro should know that the Public Utilities Board is requesting further information from Manitoba Hydro on their risk analysis. In addition, under this government's watch, the Auditor General is now weighing in on the management of risk at Manitoba Hydro. We have seen this government choose to play politics with other important decisions in Manitoba. Clearly, intervention by this government has put Manitoba Hydro in an uncomfortable position.

Mr. Speaker, will the minister give us her position, relative to the bipole decision, and is she prepared to give us a full risk on the west-side debate?

**Mr. Doer:** I would point out to the members opposite that we had hundreds of public meetings on the east side with the Aboriginal people that live there. Secondly—

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

**Mr. Speaker:** I can't hear a thing here. Order. Order. Order. We need to hear the questions and the answers, please. It doesn't help shouting back and forth because you can't hear the questions and the answers. We have people here that came all the way down here to hear the questions and answers. We have the viewing public. Let's show a little bit of courtesy here. The honourable first minister has the floor.

**Mr. Doer:** Yes, and the PUB appropriately stated that Hydro should reach a 75 percent debt equity

ratio. They expected it would happen in 2012. I'm happy to report that, unlike the Conservatives that were running a risk of an 86 percent debt equity ratio, in 10 years of our government, we've lowered that 1 percent a year, and Hydro has come out this year with their annual report. We're at 75 percent debt equity ratio, three years before the PUB predicted. We have, if the members opposite would look at that risk of 86 percent, they would understand that lowering it to 75 percent is lowering risk, and it happened under this government, Mr. Speaker.

### **Manitoba Hydro Bipole III Minister's Position on Location**

**Mrs. Leanne Rowat (Minnedosa):** Mr. Speaker, on Friday, the member from Minto stood on the steps of this Legislature and said that he was willing to reconsider the current government's position on the west side—*[interjection]* An east-side route is cheaper, would be more reliable and is something that many Aboriginal people in this province have been asking for. Our party has been consistently arguing for an east-side route.

Mr. Speaker, can the Minister of Aboriginal and Northern Affairs indicate his position on the location of the next bipole line?

**Hon. Eric Robison (Acting Minister of Aboriginal and Northern Affairs):** Well, Mr. Speaker, I don't have to repeat the position of this government. It's been very clear for the last number of years that the decision was made to—not to build on the east side of Lake Winnipeg.

I think the important thing to remember here is that we've got to protect the integrity of the boreal forest, the land, Mother Earth and we've got to look to the future, for our future generations when we made that decision.

**Mrs. Rowat:** Mr. Speaker, we know that the east-side line would not compromise a UNESCO designation. We know—*[interjection]* That's a fact. When we know that many Aboriginal people are supportive of an east-side line, we also know that if the member for Minto (Mr. Swan) becomes our next premier, he thinks that this is a debate worth revisiting.

Mr. Speaker, can the Minister of Aboriginal and Northern Affairs clearly state his preference for the routing of Bipole III?

**Mr. Robison:** Mr. Speaker, I take my direction from the people that elected me and, clearly, in

successive elections since 1993, they said no to an east-side transmission line. I abide by the decision of the elders, the people that look to the future, and I'm absolutely committed to maintaining that position that was not taken simply by myself, by this party, but by the people that live on the east side of Lake Winnipeg.

\* (14:00)

**Mrs. Rowat:** Mr. Speaker, if the member for The Pas (Mr. Whitehead) stood behind the member from Minto on Friday when he said that he was willing to reopen the bipole debate, it seems that the member for The Pas believes there is support for a bipole line on the east side of the province.

Mr. Speaker, has the Minister of Aboriginal and Northern Affairs spoken with the member for The Pas about this issue, and if so, did the member for The Pas have new information to share that would change the Minister of Aboriginal and Northern Affairs' view on the location of this line?

**Mr. Robinson:** After several meetings with communities that live on the east side of Lake Winnipeg over the past several years, and the meetings, of course, are ongoing, the decision was made that they don't want a transmission line down the east side of Lake Winnipeg. That's very clear.

I don't pretend to speak on behalf of the member for The Pas. I wasn't there at the news conference that was held. I know that the direction of this government, the position that this government took is very simple: no transmission line on the east side.

Mr. Speaker, I don't know how much clearer I can get.

#### **Manitoba Housing Complexes Safety of Children**

**Mrs. Bonnie Mitchelson (River East):** Gilbert Park housing complex is home to some very troubling incidents that have occurred in recent weeks.

This past weekend, a baby boy was assaulted and suffered substantial injuries. Earlier this month, a toddler was hospitalized after another assault occurred. We know that there are only 45 contract security officers to monitor the entire housing stock at 13,000 units, Mr. Speaker, and it's clearly inadequate.

What is the Minister of Family Services and Housing doing to ensure the safety of children living in Manitoba Housing units?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Well, first I welcome that question, Mr. Speaker.

First of all, I think, on behalf of all Manitobans, we hope and pray for the full recovery of the child victims, Mr. Speaker, in both of these incidents.

Second, on behalf of all Manitobans, we must condemn such unbelievable action against children in this province, Mr. Speaker, wherever that may occur. It is profoundly confounding to any decent person in this province that something like this could happen to a child.

Now, Mr. Speaker, it's my understanding, according to the police, that in these incidents people came into the Gilbert Park community, and it was indeed residents of Gilbert Park that came to the rescue in both circumstances, I understand, of these child victims, and I commend them. We will be redoubling our security efforts.

**Mrs. Mitchelson:** Mr. Speaker, but the Minister of Family Services has called himself a role model for landlord issues in the province, and he has grandstanded in the House and made several announcements about addressing security needs in Manitoba's public housing complexes, but all of the minister's grandstanding has done nothing to decrease the fears of law-abiding families who are living in these complexes and want a safe place for them and their families.

When will he get serious about addressing the desperate safety and security issues that face families in Manitoba Housing?

**Mr. Mackintosh:** Well, and I expect those kind of accusatory remarks, Mr. Speaker.

This is a time to address what can be a most dispiriting series of tragic incidents, Mr. Speaker. It's time for us to remind the residents of Gilbert Park that we are on their side, and we will redouble our efforts to first of all strengthen patrols which will happen this week.

We, Mr. Speaker, will ensure that they make use of the tool available to them of the safer communities act to rid the communities of drug dens by reminding them that they can make confidential complaints.

Mr. Speaker, we're going to look to see if we can ensure that the domestic violence programming that takes place on-site at Gilbert Park indeed meets the needs of the residents, and we're going to ensure that the agencies in the community and Manitoba

Housing work together like never before to make sure that we have effective and even better strategies to ensure the well-being of this important community in Manitoba.

**Mrs. Mitchelson:** Well, but we've gone from mould and bedbugs as the primary issues in our Manitoba Housing to children being assaulted, Mr. Speaker, as the first and foremost issue, and it couldn't get any worse.

But, with great fanfare on February 20th of 2008, the Minister of Family Services announced a new strategy for the Gilbert Park complex, and he said, and I quote, "We are building new futures and new communities together by transforming public housing." And I quote: We can bring about successful transformations from the inside out. A year and a half ago, Mr. Speaker. And we're seeing now, the consequences of inaction by this minister.

When will he make the safety and security of children a primary issue in Manitoba Housing, the minister that purports himself to be the landlord without repute in the province of Manitoba?

**Mr. Mackintosh:** Well, there goes the broad brush strokes again, Mr. Speaker.

This is not—these incidents, Mr. Speaker, are not representative of this community. The police have said that these are outsiders to the community and came in; they perpetrated what the police are alleging.

What has happened in Gilbert Park, Mr. Speaker, has been an investment, not only of \$13 million to refurbish the whole place from top to bottom—by the way, 25 of the 29 people working on that refresh are from Gilbert Park. It's not a matter, though, of just the bricks and the new buildings. We put in place a new initiative with Norwest called Going Places. We have a Boys and Girls Club. We have about six rec workers. We have about 10 workers that are there to work with residents to ensure that, in fact, they can meet the challenges that they face from time to time.

But, Mr. Speaker, we're going to redouble our efforts. We're going to make sure that the residents of Gilbert Park know that this government is on their side, not those that walked away from public housing for 11 years.

### Manitoba Housing Complexes Security Concerns

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, unfortunately the incidents that have taken place at Gilbert Park are not the only safety issues concerning public housing in Manitoba. In fact, these incidents have become systemic.

Residents at 170 Hendon Avenue in my constituency have been calling on this government for years to do something about issues of safety in this building, Mr. Speaker, and that members opposite will recall some six years ago when a resident was attacked with a machete.

Just last week I received another phone call from a concerned resident who is currently undergoing chemotherapy. She was allegedly assaulted by another tenant while using the laundry facilities in the building.

What is the plan to address these issues so that people are not forced to live in fear in our Manitoba housing complexes, Mr. Speaker?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Well, first, Mr. Speaker, the eviction policy has been strengthened and if there are those incidents happening, no one is entitled to live in public housing. There are the good people of public housing that we want to be a role—a role landlord for. This is hard work and we're up to it because what we saw over the decade before we came into office was a complete abandonment of any investments in either the social supports or the bricks and mortar of Manitoba Housing.

We, Mr. Speaker, are making a difference, and we have tripled our investment since 2006 in security measures, and we're going to ensure that the patrols are enhanced. We've increased peepholes; we've got new deadbolts—[interjection]

**Mr. Speaker:** Order.

**Mr. Mackintosh:** We've got The Safer Communities Act with designated investigators now. We've got a new relationship with Winnipeg police. Mr. Speaker, we've got closed-circuit TV and card—

**Mr. Speaker:** Order.

**Mrs. Stefanson:** Well, with all due respect to the minister, Mr. Speaker, for the last decade things have been getting worse in Manitoba public housing under their watch.

The safety issues facing tenants at 170 Hendon are nothing new. Tenants have lived in fear for many years, and it seems that the only strategy for this government to take action is when a critical incident occurs, Mr. Speaker. The government needs to be proactive and to put a plan in place to ensure that residents at 170 Hendon and other Manitoba housing complexes are not forced to wait for another stabbing or something perhaps worse to occur before action is taken.

Mr. Speaker, what is the strategy, what is the plan in place to ensure the safety of all Manitobans living in public housing in this province?

\*(14:10)

**Mr. Mackintosh:** Well, the member knows full well that there have been security enhancements at Hendon, Mr. Speaker, and there are security enhancements at public housing all across Manitoba. And indeed the 26,000 tenants of Manitoba Housing have a right to safe housing, and we are bound and determined, by way of tripling investments and security by a new professional security branch in Manitoba Housing, and by those investments to make a difference.

**Mrs. Stefanson:** Mr. Speaker, the Manitoba Housing Authority Web site claims that the NDP government has committed to providing Manitobans with safe, appropriate and affordable housing so that low-income Manitobans can live with dignity and security.

These are classic examples, Mr. Speaker, that we're hearing in this House today of a government that says one thing and does another. When will the government live up to its promise to ensure that Manitobans who live in public housing complexes can live with the safety and dignity that they all deserve as Manitobans?

**Mr. Mackintosh:** Well, as we began the question and answer session, I noted for members that the incident that has sparked this line of questioning was, according to police, committed by two people from outside of Gilbert Park, Mr. Speaker. And that is why it's important that we have now provided training, for the first time I understand, intensive training on both crime prevention and surveillance for property managers and supervisors.

That is why the safer communities act has designated people working now in Manitoba Housing. That is why we've invested in deadbolts

and peepholes. That's why we've got card access and TV, depending on the nature of the building.

That's why we've tripled investments by—what was it?—three times the amount that we were investing, Mr. Speaker, and in fact we've gone from \$1.1 million in '06 to \$3.2 million in security investments. We're making a difference. Where were they when they had their hands on the powers?

### **Manitoba Housing Complexes Eviction Policies**

**Mr. Kelvin Goertzen (Steinbach):** Well, Mr. Speaker, this isn't about one incident. This is about years of problems at Manitoba Housing under this government. Under this soft-on-crime government we've seen more shootings and stabbings and crime. Every weekend it seemed to infect Winnipeg and Manitoba. No part of this province is left untouched, and that includes, unfortunately, residents of Manitoba Housing.

The Minister of Justice needs to take lead on this very, very important issue. Doesn't he agree that if you spend your time selling drugs, if you spend your time being a disturbance, if you spend your time acting violently, then your time is up and you should be removed from Manitoba Housing, Mr. Speaker?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, evictions are way up and, in fact, we put in place a mechanism, under the safer communities act that we put in place, that has been copied, and I was just at a ministerial conference of the western ministers who are all now using the Manitoba model to evict people who cause difficulty. It was brought forward by the member for St. Johns (Mr. Mackintosh) and is a Canadian first and recognized across the country.

Every minister across western Canada approved of it, Mr. Speaker, and further, at that meeting we talked about the problems occurring across the west and decided on a joint action to go to Ottawa and continue to work to strengthen all the communities, and I'm very proud that we have the safer communities act as copied by other jurisdictions—

**Mr. Speaker:** Order.

**Mr. Goertzen:** I'm glad the Minister of Justice is enjoying his trips out west. I'm glad he's enjoying his trips to Ottawa, but the problems at Gilbert Park, the problems at 170 Hendon, the problem is right here in Manitoba, Mr. Speaker.

Instead of promising, instead of promising to remove shrubs and setting up a few more lights, which is what their announcement was last year, how about removing those who are causing the problems in Manitoba Housing. Residents at 170 Hendon, residents at Gilbert Park, all Manitobans realize there's lots of announcements but few results.

Will this Minister of Justice ensure that there is proper law enforcement and an enforced policy at Manitoba Housing that will protect the interests of children and put their interests ahead of those who are breaking the law, Mr. Speaker?

**Mr. Chomiak:** You know, Mr. Speaker, if I used, if I used the logic of the member for Steinbach, if I used the logic of the member for Steinbach, crime has gone up in Steinbach since the member for Steinbach was elected from Mr. Penner who was there before. Am I blaming the member for Steinbach for the increase in crime in Steinbach when there was less crime when there was another MLA there? No. The member is foolish.

Evictions are up. Ability of the police to evict is up. We have more people prosecuted and in jail than at any other time in history. We have more police officers than any other time in history, Mr. Speaker. The member's—he's on the horn all the time, on the horn, lock 'em up, lock 'em up.

And that doesn't do justice to the 26,000 men and women that are in public housing, Mr. Speaker, and if it wasn't for the Tories, they might be on the street 'cause that's the policy they follow.

**Mr. Goertzen:** Even the member for Thompson (Mr. Ashton), the would-be Premier of this province, acknowledged on Friday that in Manitoba, crime is skyrocketing under the NDP. We appreciate that acknowledgement of failure from the member of Thompson, but it doesn't do much for the residents at Gilbert Park or 170 Hendon.

The NDP's solution to crime is to cut down some shrubs and put up some lights. Meanwhile, residents at Gilbert Park say that they've got a bat by their door as protection, Mr. Speaker.

Will the Minister of Justice ensure that their trim-the-tree approach to solving crime is replaced by an evict or arrest policy so that those law-abiding residents, those children at Gilbert Park at 170 Hendon and all the Manitoba Housing units throughout Manitoba can feel safe and secure when they go to bed at night, Mr. Speaker?

**Mr. Chomiak:** I'm not following the logic of the member for Steinbach, who—Mr. Speaker, according to the police, the perpetrators of these crimes were for outside of those facilities. Would the member wanna lock the people in like he wants to lock up everybody else?

Mr. Speaker, let's be logical, and let's be reasonable. Let's—

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

**Mr. Speaker:** Come on, oh, come on, can't hear him. Come on—order. Order. Order. Order.

The honourable member for Steinbach has asked a question he has a right to hear. Let's have a little decorum in here.

The honourable minister to continue.

**Mr. Chomiak:** Mr. Speaker, the member's got his clip. Let's be reasonable. Let's talk about what's happening in our communities.

There are social and economic conditions. There are tougher police sanctions. We met with all of the western ministers, and the issues are the same across western Canada, Mr. Speaker. The targeted program that we put in place are the same, and, I might say, as a result of our meeting, the federal Minister of Justice announced that they're going to proclaim—they're going to proclaim Bill 14—the gang—the gang action on October 2nd—as a result of inquiries from the western ministers.

We're doing things instead of just running and doing press conference—[interjection]

**Mr. Speaker:** Order. Order.

### **Manitoba Housing Complexes Safety of Children**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, we are sad as Manitobans, to learn of the young child who was badly injured over the weekend at the Gilbert Park complex. We hope that the baby will recover.

Mr. Speaker, twice this month, children at the Manitoba housing complex at Gilbert Park have been very seriously injured.

Oh, for 10 years this NDP government has known of the terrible problems at Manitoba housing complexes, and yet the NDP government continues to foster a troubling old-style approach to Manitoba Housing, which fosters problems instead of

producing solutions. And this is one more in a list, a long list of NDP failed programs.

So I ask the minister responsible for healthy children—

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

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Mr. Speaker, one of the great disservices to residents of Manitoba Housing was perpetrated by this same honourable member in the last election campaign where he wanted to paint all the residents with one broad brush, and that was very harmful.

And I would ask that perhaps he should go back to Gilbert Park, as I did a couple of weeks ago, to see how the investments, both the physical and the people investments, were in terms of making a difference, and, Mr. Speaker, what he will see is not the same Gilbert Park where he grandstanded during the election campaign.

But we have a long ways to go, and we have these tragic incidents, Mr. Speaker, that are both dispiriting and threatening to residents. That is why we're further enhancing security. That is why we're going to further look to see how we can provide those necessary supports for those living there.

**Mr. Speaker:** Order.

**Mr. Gerrard:** Mr. Speaker, instead of trying to attack me, this minister should be providing good solutions.

The essential—the essential issue here is the ability of this government to operate Manitoba Housing units in a way that provides an optimum environment for young children and for families. This, the NDP has completely failed to do. Government should be the best landlord, not the worst.

So I ask the Minister of Healthy Living (Ms. Irvin-Ross): What is she and her colleague going to do to make sure that there's an optimum environment for children in Manitoba housing complexes like Gilbert Park?

\* (14:20)

**Mr. Mackintosh:** Well, let's use Gilbert Park as an example, then. Last May, we invested in a new initiative to recognize that not only do we have to improve the physical structures there, but we have to work with residents to create a new strength within.

So Gilbert Park Going Places was devised for at-risk youth between 10 and 14 and for their families, and what do they do?

Well, Mr. Speaker, there are social workers there and these are wonderful people. I've met them and they have reached out and connected with the youth like never before. They offer services six days a week for peer mentoring, for anger management. They have a new skateboard park there. The residents just finished a video on it. They are so proud of what they are doing. There's a skateboard borrowing initiative there that is also connecting older kids to help and support. There's also computer skills; there's homework programs.

Mr. Speaker, you want the examples? Here—

**Mr. Speaker:** Order.

#### **Gilbert Park Housing Complex Tenant Management**

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, maybe I'll provide for the minister some true examples. I represented Gilbert Park for over 10 years, whether it was former ministers Linda McIntosh or Jack Reimer, individual ministers that would have regular meetings with residents, residents that were moving towards tenant management.

Tenant management is ultimately what needs to be done at Gilbert Park. If you want to start dealing with the public drunkenness, the prostitution, the drugs—you name it, Gilbert Park has it—you've got to get the local tenants involved. That's something in which former ministers did in the other government.

It's the NDP that have abandoned Gilbert Park. It's more than just throwing money. It's getting into the infrastructure and assisting people, enabling people to help themselves and, Mr. Speaker, this is where the NDP have dropped the ball.

My question is to the Deputy Premier (Ms. Wowchuk), Mr. Speaker: Will she not pick up the ball and start investing directly into people? Forget about this incompetent minister, focus on Gilbert Park and the residents of Gilbert Park.

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** When I was at Gilbert Park two weeks ago, Mr. Speaker, we were told about how the community was changing. We were told about how the priorities of the residents there were being met in terms of having a complete refurbishment—\$13 million, how we were engaging

residents of Gilbert Park themselves in training and skills development to do the necessary renovations. Those 25 people, out of the 29 working there, are now planning to create a company, a renovation company, because of those skills.

We learn, Mr. Speaker, about how the domestic violence programming is helping residents, about how the parenting skills programs, of which there are four, are going to work for people there. We heard about the new Canadian settlement workers that are provided through Labour and Immigration. We heard about the anger management. We heard about the health programs, and the Boys and Girls Club recreation programs. *[inaudible]*

### **Recreational Facilities Increased Funding**

**Mr. Doug Martindale (Burrows):** Mr. Speaker, in the lean, mean 1990s, under the lean, mean Filmon team, the government invested almost nothing in recreation facilities in the North End. In fact, the North End YM/YWCA closed in 1995, and the Filmon government did nothing.

By way of contrast, Mr. Speaker, our government has made major investments in the North End, including at Centennial community centre and the North End Wellness Centre, along with other levels of government.

Can the Minister of Infrastructure and Transportation tell us what announcement was made this morning which indicates our further commitment to recreation facility investment in the North End at Sinclair Park and elsewhere?

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** Well, thank you, Mr. Speaker, to the MLA for Burrows for this question.

Infrastructure is more than roads and building bridges, Mr. Speaker. Indeed, our government have put Neighbourhoods Alive! programs in place and improved recreation improvements throughout the province.

Community centres, recreation centres are at the heart of the community. Providing options for young people and people not so young are truly important to us, and today at Sinclair Park we saw an example of where our government stands. We made millions of dollars of announcements today with regard to nine recreation projects throughout the province of Manitoba to improve those facilities for people of many, many different communities and backgrounds.

This year we put a million point six billion dollars, Mr. Speaker, into infrastructure, and announcements like today will enhance those communities and give people hope. Thank you.

### **Z-dike Upgrades Use of Limestone Riprap**

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, people in my constituency and others have observed the building of the Z-dike and are curious to know why this dike is piled high with limestone riprap while no other dikes in the Red River Valley have been.

Can the minister tell us why this is so and how much this limestone has cost the taxpayers?

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** Our government is really proud about the work that's been done on the floodway and the expansion of the floodway and, indeed, the budget is certainly one that we're very, very proud of, Mr. Speaker, in the sense that we're on time and on budget with regard to that project, and the Manitoba Floodway Authority has done a great job to ensure that, not only people south of Winnipeg but, indeed, the citizens of this great city are protected as a result.

**Mrs. Taillieu:** Mr. Speaker, the communities of Emerson, St. Jean, Morris, Aubigny, Ste. Agathe and St. Adolphe all have earthen dikes which have been protecting these communities for as long as 60 years, not to mention hundreds of homes in the Red River Valley which are also protected by earthen dikes.

I'd like to table some Freedom of Information documents, please, and that will show that the NDP has spent \$12 million on riprap on this dike which saw no water and only \$198,000 on a flood-ravaged riverbank at the St. Adolphe bridge.

Does the minister not agree that this \$12 million might not have been better spent on shoring up the riverbank and perhaps saving the St. Adolphe bridge from falling down?

**Mr. Lemieux:** Well, you know what, Mr. Speaker? We saw what happened in 1997 with regard to the Z-dike. It was ravaged by waves, and it's truly important that you have that protection.

You know, Mr. Speaker, this government is proud, since 1999, to have spent over a billion dollars in flood mitigation and assisting many, many different homeowners throughout, not only the Red River Valley but throughout the province of Manitoba with regard to the flooding.

You know, Mr. Speaker, we just went through the second least, in our most recent history of the second-worst flood, and this government and many of the MLAs and ministers on this side were working with municipalities throughout the province to take a look at different options that we had, and we continue to work with them and we will work with them day-in and day-out to ensure that their communities are protected.

**Mr. Speaker:** Time for oral questions has expired.

## MEMBERS' STATEMENTS

### River East Neighbourhood Network

**Ms. Erna Braun (Rossmere):** Mr. Speaker, community groups all across the province are improving the quality of life for all Manitobans. Today I would like to thank the River East Neighbourhood Network, a group that has been hard at work on making the Northeast Pioneers Greenway a showcase for the communities of Elmwood, North and East Kildonan.

The greenway is the active transportation corridor that will connect northeast Winnipeg all the way to The Forks downtown. Designed for walking, running and cycling, it provides Winnipeggers a great opportunity to explore their city without ever stepping into a car.

Officially opened in 2007, the greenway is currently six kilometres long and provides a daily recreation and transportation option for many local residents. Motivated by this green space opportunity, the members of the network's trails committee has been working over the summer with area residents on the enhancement of the greenway. This group has been doing many things to help advance the greenway, from holding community consultations, to planning the installation of benches, shade canopies and lighting, and even donning their gardening gloves to plant shrubs and trees along the Bunn's Creek portion of the greenway. They are also researching the area's history and are planning special historical signage to go along the greenway. A great deal of effort is also going into restoring the natural prairie habitat along the greenway, sections of which can still be found in their original state.

I had the chance to help them with tree planting last week, along with 200 school children, and could not help but get caught up in their enthusiasm and commitment to active living.

Mr. Speaker, the River East Neighbourhood Network and its trails committee are a big part of the reason the greenway is a dynamic feature in our community. Their hard work and commitment must be celebrated, and I encourage anyone interested to become involved with the network. I would also wish the network continued success with their work and all future efforts.

Thank you, River East Neighbourhood Network for your dedication to the North East Pioneers Greenway and our community.

\* (14:30)

### St. Pierre-Jolys Frog Follies

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, this year the village of St-Pierre-Jolys celebrated the 40th annual Frog Follies, la folie de grenouille.

It's a weekend of fun, food, sport and camaraderie. As explained to me by those in the community, the Frog Follies began many years ago as a friendly competition. There are many French people in St-Pierre-Jolys with a very keen sense of humour, so the idea of frog jumping competition was born when one person said, I bet my frog can jump farther than your frog.

Now every year, VIPs, children and adults alike, all get a chance to pick a frog and compete with others to see whose frog will jump the farthest. For days before the event, the children in the community are tasked with catching the abundant frogs which are also released back into their habitat at the end of the competition.

Frogs are placed on a starting line and encouraged to jump without touching them, so there's usually a lot of verbal encouragement as well as clapping and thumping. Once the frog has leapt three times, a measurement is taken and the farthest jumping frog wins. Sometimes the frogs just take off and leap, and other times they sit there and do nothing even as the audience cheers them on.

I am proud to say I was reigning champion last year with my frog, who we also have to name, and I named mine Jeremiah, who jumped a total of 129 inches. I also won the contest in 2003 with Prince Charming who jumped 113 inches. But this year I had to concede the championship to the member of Parliament for St. Boniface, Shelly Glover.

I'm—I was pleased to present a plaque to this year's organization in recognition of 40 years of fun, friendly competition and dedicated volunteers over

the years who have made la folie de grenouille such a success in St-Pierre-Jolys. Félicitations. Thank you, Mr. Speaker.

### **Community School Investigators Program**

**Ms. Flor Marcelino (Wellington):** I would like to recognize the Community School Investigators, a very unique summer program in Winnipeg's inner city.

This program was founded in 2005 by the former superintendent of the Frontier School Division, Karen Botting. It first operated at Dufferin School and John M. King School with just 60 kids. This summer it expanded to eight schools and boasted enrolment of 480 children between the ages of six and 13—to 13.

There are four specific goals of this program. The first is to combat summer learning loss, which can affect children in the inner city who may not have the same kinds of opportunities during the summer months as their more affluent peers. This program seeks to level the playing field for kids by sharpening their reading and math skills in a fun way. The second goal is to improve educational outcomes for children living in poverty. The third is to enhance the skills and job experiences of local youth by hiring inner-city high school students to work for the program. And the fourth goal is to provide opportunities for Faculty of Education students to work in the inner city. Having these high school education students involved creates an invaluable mentorship aspect, as their contribution inspires the younger participants to go on to higher education.

Mr. Speaker, this program would not be possible without the dedication and support of a number of agencies. Community School Investigators operates with the help of the Social Planning Council of Winnipeg in partnership—the Winnipeg School Division, the University of Winnipeg, the Centre for Aboriginal Human Resource Development, the centennial project, Community Education Development Agency, Graffiti Gallery and Winnipeg Boys and Girls Club.

Mr. Speaker, all children in Manitoba deserve quality educational opportunities. These supports are making that possible for Dufferin School in the Wellington constituency, and for Winnipeg's inner-city youth. Thank you.

### **Leo Mol**

**Mrs. Leanne Rowat (Minnedosa):** Mr. Speaker, I rise today in honour of Manitoba's own world-renowned artist and sculptor, the late Leo Mol.

It was with great sadness that I offer my sincere condolences for Leo Mol, the prolific artist who will be remembered by his sculptures that have enriched the artistic scene in Manitoba. He was truly a world-class artist whose talents will be missed.

It is no surprise, Mr. Speaker, to find that Mol's own father was a potter, born in Ukraine in 1915. He studied sculpture at the Leningrad Academy of Arts and even spent a year studying in The Hague. In 1948 Leo and wife Margareth immigrated to Canada and eventually made Winnipeg their new home.

In the more than 60 years since immigrating to Canada, Mr. Mol has become a cultural icon in the Ukrainian community. Moreover, he was—has come to embody what it means to be Canadian. He found his true skill in life. It has since developed and flourished into magnificent creations, many of which he gave to our own city of Winnipeg. Mr. Mol designed sculptures that have graced the Vatican, to Washington, D.C., to Assiniboine Park, where all Manitobans enjoyed his creations. Mr. Speaker, such important world figures as Winston Churchill, John Diefenbaker and even Pope John Paul II have all served as subjects for Mol's sculptures.

As someone who has been fortunate enough to witness Mr. Mol's exuberant displays of art in our province, I am truly proud and inspired by his accomplishments. We are all indebted to Mr. Mol for sharing his work with us. Indeed, much like his own creations, he will be forever immortalized in the hearts and minds of people everywhere.

Leo Mol was an inspiration for all Manitobans, and his work will continue to captivate and ignite the imaginations of all Manitobans for generations to come.

### **Folklorama 40th Anniversary**

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, this past summer marked the 40th anniversary of Folklorama, a festival that has gained international recognition for its dynamic and vibrant celebration of the different cultures and people that make up our province.

I was fortunate to attend 13 pavilions over a two-week period, as well as being given the honour of representing the Premier (Mr. Doer) and the

Minister of Labour and Immigration (Ms. Allan) at the July 23rd Folklorama news conference.

This year's festival presented Manitobans and our international visitors with 41 pavilions, giving people the opportunity to sample various foods, crafts and performances from around the globe.

Folklorama welcomes over 400,000 pavilion visits each year with a large portion of the visitors coming from outside the city, travelling from as far away as Australia, Korea and Paraguay.

Typically, more than 3,000 entertainers perform at more than 1,500 shows throughout the two-week festival.

Manitobans who volunteer their time each summer to stage this festival are amazing. This festival owes its success to the staggering 20,000 volunteers who welcome people, organize shows, cook, clean and entertain us by dancing, singing and acting. These volunteers are the best ambassadors possible for our province.

As many of us in this House know, Folklorama began as a one-time event to celebrate Manitoba's Centennial. The inspiration for the festival began with the previous Winnipeg mayor, Stephen Juba, who hosted a meeting with representatives of several ethnocultural communities to form the Community Folk Arts Council of Manitoba.

I would like to pay tribute to the organizers of this great event and recognize the thousands and thousands of volunteers who have worked in the kitchens, on stage and behind the scenes for the last 40 years.

This event is truly a staple of Manitoba summers, and I hope all Manitobans and their friends from around the world continue to come out and celebrate the unique cultures and traditions that make up our province. Thank you, Mr. Speaker.

#### **MATTER OF URGENT PUBLIC IMPORTANCE**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the member for Inkster (Mr. Lamoureux), that under rule 36(1) the ordinary business of the House be set aside to discuss—to discuss a matter of urgent public importance, namely, the increasing problems with algal growth in Lake Winnipeg and Killarney Lake and the resulting negative environmental and economic impact on the town of Killarney and the surrounding areas.

**Mr. Speaker:** Order. Before recognizing the honourable member for River Heights, I believe I should remind all members that under rule 36(2) the mover of a motion on a matter of urgent public importance and one member from the other parties in the House is allowed not more than 10 minutes to explain the urgency of debating the matter immediately.

As stated in *Beauchesne's* citation 390, urgency in this context means urgency of immediate debate, not of the subject matter of the motion. In their remarks, members should focus exclusively on whether or not there is urgency of debate and whether or not the ordinary opportunities for debate will enable the House to consider the matter early enough to ensure that the public interest will not suffer.

**Mr. Gerrard:** Mr. Speaker, I want to rise to make the case, first of all, that this is the earliest possible time, and clearly, with the string of matters of urgent public importance that had to be discussed last week, this is the first time that this could be discussed.

\* (14:40)

Second, why is this urgent? It is urgent because, as we all know, the severity in the algal problems in Killarney Lake have reached a peak this year, and, of course, these are similar in nature to the problems with Lake Winnipeg which affect all Manitobans. And solving the situation for Killarney Lake can help us significantly in improving the situation in Lake Winnipeg, which has also been generally steadily worsening, although it was perhaps a little better this year, but just because of the weather one suspects.

The algal problems are worse. There was a big fish die-off in Killarney Lake. People who are living around the lake were complaining, for the first time in living memory, of major problems with odour coming off the lake, making it difficult and uncomfortable at times to be living there. There was a huge problem with swimming, children using the beach and families using the beach. Certainly, this was not a good year for that with the huge algal problems, and there were safety warnings as well as the green ooze, which was not a good idea for children to be swimming in in the first place, and what happened was that a lot of children and families went to other communities because they just no longer felt comfortable swimming in Killarney Lake.

The net result was that tourism and business in Killarney suffered dramatically. I talked to—and we

heard from businesses on September the 9th who had got a 30 percent drop in sales during the summer, a huge impact of the inattention, the lack of attention to Killarney Lake and the real problems with algal issues there.

And it is urgent because we need to improve things for Killarney and the surrounding area, and for people who come there in the summer and as tourists and we clearly need to do this on an urgent basis so that we're ready for next year. And we also need to do it because what we can find and learn on this can be very helpful in helping us with Lake Winnipeg.

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, another sitting of the Legislature, another matter of urgent public importance.

I note that the members did not even raise the issue in the—during question period, Mr. Speaker, and I notice that we've had a matter of urgent public importance every day. That, I don't think, is the actual purpose and meaning of the particular matter we have in the rules.

Notwithstanding that, Mr. Speaker, because of our concerns for environmental issues and to ensure appropriate information is put on the record, I can indicate there's an agreement of the—of the House leaders that we will set aside the business of the House to discuss this matter with speakers from this side of the House: one speaker for five minutes, the member for River Heights for five minutes, and the member—and a member from the opposition party for five minutes, which would conclude the matter. We're doing that by agreement of the House.

**Mr. Speaker:** Order. Order.

I thank the honourable members for their advice to the Chair on whether the motion proposed by the honourable member for River Heights should be debated today.

The notice required by rule 36(1) was provided under our rules and practices. The subject matter requiring urgent consideration must be so pressing that the public interest will suffer if the matter is not given immediate attention. There must also be no other reasonable opportunities to raise the matter.

I have listened very carefully to their arguments put forward; however, I was not persuaded that the ordinary business of the House should be set aside to deal with the issue today. Although this is an issue that some members may have a concern about, I do

not believe that the public interest will be harmed if the business of the House is not set aside to debate the motion today.

Additionally, I'd like to note that other avenues exist for members to raise this issue, including question period, members' statements and grievances.

Therefore, with the greatest of respect, I must rule that this matter does not meet the criteria set by rules and precedents, and I rule the motion out of order as a matter of urgent public importance.

However, despite the procedural shortcomings, there does appear to be willingness to debate the issue.

I shall then put the question to the House: Shall the debate proceed? [*Agreed*]

It's been agreed to and the agreement—and is there an agreement for one member from the government, one member from the official opposition, and the member for River Heights (Mr. Gerrard) to speak no more, no more than five minutes? Is that agreed to? [*Agreed*]

Okay, we will proceed with the debate.

**Hon. Christine Melnick (Minister of Water Stewardship):** Yes, Mr. Speaker, and it's—it is always good to talk about the importance of protecting water in the province of Manitoba. That is why, several years ago now, the Department of Water Stewardship was, in fact, formed by the Premier of this province, and I'm very honoured to be the second minister, still the only one in Canada, to be serving in the capacity of Water Stewardship.

When we speak specifically of Killarney Lake we speak of a situation that has been ongoing for a number of years, Mr. Speaker. The department has been working with the local community in the Killarney Lake area.

*Ms. Marilyn Brick, Acting Speaker, in the Chair*

They have a water quality management committee that has, unfortunately, been rather dormant for the last number of years but they are revitalizing it, and I think it's very important that we have the local community very much involved. Certainly, the department attended the meeting—I believe it was September 9th—where there were a lot of concerns raised, and we were there to work in partnership, as we always have been, and to certainly play a role on the committee.

Again, I want to stress that the local community is very much involved and we respect that, Mr. Speaker. We respect being partners with folks who are on the front line.

The monitoring of algal blooms and incidence of fish kills have, in fact, occurred this summer. We have been monitoring Killarney Lake, as we do several other lakes for incidents such as this, and so we were very aware that there were concerns being raised.

One of the things that I want to stress here is that the perspective that the provincial government has is certainly a provincial perspective, a national perspective and an international perspective, and so I am pleased to rise on the issue today that we're talking about, Killarney Lake. I know the member from River Heights also talked about Lake Winnipeg, which is an area that our government has been very, very active on.

Most recently, in the Throne Speech this spring, we announced a new wetland protection and restoration initiative, Mr. Speaker. We are focussing on two of the—the two major wetlands in the province of Manitoba, the Netley-Libau Marsh and the Delta Marsh. Again, we're working in partnership—as are the folks in Killarney Lake, which is very good—partnerships between University of Manitoba, the Freshwater Institute, and others who are concerned about water quality throughout the province.

This February we launched the WaterSmart conservation program, Mr. Speaker. We allowed for a \$50 rebate on the purchase of a dual-flush, high-efficiency toilet. We're very pleased to see that the City of Winnipeg is also offering a rebate, announced late last week, which would see \$60 represented off of a water bill.

We were the first government to bring in a drinking water safety act. We opened the Office of Drinking Water. During the 1990s there were two drinking water officers, now there are over 23. We bought in—brought in the water resource officers, Mr. Speaker. It's unfortunate members opposite consider them water police. We consider them a very important component of watching what is happening with our water right on the front lines and working with people to make sure that they, too, are careful with their water.

We brought in The Water Protection Act in 2004 and have protected sensitive areas. In fact, we're the only jurisdiction in North America that has a buffer

zone along every waterway in the province of at least three metres. It's a bigger buffer if that source is used as a drinking water source. Nutrient limits are being incorporated into all new municipal sewage treatment licences and, unfortunately, members opposite don't seem to agree with that.

We have been bringing in first-in-North-America legislation on the ban of dishwashing detergents, and there was agreement between us and the members of the Liberal Party on that to some degree. We did bring in last year, in last year's budget, over a million dollars in new money to provide to the Lake Winnipeg Research Consortium and the research ship *Namao*, Madam Deputy Speaker, and we want to make sure that not only are we taking action, but we're taking action that will be appropriate and action that will be effective, and the only way to do that is to make sure, on a scientific basis, that decisions are made to move forward in a way that will truly be improving water quality throughout the province.

Those are a few of the areas that we have been proactive in, Madam Deputy Speaker, and I think it's also important to note, in an urban setting, it is no longer possible to put phosphorus—

\* (14:50)

**The Acting Speaker (Ms. Brick):** Order, order. The honourable member's time has expired.

**Mr. Cliff Cullen (Turtle Mountain):** Madam Deputy Speaker, I thank you for the opportunity to weigh in on the debate on this matter of urgent public importance, and I can certainly tell you, by the number of calls that I received over the course of the summer, it is a very important issue for the people of Killarney and certainly the people of western Manitoba.

A lot of residents of western Manitoba have cabins at and around Killarney Lake, and, obviously, when we have a situation that's developed as it did over the course of the summer, it has a tremendous impact on the season and the very short summer season that we have, and obviously this year was, I would say, unprecedented in terms of the algae growth on Killarney Lake. Obviously, the public is certainly very concerned about it, and, as a result of the concern that was passed on to myself and also to the members of the local Killarney-Turtle Mountain Council, there's been a number of meetings—a number of public meetings held to try to address the issue.

*Mr. Speaker in the Chair*

The minister certainly is correct. There used to be a fairly active Killarney quality lake group, but, unfortunately, that's kind of gone by the wayside, and it appears, as a result of the meeting that was held, the public meeting, September 9, that that particular committee will be resurrected, and I'm certainly hoping and calling upon the provincial government, through the Minister of Water Stewardship (Ms. Melnick) and the Minister of Conservation (Mr. Struthers) to come forward with their support of the initiatives undertaken by that particular group and also by the community at large.

Now, Mr. Speaker, we recognize that it is a pretty complex issue when we talk about algae growth and lake-quality improvements, especially in Killarney and really around Manitoba. But we hope that some of the undertakings that are being planned and some of the research that's been done, some of the information that's been gathered around Killarney Lake and for Killarney Lake will be used in the future so that we will provide—can provide, hopefully, solutions to other lakes around the province, whether it be Pelican Lake, which is very close or whether it be a larger lake like Lake Winnipeg. We think that some things can be done to really be proactive in terms of trying to address the problem that Killarney Lake has seen this year.

Mr. Speaker, last week I tabled a petition to the House with almost 1,500 signatures from people within the region. Obviously, there is a very varied high degree of concern with the condition of Killarney Lake.

Now, Mr. Speaker, we recognize that there has been some action taken, and I wanna recognize Rick Korman of the school there and some of the students that he's been involved with in trying to bring forward some initiatives to clean up the lake in terms of reharvesting and looking at algae and how we can deal with it. I want to make sure that the government is aware that that is a very important project, and we're looking for financial support to make sure that those projects can move forward. We think some of those initiatives can be very beneficial in the long term to this lake and possibly the other lake.

Now, we know the municipality itself has put forward a number of resolutions that they think may be positive in terms of trying to address the solutions there. We certainly hope that the government departments will get onside very soon in terms of their expertise on this side of things as well. I know

we did approach the Minister of Conservation and his department a year ago to look at septic tanks around the area. Unfortunately, at that time his department felt they didn't have the resources to investigate. Now we know that the minister is looking at bringing forward more regulations dealing with waste water. We certainly hope that he will try to make sure that there's staff available to actually address the regulations we have now and any future regulations.

Mr. Speaker, it's all about results. You know, this government is good about talking about water and water quality and leaving the perception that they're actually doing something that's constructive in addressing issues around water quality in Manitoba. But, at the end of the day, and Killarney Lake is a prime example, much more work has to be done and we have to be more focussed at getting results than just leaving the perception that the government is doing something about the issue.

Thank you very much for this opportunity, Mr. Speaker.

**Mr. Gerrard:** Mr. Speaker, I've laid out the basic reasons why this is an urgent matter, but it is also urgent because, sadly, this NDP government have had a variety of opportunities to help but have not acted. And so it is urgent that the government get the message that people in Manitoba are very concerned about this and that action must be taken.

I'll refer, for example, to the letter of July 28th of last year, from the mayor, Rick Pauls, and his council, to the minister, I think it was the Minister of Conservation (Mr. Struthers), asking for inspection of these holding tanks which—some of which are known to be leaking and may be contributing to the phosphorus going into the lake.

Well, Mr. Speaker, it was a sad day when the Minister of Conservation looked around at the thousands and thousands of employees of the provincial government and he couldn't find one inspector to inspect the holding tanks. He couldn't find one person to go down to Killarney Lake and check out these holding tanks. You know, it's not as if there were thousands and thousands of holding tanks. It's a section along Oak Point Drive. There's a limited number of holding tanks, but they're significant, and it was a sad day when the Minister of Conservation just could do nothing.

There have been time and time again—Rick Korman is a good example, and he and others have

looked at this fairly carefully. In order to reduce algal problems, we have to reduce phosphorus, a critical-limiting ingredient. We look at the inputs to the lake, of phosphorus; that's part of it. We look at the outflow of phosphorus, and we're looking at, as they are in Killarney Lake, at the phosphorus which is in the sediment and in the lake.

And what Rick Korman is trying to do is to look at what happens if you remove some of the phosphorus in the lake, and this can be done by harvesting some of the algae and getting rid of the algae, removing it from the lake, making it a cleaner lake. And they have attempted—in fact, they are ready to do the harvesting, but when they've approached this government, the government has said, no, you can't do the harvesting. So, you know, I don't know exactly why or what the reason is, but that's what they've been told. Well, instead of saying no, this government should look at ways to find solutions and to help.

Rick Korman and others have looked at harvesting the cattails, because the phosphorus gets put into the cattails and these could be harvested, and this could then be removed and this can help to lower the phosphorus burden in the lake.

Well, once again, they approached the government for help, both for the okay to go ahead and try this and show that it works, or the okay to get some funding to help support this to see how well it will work. And—but there's been, no, no, you can't do that. And so it's been one thing after another, to the point where we had the meeting on September 9th in Killarney, to which both the Minister of Water Stewardship (Ms. Melnick) and the Minister of Conservation (Mr. Struthers) were invited but, sadly, neither one arrived. And so there was a great deal of frustration, a great deal of frustration, at the lack of help and co-operation from the provincial government in what is often, fundamentally, pretty straightforward things that the provincial government could be helping with.

There was some interesting ideas, you know, using alum to—in the drains, coming into the lake to see if you could reduce phosphorus, which would require testing. But, again, you know, these and other measures which were put forward and discussed, and there wasn't really an adequate ability for the Province to come to the table because neither of the ministers were there.

\* (15:00)

And so it was sad that there was no NDP ministers, sad that there was not even a NDP MLA, and this urgent—matter of urgent public importance was necessitated because of this lack of action, and, once again, the NDP, when they could be doing something to help a community which is desperate like Killarney, have not been. And so it is time, Mr. Speaker, that the NDP are aware of this and that they come to the table and they even come to Killarney.

**Mr. Speaker:** As previously agreed, that that's the three speakers that spoke for up to five minutes, so now we will move on and now I will call grievances.

### GRIEVANCES

**Mrs. Bonnie Mitchelson (River East):** Yes, Mr. Speaker, and thanks. I would like to take this opportunity, as we have once every session, to grieve and speak about an issue that's close to our hearts and, in many instances, close to our communities, and the one major issue—[interjection] Issues that are usually close to us and to our communities are ones that we have the opportunity to speak on and make comments on in this Legislature through the grievance process.

And it's not the first time I've spoke on the issue of the Disraeli Freeway in this House, and I wanted to put some comments on the record again today, because this is an issue that has been ongoing for many, many months now—well over year when the City of Winnipeg, in its capital construction process, announced the refurbishment of the Disraeli Freeway. And, at the time, the announcement included a 16-month closure of the Disraeli Freeway. Well, those of us that live in the northeast quadrant of the city of Winnipeg and even further, even further outside of the city limits, certainly had significant concerns about how that would impact the flow of traffic to and from the downtown of the city of Winnipeg.

And, as we know, there are over 40,000 vehicles that travel over the Disraeli Freeway on a daily basis, and that's not an insignificant amount of traffic that moves from northeast Winnipeg, and from those areas outside of Winnipeg that work or need to do business in the downtown, Mr. Speaker. And so significant concern was raised by many, many individuals, and there were certainly members of this Legislature—the one that I think all of us can comment on is the former member for Elmwood, Jim Maloway, who spent a lot of time and energy and effort in this Legislature petitioning and wanting a

reversal of the decision to close the Disraeli for 16 months.

And we only have to look to what happens when one lane on the Disraeli is closed down because of a stalled car during rush hour, during prime-time traffic, to know that there is a backlog on every other route, whether it be the Louise Bridge, the Redwood Bridge, the Chief Peguis Trail, the northeast Perimeter Highway, there is a backlog and significant congestion—even, I would say, over to Provencher Bridge—as a result and, Mr. Speaker, I've noticed, because I use that route on a regular basis on my travel back and forth downtown, that the delays are much more significant than what the engineering study or the City of Winnipeg was saying, that there was, would be an additional five-to-10-minute delay. Well, I know that when only one lane of the Disraeli is closed down because of a stalled car, or some sort of emergency activity, that I have waited in line for in excess of half an hour to get to my destination. And I know the frustration that occurs when that happens to the many, many motorists that depend on getting to work or to appointments on time.

So, Mr. Speaker, it's not without some concern that both the member for Elmwood, Jim Maloway and myself and the city councillors that live out in the northeast quadrant of the city of Winnipeg all supported looking at other options and alternatives. And when we look at the cost, the capital cost, of refurbishment of the Disraeli Freeway, it's one of the most significant projects that the City of Winnipeg has undertaken and will be undertaking.

And, Mr. Speaker, I know, as a taxpayer in the city of Winnipeg also, that the City can't and shouldn't be asked to do it alone, and we know, when the Disraeli Freeway was originally built, the Province supported the construction, and I think it was 47 percent that the Province put into the construction of the original Disraeli. So it was noted at that time that there was a provincial responsibility, and the Province took that responsibility, and my sense and the sense of many others was that the Province needed to come to the table again to support the City of Winnipeg when that bridge needed to be refurbished.

Now there's been all kinds of proposals, and there certainly is some speculation that a whole new span, a four-lane span, will be built to replace the Disraeli and that the original structure now will stay open right through the construction period, and then it would be closed down and demolished once the

new structure was completed. And that appears to be a fairly reasonable solution, and it certainly appears that the Province is going to be at the table.

Now this issue crosses political lines. It's not any one party that should take ownership over the issue. It's an issue that every constituent, regardless of political stripe, has an issue with from the northeast section of the city of Winnipeg. And I think all of us as MLAs—I know that I certainly have worked and discussed the issue with Jim Maloway and with Jeff Browaty, who was my city councillor, and I would say that all of us are on the same wavelength, that whatever the solution is—we talked about a six-lane solution, three lanes each way. I mean, if a plan for a better structure with four lanes appears to be the most optimum solution, I think that many, many residents could live with that. The main issue for residents of northeast Winnipeg and beyond was the issue of the complete closure of the Disraeli Freeway for 16 months.

And I know that I've done two surveys out into my community over the last year, and the highest responses back on any issue that I've ever surveyed my community on have been on the Disraeli Freeway, and the message loudly and clearly has been don't close the Disraeli for 16 months. And, Mr. Speaker, I—we don't poll or ask our constituents questions unless we listen to the answers and ensure that their voices are being heard, and our success, in large part, depends on us listening to the issues that are first and foremost in our constituents' minds and then fighting hard on their behalf.

And, Mr. Speaker, I've worked hard and fought hard to try to ensure that all residents of northeast Winnipeg will be served by a better Disraeli Freeway and one that is built without shutting down the structure that presently exists. And it looks like the Province and the City are coming to some sort of an agreement, and I commend both the Province and the City for moving towards a solution that will solve the problems and serve the residents of our communities to the best of our ability.

And we know that infrastructure is a very, very important part of what Manitobans value and what Manitobans want and need to ensure the smooth movement of traffic from one area of the city to another.

\* (15:10)

So, Mr. Speaker, I'm confident that we're going to come to some sort of a solution that will serve the

residents well and that will involve co-operation, communication and the very, very best results for the citizens of northeast Winnipeg.

So the fruits of our labour I don't think are going to go unnoticed, and I believe that we will have a positive solution in the not-too-distant future to ensuring the smooth flow of traffic from northeast Winnipeg to other parts of the city of Winnipeg through the construction, and it will be a significantly major construction, of the new Disraeli Freeway. Thank you very much, Mr. Speaker.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### House Business

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, just before advising you as to the bills to be called, I'd like to advise the House that, I have—having canvassed the other parties, it is our intention to consider condolence motions on September 28th and 29th.

**Mr. Speaker:** Okay. It's been advised that the House will consider condolence motions on September 28th and 29th.

**Mr. Chomiak:** Mr. Speaker, and through you, I'd like to thank the House.

Mr. Speaker, would you please canvass the House to see if there is leave for consideration of the opposition day motion to take place on Thursday, September 24th?

**Mr. Speaker:** Is there leave for the consideration of the opposition day motion to take place on Thursday, September 24th? Is there agreement? *[Agreed]* Okay. There is agreement.

**Mr. Chomiak:** Mr. Speaker, again, through you, I'd like to thank the House and yourself.

I wonder if you would call debate on second readings of Bills 8 and Bills 36?

**Mr. Speaker:** Okay. The order of business for the afternoon will be Bill No. 8 and Bill No. 36.

### DEBATE ON SECOND READINGS

#### Bill 8—The Civil Service Superannuation Amendment Act (Enhanced Manitoba Hydro Employee Benefits and Other Amendments)

**Mr. Speaker:** So I'll call—resume debate on Bill No. 8, The Civil Service Superannuation Amendment Act (Enhanced Manitoba Hydro

Employee Benefits and Other Amendments), standing in the name of the honourable member for Carman (Mr. Pedersen).

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

**An Honourable Member:** No.

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

**Mr. Rick Borotsik (Brandon West):** Mr. Speaker, I'm very pleased to be able to stand to put a few comments on the record with respect to Bill 8, which is the superannuations amendment—The Civil Service Superannuation Amendment Act, and I think it's rather appropriate that this legislation is coming forward, albeit this legislation was tabled quite some time ago. As a matter of fact, it could have been passed, certainly before now, and I find it strange that the government would not have wanted this bill to go forward a little quicker since it is dealing with people's livelihoods. It's dealing with retirees' pensions, individuals who have depended upon retirement income in their retirement years, and it speaks to quite a number—

**Mr. Speaker:** Order. Order. Order. Order.

The honourable Member for Brandon West has already spoken to this bill. You can only speak once to a bill.

So do we have another speaker?

**An Honourable Member:** Yep.

**Mr. Speaker:** Okay.

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I certainly welcome the opportunity to speak on this important piece of legislation.

And as the member for Brandon West did point out, this particular legislation has been brought forward to the House quite some time ago, and if memory serves correct, it was—it was about a year ago that this bill was first brought forward to the Legislature. And there was no signal, at that particular time, that the government was in any hurry to move this particular piece of legislation forward.

Now, Mr. Speaker, the other thing to really keep in mind is, is that, you know, Manitoba Hydro employees are obviously very concerned about this particular piece of legislation and also a number of the contracts that they—that are in place have already expired. So it's pretty clear that the members of

Manitoba Hydro and the various unions within Manitoba Hydro have a very important and a very vested interest in terms of moving this particular bill forward.

*Ms. Marilyn Brick, Acting Speaker, in the Chair*

And we're not sure, on this side of the House and as opposition members, what kind of a signal the government has given to either the directors over in Manitoba Hydro, or, in fact, to the unions that are negotiating contracts on behalf of its members.

So, as you know, over the last oh, year, year and a half as well, we ran into some very interesting times in terms of the equity markets around the world. And pretty well every pension fund has been affected by the turmoil in the marketplace.

And, Madam Deputy Speaker, the civil service superannuation program has also been impacted by the economy and impacted by the equity markets and the bond markets and the money markets around the world. So, when we talk about pensions and we talk about employee pensions—and especially the employees of—whether it be Manitoba Hydro or employees of the Province of Manitoba—obviously, they're very concerned.

You know, as we know too, and we talk about where the population is in terms of getting closer to retirement, we recognize that a lot more people are getting closer to retirement than we really want to maybe recognize. And for those that are approaching retirement, clearly this type of legislation is even more paramount in terms of its importance and their future going forward.

Madam Deputy Speaker, I think when we look at pensions and we look at negotiations for salaries, quite often in the past, they haven't been put in the same light together. And I think what's happened in the past is the government has been negotiating salaries and left the issue of pensions stand-alone, if you will, and let the Superannuation Board deal with the pension side of that.

But I think we're into an era now where obviously our pension funds are in a bit of—let's just say, under pressure, Madam Deputy Speaker, because of the losses in terms of valuations. So the government and the board itself is certainly going to have to look at ways to backfill, if you will, or fill in for that lost revenue. And that—this is—can be a huge, huge concern for governments and a huge concern for pension funds and pension fund managers.

So I think what we've—happened now, we've come to a point where pension funds are such a significant part of the big picture for employees that the government has said, maybe we're gonna have to look at how we fund pensions here in the province of Manitoba. And what it's going to lead to, we think, Madam Deputy Speaker, is a situation where pensions can be used as a bargaining tool or a bargaining chip by the Province. And I think a lot of employees will recognize that, especially given the situation they know their pension funds are in. So employees will be coming to the table with an expectation that they want to have a pension fund that's in good financial shape, and we certainly recognize that that hasn't been the case over the last few years.

So we look at—in this case, we look at Manitoba Hydro employees and the unions that are negotiating and we look at Manitoba Hydro and their position relative to the unions and relative to salaries. We think it can be a bargaining tool that Manitoba Hydro and the government can use with their employees.

\* (15:20)

Clearly, the employees that are looking to retire in the very near future are looking for stability in terms of where their pension fund is, and we know the Minister of Finance—the previous Minister of Finance—had to really be paying attention to where this particular fund was, because he knows all funds are under quite a bit of pressure, especially when it comes to the Superannuation Board here in the province of Manitoba. So he's got to look at ways to make sure that his employees are going to be covered appropriately, moving forward. But we're wondering, on this side of the House, why the minister took so long in trying to move this particular legislation forward. You know, it seems funny that he took his time moving this one forward. We know the minister himself has moved on, and he's not here to carry forward the message on behalf of government in his role, in his capacity as the Minister of Finance.

Madam Deputy Speaker, we've been questioning the new Minister of Finance (Ms. Wowchuk) here in the province. Well, I must say that the new Minister of Finance certainly has her hands full over there. The new Minister of Finance, the member from Swan River, not only does she serve in her role now as the Minister of Finance, but she also serves as the Minister responsible for Manitoba Agriculture, Food and Rural Initiatives. Now, we know—and, and, that member is also serving as the Deputy Premier of the

province, and that same member is also serving as the Minister responsible for Manitoba Hydro.

Now, as you hear in question period today, Madam Deputy Speaker, there's a lot of issues on the front. In fact, we've got huge issues with Manitoba Hydro in terms of where they're going to be going forward in terms of ratepayers and spending a huge amount of money on the next Bipole III here in the province of Manitoba. So maybe what's happening here is the current Minister of Finance has got her hands full with all these other issues that are on the table and she just hasn't had time to get up to speed in terms of this particular legislation, and has been juggling the ball on these different other fronts.

Well, Madam Deputy Speaker, we had question period on Thursday. We talked at length about the serious financial crisis that's out there in agriculture in terms of the livestock sector. We know the Minister of Finance, the Minister responsible for Manitoba Agriculture, Food and Rural Initiatives, should have a good grasp on what's going on in terms of the issues in agriculture, and she should recognize that, as her role as the Minister of Finance, that there is tremendous financial repercussions here in the province as well.

When we look at the state of the economy here in the province of Manitoba, she must recognize—hopefully she's been brought up to speed by her staff—there is 570-some staff within the Department of Finance alone—so, hopefully, her staff within the Department of Finance have had the opportunity to update her on the economic situation in the province of Manitoba. And I say that, Madam Deputy Speaker, because the economics and the economy here in the province of Manitoba has a direct correlation in terms of how much money comes into the provincial Treasury as revenue, and if we can't generate revenue within the Province of Manitoba, how are we going to fund the pension liability that's out there for the employees of the Province of Manitoba, including employees at Manitoba Hydro.

*Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair*

So, Madam Deputy Speaker, it's safe to say that we know the minister—the acting minister of Finance—now has got a lot of balls up in the air that she's trying to juggle. We hope that her staff will update her in terms of this particular legislation, and we'll see if she is concerned about moving this legislation forward.

Now, we read last week about the potential threat of Manitoba Hydro employees going on strike and, in my view, it's even more critical that this particular legislation be debated, be moved on to committee so that Manitoba Hydro employees and the people of Manitoba could have a say if they decide—if they like this particular legislation going forward.

Now, Madam Deputy Speaker, obviously, it's an important piece of legislation, and if we're looking at Manitoba Hydro employees going on strike and it is a result of inaction on behalf of this particular government by not moving this particular bill forward, then there is serious, serious concerns about the inability of this government to manage the finances of this province.

Mr. Speaker, or Madam Speaker, if you could imagine Manitoba Hydro employees going on strike what kind of chaos that could throw the province into. We would probably view this Manitoba Hydro as an essential service to the people of Manitoba and we're certainly hoping that the Province and Manitoba Hydro board of directors will come to the table and resolve those outstanding issues. And I'm sure if you're sitting around as a Hydro employee and you've been without a contract for several months, and maybe even 12 months, there certainly is some concern, some trepidation going forward, you know, especially when you're not exactly sure what your pension fund is gonna look like at the end of the day.

So, Madam Deputy Speaker, we know we've been fielding calls from Manitoba Hydro employees across the province for several months now, and they've been asking us why we're holding up this particular piece of legislation. Well, our answer to that, it's pretty simple and pretty straightforward. You know, we on this side of the House are prepared to debate this particular legislation when the government would call it. So we, as opposition members, are not holding up this particular legislation at all. You know, we're more than happy to move it on to committee and see what the public in the province of Manitoba have to say about this legislation.

You know, Madam Deputy Speaker, and that's, we just felt it was incumbent upon ourselves to be direct with those particular Hydro employees who were asking those questions, that we, as opposition members, were not holding it up, and they should contact the Minister of Finance who is also responsible for Manitoba Hydro.

Now, obviously, we've had a change in terms of the minister-acting minister of Finance and the minister now responsible for Manitoba Hydro, so I'm hoping that Manitoba Hydro employees and the unions that represent those employees will be directing their questions to the new minister responsible in that area, the minister from Swan River and the Deputy Premier (Ms. Wowchuk) of the province.

Madam Deputy Speaker, if we—if we do move this particular legislation forward, could be a committee coming up fairly soon, and we certainly hope that the unions representing those employees will be there to shed some light on their ideas on where this particular pension plan is going.

Now, when we talk specifically about the bill and some of the lines in the bill, the bill itself talks about a transfer of \$145 million into the Civil Service Superannuation Adjustment Account, and that particular money, that \$145 million is going to be used for future indexing for funds, for the pension funds, over the next 30 years.

Now the question in our mind comes up is: Where is that—where is that money going to come from? How will that money be raised?

Now we're certainly in favour of employees at Manitoba Hydro having enhanced benefits for their pension plan, but there has to be a valid plan in place of how those funds and how any enhanced pension is going to be funded. We've seen other pension plans in the past in other—in other areas where the pension plans have been underfunded, and a lot of those plans have had expectations by the people that were going to get those pensions, and there was the expectation they were going to receive full cost of living in their pensions indefinitely once they retired.

\* (15:30)

Well, we found out that's not always the case when we talk about pensions. And I refer back to the retired teachers and the retired teachers' allowance fund. Certainly, there's been a lot of issues raised there in terms of how that particular fund is going to be financed, and there's been a lot of great debate over how that fund is going to be financed. And those are some of the questions that we have in regard to Bill 8. How are these particular pension funds going to be financed?

Now, it's one thing, Madam Deputy Speaker, to set an expectation for civil servants saying that you're going to receive full cost of living once you

retire, but you have to be able to deliver on that expectation as well, if that, in fact, is what the government of the day wants to set up as the expectation. And it goes back to my earlier comments about perception versus reality. Government can't leave the perception that employees, whether they be retired teachers or whether they be Manitoba Hydro teachers, are going to receive full cost-of-living benefits into the future if, in reality, that's not what the government of the day is actually going to do. So do not leave the perception with the public that something is going to happen when in reality the government has no intent of delivering on those promises.

Madam Deputy Speaker, we've seen that time and time again. We just had a debate on a matter of urgent public importance dealing with water quality here in the province of Manitoba, and we know the government is really good at providing propaganda and providing information that would leave the perception of one thing happening. At the end of the day, the reality is, it doesn't happen.

So, Madam Deputy Speaker, all we're asking is that the government of the day be up-front with the people of Manitoba, the people that are relying on their pension funds into the future. Are these particular funds going to be fully funded? What kind of pensions can these individuals expect and is the government going to be there, at the end of the day, to support those particular funds going forward?

So, Madam Deputy Speaker, I thank you for those few words on this particular bill and we do look forward, on this side of the House, having this bill move forward to committee so that Manitobans have the opportunity for full debate on this very important piece of legislation. Thank you.

**Mrs. Mavis Taillieu (Morris):** I'm pleased to also speak to Bill 8, The Civil Service Superannuation Amendment Act (Enhanced Manitoba Hydro Employee Benefits and Other Amendments).

I find it a little curious, I guess, that no one on that side of the House wishes to debate. Again, because this is part of the political process here, the democracy that we have in the province as we bring these matters to this House for debate, and yet nobody on the government side of the House wishes to put any good points of debate forward so that we can have a healthy discussion.

But I am pleased to speak to the bill, Bill 8, as I said, and talk about this bill a little bit because I

notice that it was first introduced in the spring. It's been quite some time now. So, as the member from Turtle Mountain has said, it's quite curious when you have a bill introduced and then it sits and nothing happens with it. So it raises some questions for us and we are posing these questions today and it's unfortunate the government doesn't want to debate the issue.

But it speaks to the idea of transferring money to the Civil Service Superannuation Adjustment Account for future indexing for the next 30 years. This allows to take some money from the pension fund and transfer it to a COLA account, Madam Deputy Speaker.

But I think we best look at some of the things that have happened over the last several years in terms of pensions. We all know that there's been a downturn in the global economy which has caused recessions in many areas of the world, and we have not escaped that touch as well, Madam Deputy Speaker. And with that, markets across the board have reacted to that and, subsequently, pension funds have not been unscathed and, in fact, have been touched the same as other markets in the world and the world economy. So we have to be very careful about what is or isn't in a pension fund.

We note that the government did change some of the legislation recently that gave corporations ten years to fulfil their obligations with pensions, instead of the five that had been prescribed before that.

We know that pensions are vital to people, Madam Deputy Speaker, people that have worked for long, long years in a position with a company, such as Manitoba Hydro, spent many years working and dedicated their life to that job and to the company. And when it comes time to retire, and as the member from Turtle Mountain has already outlined, there'll be a number of people approaching retirement in that baby-boom bulge that will be getting there soon. And so it's very important that we know that the pensions, or those people know that those pensions will be there for them, not just first when they retire, but for the length of their—for their retirement.

So, Madam Deputy Speaker, I think there are some things about Bill 8 which have been proactive, and that looking forward to what can be provided for employees in Manitoba Hydro. And what they're doing here, or proposing to do, is transfer the money into the COLA account, which allows for a full COLA—a full COLA for the employees.

Part of the problem, though, we should explore is that they want to take \$145 million and transfer it from the pension account to the COLA account. Now, at one time—at one time, I believe it would've been about 2006, there was an actuarial surplus of \$149 million in that account, which would have covered off this transfer. But today, or in 2008, even last year, markets across the global economy, and throughout the world and in all markets, actually devalued by 17 percent. And that affected not only global economies and markets, but it also affected our pension funds here in Manitoba.

So, in effect, what we've seen because of the downturn in the economy is there's actually been an actuarial loss of \$510 million. So how can you afford to transfer—how can you transfer \$145 million from the pension fund to the COLA account when there's actually a deficit or a loss, an actuarial loss of \$510 million?

That's problematic, I think, because what it's doing is it's raising expectations, it's raising expectations for employees that there will be a full COLA but, in fact, can this government actually fund that—fund that full COLA? That's the question we're asking and that's the question we need to be asking, because what we've seen, the trend of what we've seen is losses in pension funds. So how can you take money out of pension funds when you don't have it there?

It's like saying, well, you know, I used to have \$100 in my saving account, well, I don't have it anymore, in fact, I'm overdrawn, but I think I'll just sort of try and transfer some money anywhere, at least, I'll say I'm going to, and I'll kind of live on that for the next couple of years, or couple of days. I think when you talk about it in terms that we can understand in our daily lives, you can understand that it just doesn't compute. It just doesn't—something is just not right here.

\* (15:40)

This bill also does provide some enhanced benefits for Hydro employees. They now have much more freedom of choice, much more ability to choose the type of pension that they want, with ability to transfer to a spouse in a—in an enhanced way, and I think choices for employees are good things. I think these are very good things.

But, again, we don't really know what the enhanced benefits are going to translate to, whether they're—they sound good, but we're not really sure if

they are good because the understanding that we have is that this is going to be done by regulation. So, when you do something by regulation and it's not in the legislation, then we don't really have the ability to know what the government is going to do. So, even though sometimes it looks like they are going to do something which is going to be beneficial for employees, we've seen in the past where it hasn't happened that way, and we are very distrustful, I suppose one could say, of what the government will or won't do. They have a history of making a lot of promises that they don't keep, Madam Deputy Speaker, so we're mindful of that.

The other problem which has cropped up is with the Teachers' Retirement Allowances Fund. Now, here's another group of people who've been fighting for full COLA, and they would like to have the same rules applied to them. But the teachers, though, Madam Deputy Speaker, are only—they can only get up to a maximum of two-thirds COLA.

So it's a bit problematic, in that you've got one group of people being promised one thing and another group of people denied something, and when we talked to the former Minister of Finance about that, his answer to that was, well, I deal with this bill and the Minister of Education (Mr. Bjornson) deals with that part of it. Interesting, though, if he's running for leader and wants to be the Premier, he's going to have to deal with both of those issues, and he won't be able to put that aside. So we'll look forward to seeing what happens with the former Minister of Finance's campaign in the days to come.

It's very interesting that, as we said earlier, the bill was proposed quite some time ago, and I think that it could have been passed some time ago. So you wonder what the government is holding this bill back for. So, as the member from Turtle Mountain suggested, perhaps they wanted to use this as a bargaining chip or a tool in the bargaining process with the agreements with Manitoba Hydro employees. Perhaps this was something to allow the Hydro people some concessions in the negotiating their contracts in return for staying with the program here.

I think it becomes a bit problematic when you start using legislation as bait to satisfy union contract negotiations. That really shouldn't be what legislation is about. So I—we have questions about that. Certainly, it sounds suspicious that the bill was brought forward quite some time ago and lagged along.

So we raise those questions and certainly we would have looked forward to some debate by the government side, to say whether that was, in fact, the case or not. Having seen no one stand up and debate this bill, one has to surmise that we are right in that, and they are certainly not denying it or, in fact, saying anything. So maybe they have nothing to say. Maybe they don't understand the legislation, but maybe it's just that they're de facto agreeing with our position here.

So, to recap, when you have pension funds that have been somewhat depleted, and in this case at one point there was enough money in the pension fund to be able to transfer that 145 million from pensions to COLA, but having followed a recessionary dip, those funds evaporated and in fact there was an actuarial loss of 510 million which begs the question: Where is the 145 million going to come from, and can they actually fund this COLA as they have promised the Hydro employees?

And, as I said, if this is used as a bargaining chip, if pensions are being used as a bargaining chip, pensions have never been part of collective bargaining, but this will pave the way for their inclusion. So I guess we are starting down a slippery slope here if we start this.

I ask that question because the Minister of Finance (Ms. Wowchuk), who's not willing to speak on this bill, is not giving us any further information, but I'm asking that question because I think that's what oppositions should do is they should ask the questions, and if the government is forthcoming and has legitimate things to say about the bill, then they would have no fear of standing in their place and talking about it. So—and unfortunately that's not happening, which always gives us more rise for concern.

And, as I said, the bill has some good things in it. It has some good things in it, as we've said, but there're also things that we're not quite sure about and we have a lot of questions on and—*[interjection]*

So, Madam Deputy Speaker, I think that it, as I said, has some good points, but there are some issues that we are suspicious of, and I think that we would like to see this bill go to committee and see what the public has to say, see what the public will say about this bill. That might give us some more insights into what the public is saying because obviously the government is not standing and debating the legislation. So they're not saying. Either they don't know or they are unwilling to speak on the bill which

perhaps means that we are right in our—in our suspicions, but nevertheless we look forward to seeing the public present at committee and then from there we will have a better understanding of what the public has to say about this bill.

So, with those few words, Madam Deputy Speaker, thank you very much, and I'll pass it on to my colleague.

**Mr. Ron Schuler (Springfield):** Madam Speaker, I'd like to thank the member for Morris for those wise and sage words that she put on the record. And I perhaps jumped up a little too soon and may have pre-empted the member from St. Boniface or the member from Minto from their opportunity to speak to this legislation.

And I know the member for St. Boniface (Mr. Selinger), in fact, is the one who introduced this legislation, the former Minister of Finance, and I know he is itching to get up and speak to this legislation, cutting a little bit into his campaign time for the leadership of his party.

And I know that the member from Minto as well also has to take some time and reflect from his campaign so he has the opportunity to speak to this legislation. However, the short time that is allotted to me on this, and I find it telling that we have the current, present member of—responsible for this legislation in the House and we've got, like I said, leadership candidate, the member from St. Boniface, the former Minister of Finance and the original introducer of this bill, and I think it's important that they be here and hear this debate.

\*(15:50)

And, again, I'm pleased to be putting some comments on the record, because this bill, actually interestingly enough, is about respect, and it's a bill that was brought forward—it was vetted through the different organizations that it impacts and individuals have been able to give feedback. Certainly, I know within my office, we've received different letters and e-mails and individuals concerned with the bill, indicating their comments, and where they'd like to see the legislation go.

This, however, was not the same kind of respect that was afforded retired teachers. If you can remember, Madam Deputy Speaker, there was a retired teachers' pension act in the last session, in which respect was not shown to retired teachers—in which respect, the same kind of respect was not given to them. And it was a very tough and difficult

piece of legislation for myself, as the critic at the time for Education, to have to deal with that bill, because it was very telling how poorly and how shabbily a government, and a minister, in this case the member from Gimli, can actually treat a group of people. And it's interesting to do a compare and contrast between two pieces of legislation. Like I said, it's good to see that there was some respect shown with this piece of legislation as compared to the retired teachers act.

In fact, there were, there was a plebiscite that was put out in which people were disenfranchised, and those most affected came forward to the government and were denied. In fact, they were shut down by the Minister of Education (Mr. Bjornson), the member from Gimli. They were denied their democratic right to have a proper say. Many, many individuals were disenfranchised by that whole process. In fact, there were individuals that received their ballot after the cut-off date for when they could return them.

And that's where we see, in a contrasting kind of model, where governments can get it terribly wrong. The other thing is we've noticed this piece of legislation—the hearings weren't held in the darkness of night and in the heat of summer—in which case would have been a little bit difficult. It wasn't the hottest summer around. But still, individuals are shown respect. This legislation did not go to committee in the darkness of night and in the heat of summer. In fact, it was held over until September, where it then could be properly debated. Individuals can get up and speak to it, and then it can go forward on to committee in a very respectful and honourable process—something that was not given to RTAM, the Retired Teachers' Association of Manitoba.

In fact, the retired teachers' pension act was rammed through, and individuals were forced to sit long, long hot nights, and had no idea if they were going to be able to present, and often had to come back a second night and a third night, driving perhaps long distances. These were men and women who have retired some time ago, and were forced to endure hardships beyond what should have been expected.

And I have sat through a lot of different, contentious pieces of legislation. Since being here in 1999, we've seen some real disasters from on the other side of the House, but this was one of the saddest moments, as myself as a member of this Legislature. It was unparalleled certainly in the time

that I'd been here when it came to seniors having to come forward and beg and plead with a party that, at that time, in 1999, the election, that they had so heartily endorsed, watching them turn around and stab them in the back. It can't actually be clad any softer than that. The NDP government of the day stabbed the Retired Teachers' Association and all retired teachers—the over 12,000-plus retired teachers of Manitoba were collectively stabbed in the back by the party that many of them had worked for.

In fact, those aren't my words. Those are the words that were given at committee, Madam Deputy Speaker. Those were individuals that came forward and pled with their government, pled with their members, saying, I worked with so and so on the campaign. And I worked for NDP candidate so-and-so on their campaign, and it went on and on and on. And they said, how could you betray us? How could you show such a lack of respect? And it was almost as if the government didn't know how to treat the public with respect, because they didn't. They treated them so shabbily.

We're pleased to see at least with this legislation, they throw—they show a little bit more respect for those individuals that they're dealing with, and that, certainly, we are pleased with. I reference the committee meetings that we sat through, that with great hardship, there were individuals that would sit till late, late in the evening, to find out that they were not going to present that evening, and then were forced to come back again. There were senior citizens, women, who were forced to walk to their vehicles where they had parked in parkades or on side streets and were forced to walk alone to their vehicles. And often we would try to provide some kind of staff to walk them to their vehicles.

And that's when you see a government that's gone wrong, and that's why, I think, it's very good that leadership—the leadership candidate, the MLA for St. Boniface (Mr. Selinger)—is, in fact, participating in the debate, and I know he's just itching to get up to address this bill. And maybe he could explain to us how it is that he was part of a government—although he wasn't the minister, I concede that, it was the member from Gimli who forced that terrible piece of legislation through on retired teachers—but it's good that the leadership candidates are here because they should have to account for what they participated in when they were Cabinet ministers and not just looking for votes on the hustings from party members. And I hope those that—those that participate in the hearings and were

part of the collective backstabbing by the NDP government, I hope they take the three leadership candidates to task and force them to explain themselves, why they were treated so poorly, so shabbily, by this government.

So this piece of legislation, in contrast, Bill 8 certainly does do show some respect to those individuals. I know I've received some very interesting e-mails and correspondence back and forth, and we appreciate that. I think it's important that those that are impacted, that those that are affected should be able to think through how this might affect them, should be able to think through how this might impact them, and be able to articulate a good argument. There were many people on the retired teachers' pension act who weren't given that opportunity, who found that this was sprung upon them. They had to come back from holidays and come back from the lakes and the cottages—all things that they had deserved, that they had worked hard for during their years of diligently teaching the children of this province and when, upon retirement, they were entitled to have those holidays, but were forced to come back and confront an NDP government that was collectively stabbing them in the back, which was very unfortunate.

So in this case time has been given and individuals do have the opportunity to correspond and to contact various MLAs, whether it's on the government side or the opposition side. They have the opportunity to study the bill. They have the opportunity to see what the legislation involves, what it includes, what it doesn't include. That was, again, not the respect, that was not the courtesy that was given to the retired teachers of Manitoba.

And I know that many are watching how this process unfolds. I think many are interested to know how it is that we, as a Legislature, and more importantly as an NDP government, how retirees are going to be treated. Is this a pattern that is going to be exhibited, a pattern that's going to be continued on over the years in the way that a government so poorly treats its retirees? Least we forget these individuals who worked so hard, who worked so hard, in the case of the retired teachers, to educate children, who spent evenings marking papers, who spent early mornings coaching and helping young people, whether it was in sports or in extra-curricular activities, or maybe even just coming in early to help a student that was struggling. Certainly, I know many of them spent late evenings trying to work on papers and extra homework and extra projects, that

those that were struggling would be able to raise themselves up and be able to pass in the courses that were taken. All of those individuals, whether they worked for a school or they worked for Manitoba Hydro or they worked for anyone else, deserve respect, deserve the right to be able to address what is going to impact them for the last years in their life.

\* (16:00)

And we know that, for a fact, many of us are, in fact, living longer. We now see that centenarians, the number of centenarians is growing as well—that's those individuals who are over a hundred years old—that number is increasing over the years. So we have many years to look forward to in retirement, and we should be able to enjoy our retirement with a proper cost-of-living increase. And we notice with great interest that Bill 8 actually provides a COLA, and this is something that retired teachers were coming forward to the NDP government and saying, you negotiated with us a cost-of-living increase, a COLA. It was something that was committed to by an NDP government and, interestingly enough, delivered by a Conservative government in those beautiful, wonderful years in the 1990s. Those were great years for retired teachers, as they were great, fantastic years for all Manitobans.

And they were given a proper cost-of-living increase. It wasn't until the dark, dark NDP years of 2000 and '99 and beyond, it's those dark years where then, all of a sudden, those who need us most, those who had taken our province, who had taken us to a certain point in time and then said, it's time for us to retire, and handed the baton on to other individuals, handed it on and said, now you carry, and we are going to retire and enjoy the last years of our lives in peace, and thought they were retiring with a cost-of-living increase.

There were individuals that came forward and said basically that they couldn't afford an apartment because the rates were going up. They actually had to get themselves back into debt because a mortgage was less expensive than an apartment. There were individuals saying that they would have to go back and work till they were in their seventies. That's what this—that's what this NDP government did to them.

And they came forward with horrifying stories that the cost of living that the government was offering them, whether it be zero or a fraction of a percentage, that it was basically amounting to \$10 or \$15 a year, which was appalling considering that their medicine, their—the pills and the medicine that

they were taking, in some cases was increasing by \$800 a year, and somehow they were being expected by this NDP government to take a \$15 increase and cover off \$800 worth of expenses.

And, again, I suggest to this House, don't take my word for it. Go into *Hansard*; read what was said on the record at those committee meetings. Those committee meetings were very telling on how a government turned on its senior citizens.

And this bill, Bill 8, on the other hand, gives respect. It gives retirees a proper cost-of-living increase. It deals with them in a proper time frame. They're allowed to deal with the government. Whether they agree or disagree, they're allowed to lobby. They weren't forced to come back from their holidays off of retirement. They weren't forced to sit, night after night, and some of them in advanced years, and have to suffer a government trying to ram something through in the heat of a summer.

You know, it actually is a far more respectful process and maybe, maybe it is—it is like the old adage goes that you can teach an old New Democrat new tricks. Maybe that is the case and that you can get them to put forward a piece of legislation whereby they will show respect to seniors, and do it in a proper fashion. Whether you agree or disagree with this legislation, this is about a process, and what I've tried to lay out for this House is that the process has to be respectful, and the way that the Retired Teachers' Association of Manitoba and The Teachers' Pensions Act, the way it treated them was abysmal, Madam Deputy Speaker.

So we know that this bill will be going forward. We know that it's going forward in a proper fashion, and I would encourage that members on the opposite side, I'm glad to see that there are many that are going to, I'm sure, get up because, after all, it is NDP legislation. And I know there are going to be members of the NDP benches that want to put on the record that, this time, they actually got it right; that, this time, rather than backstabbing seniors, rather than taking individuals to the cleaners and making life miserable for them, that they're going to get up and put on the record how, at least this time, they put forward a piece of legislation that was respectful and the process that it went through, because that's, I think, above all, what RTAM wanted was at least a respectful process besides asking for a cost-of-living increase.

So, Madam Deputy Speaker, I would like to encourage my colleagues in the New Democratic

caucus to take the opportunity, put some comments on the record, talk about how perhaps they learned from their mistakes of the—of what they did to RTAM and the retired teachers. Perhaps they can put some comments on the record, and maybe they'd like to apologize, the way that they so shabbily treated those who educated the youth over many years. Maybe they'd like to get up and say, yes, this time they got the process a lot better because at least they're treating people with respect, unlike what they did to the Retired Teachers' Association of Manitoba.

So, with that, I look forward to hearing members of the New Democratic caucus getting up, debating this legislation and putting some comments on the record. Thank you.

**Madam Deputy Speaker:** Questions? Is the House ready for the question?

Is the House ready for the question?

**An Honourable Member:** Question.

**Madam Deputy Speaker:** The question before the House is reading—second reading of Bill No. 8, The Civil Service Superannuation Amendment Act.

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

**Bill No. 36—The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries)**

**Madam Deputy Speaker:** We now move on to the proposed motion of honourable—the Justice Minister on Bill No. 36, The Manitoba Public Insurance Corporation Amendment Act, standing in the name of Mr. Dyck.

Shall it remain standing?

**An Honourable Member:** No.

**Mr. Cliff Graydon (Emerson):** Yes, I'd like to speak to the bill today, Madam Deputy Speaker. It gives me great pleasure to rise to do that.

The background of the bill today—the bill amends the universal bodily injury compensation scheme of The Manitoba Public Insurance Corporation Act. Premier Doer—

**Madam Deputy Speaker:** Order, please. Order, please. Order, please.

I would just—I would just like to make it clear that it was refused to leave standing in the name of Mr. Dyck.

Please proceed.

**An Honourable Member:** Thank you, Madam Deputy Speaker—

**Madam Deputy Speaker:** Sorry, the honourable member—it was standing in the name of the honourable member for Pembina (Mr. Dyck) and that has been refused. Please continue, honourable member for Emerson.

**Mr. Graydon:** Thank you very much, Madam Deputy Speaker. I'm glad that we have straightened out now. I was—almost forgot what I got up for.

This bill amends the universal bodily injury compensation scheme in The Manitoba Public Insurance Corporation Act, and Premier Doer had pledged to change that law in November of 2008 in light of comments made by the Manitoba Court of Appeal Chief Justice Richard Scott, who called the MPI's compensation scheme wholly inadequate after ruling quadriplegic MP Steven Fletcher was not entitled to more financial benefits than prescribed in the MPI act.

Chief Justice Scott had noted that a legislative remedy was required, and so in saying that I can see now that the Minister responsible for MPI has brought forward the bill.

I have to compliment one of the designates for the current leadership of the NDP party, the member from Minto who has actually stepped up to the plate yesterday and made a very financial statement yesterday that would save the Province a lot of money by going down the east side. I credit him for that type of foresight and that type of vision. It's certainly been a long time coming. It's taken two years, but at least—at least one member opposite has taken the initiative to be fiscally responsible, and so I comment—I compliment the member for Minto (Mr. Swan) for that—for doing that, Madam Deputy Speaker.

\*(16:10)

This bill would clearly establish MPI's responsibility to help claimants obtain benefits under other provincial programs, Madam Deputy Speaker, and that's a big issue. A lot of people, when they buy insurance, they understand that the insurance is to cover them in some dire straits; in times when they have catastrophic injuries; for example, damage to their vehicles and so on and so forth, the insurance should cover all of that. And today, what we're seeing in this bill is that they want to, through the

insurance policy, they want to facilitate other departments in the government.

And I'm sure that the member from Minto, after I've seen the fiscal responsibility that he has shown in yesterday's announcement about the east-west line, that there's no doubt in my mind that he would address this type of an issue and this bill and that he would have insurance cover the catastrophically injured rather than they would have the health-care system in this province and what he would do as he moved forward. And so what we see, Madam Deputy Speaker, as we peruse through this bill, and there are some good points, I might add, but the bill is very, very lax.

Currently there's the question of personal care. Personal care is now pegged at around \$4,000 a month and it raises it to \$4,800. And that \$4,800, would certainly not cover a 24-hour service. And so I would recommend that that needs to be re-addressed, Madam Deputy Speaker. It's certainly inadequate at this point.

I would also say that currently, Madam Deputy Speaker, that the transitional expense that—under this bill, it's a lifetime limit of \$1 million, and \$1 million is definitely a lot of money in anybody's mind, but at the same time, if you're a quadriplegic and you're 16 years old and you have a life expectancy of 80, there's a number of years that a million dollars really isn't a lot of money in that respect. The bottom line is, that this is discretionary. This million dollars is a discretionary figure and it's at the discretion of MPI. You have to apply for it and if you're turned down for any reason—and you don't need a reason, they just have to turn you down, at the same time you have no appeal process. The appeal process, we feel, is very, very important.

And so going back to the personal assistant's expenses, to allow victims to function and contribute to society is the main point of this, Madam Deputy Speaker. And the way it's set up right now it also prohibits any regulatory limitations on these benefits.

We would also like to take a look at allowing the victims to receive assistance for any other measures that facilitate their functioning and contributing to society or the labour market after rehabilitation. And that's really important, Madam Deputy Speaker, as at times, that people can be rehabilitated to a certain level and yet, again, can be rehabilitated because they have reached into a field that allows them to do something different.

And so, when I say that, I have Mr. Fletcher in mind, for example, who was rehabilitated, that he could go to school, he could function, he could get his education but at the same time, that education allowed him to expand his horizons and become an MP.

So those are the type of things that we look at as we move forward. I might point out that today MPI pays someone like Mr. Fletcher, they pay him \$36,000 a year for his home care. The shortcomings are immense. Mr. Fletcher's expenses currently run in the neighbourhood of \$350,000 a year. I would say that the 10 percent is certainly inadequate, Madam Deputy Speaker, and is a slap in the face to anybody that has paid insurance. It's a disgrace.

I might also point out that as we—as we go forward, or as we think about these rebates that have been made by MPI over the years, and it was strange that they were—they were made on election years, Madam Deputy Speaker, but—and they—these are at the expense—I would suggest, that they're at the expense of the catastrophically injured, and, being at election time is actually, probably the most reputative type of politics that one can imagine. When we take—when we take away from the people less able to look after themselves for our benefit per political gain, that's just not something that we would, we would want to see in this province. We're disappointed that it has happened in the past, and we certainly don't want to see it happen again going forward.

The benefits—the benefit enhancements under Bill 36 are not retroactive, Madam Deputy Speaker, and you may or may not remember, but I did bring a bill to this House for retroactivity. I think that's important that, for a number of years now, we have known that it is—the catastrophically injured have been underfunded, and I believe that they need to be reimbursed for the years, at least back four or five years. We've suggested five years, go back to 2004, and the reason for that, it's quite clear, the expenses have come out of their pockets and out of their families' pockets. It's because of the support of their families that they've been able to get to where they are today, and so I think that, under this situation, we really need to see the retroactivity in this bill.

Another section of the bill, Madam Deputy Speaker, is to be argued that Manitobans purchase an insurance and they purchase that insurance for a reason. They expect the insurer to pick up the tab, not someone else, and so the problem arises then that

the individuals, although the tab could be picked up for home care out of the WHRA, for example, if they were in the city of Winnipeg. But, if they happen to decide that they're going to be in the city of Brandon, the arrangements have to be made under this, under the new bill. MPI is going to take on that responsibility if—if—the individual is unable to do that. It doesn't say they will do it automatically; only if that individual is not capable or able to do that.

But, Madam Deputy Speaker, if you move outside the province, if you move outside of the province, then does the health-care system in Manitoba—are they obligated? Are they obligated to see that you have all this care outside of the province? I suggest that they're not. I suggest that it should be the insurer that takes on this responsibility. And so this is another one of the issues that needs to be dealt with in this bill and I think, going forward, it's one of the issues that we need to take a look at.

The MPI claimants who have contacted our offices have had to fight tooth and nail for everything that they get out of MPI. It's a confrontational system that has been presented to the ratepayers and to the insurers—or insured—in Manitoba. We don't feel that that's a proper type of a way to run the business. If you have to fight, if you have to fight every day, every step of the way to get the benefits that you were supposed to have received whenever you had paid for the insurance policy, we're saying that that is the wrong way to do business and it's not the way that it should be, and it shouldn't be—that's not how the people in Manitoba should be treated. If there was a competition, I would suggest that that attitude of MPI would change but, regardless, Madam Deputy Speaker, they should not have to fight for every benefit that they get.

And I would say also that the legal system today, in Manitoba, because of the non-tort system, the lawyers don't care to take on these cases. They can't sue, and so MPI sits with a battery of lawyers and the poor person that's appealing is certainly overpowered by the challenges that they're faced, and, based on people who come to us with their stories, it certainly appears that MPI takes a deny-it-first approach. The bigger and longer term benefits it is supposed to provide that leaves a claimant no option but to appeal and to fight for what they're entitled to.

\* (16:20)

Insurance is meant for exactly the type of terrible scenarios that catastrophically injured victims have suffered, and, faced with life-altering injuries and

loss of income, catastrophically injured claimants should be entitled to full compensation for their injuries. They have enough on their plate, Madam Deputy Speaker, that they should not have to go and beg, they shouldn't have to beg their insurer that they have today, in this province, they shouldn't have to beg for the things that they need. These are the most put down people that we see in our province today.

I would say that this bill does have some benefits to it. There are benefits that are—that we think are important, but there are also some very big shortcomings, and so, with those few words, I would suggest that this House take a close look at this bill and when the amendments come forward, to support the amendments. Thank you very much.

**Hon. Jon Gerrard (River Heights):** Madam Speaker, just a few comments on this legislation. I think we welcome this legislation for recognizing the severe impact of catastrophic injuries and the need to address, by Manitoba Public Insurance Corporation, the catastrophic industries in a better way.

We'll certainly look forward to listening to comments during the committee stage from people, and I expect there will be a number who have had catastrophic injuries who want to come forward and talk about it, and the reasons why this bill is important.

I think that some areas of where there are brain injuries and impairments of mental health, that there will need to be some pretty careful, you know, consideration so that people are treated fairly. I think that very often, in Manitoba, we don't do as good a job of those who have brain injuries as we do of those who have physical injuries, they are less obvious, and we need to make sure that, as this moves forward, we are adequately and carefully and appropriately addressing that need.

So, with those comments, I will conclude my remarks and look forward to this bill moving forward.

**Mr. Ron Schuler (Springfield):** And I, too, wish to put a few comments on the record in regards to this legislation.

First of all, I think it's very important that we review how we treat those with catastrophic injuries. I have, over the years, come across individuals who have made it very clear that in other days and years gone by, they would not have survived as long as they have, but thanks to modern science and modern

medicine, not just has their ability to continue to live been extended, but also the quality of life.

And I think that's very important what we should be looking at as legislators is that—I've always felt, whether it was this bill, or other bills, we really do—we really do have to look at how we treat those who—are those that, frankly, are at times, the weakest amongst us. And those individuals that go through catastrophic injury are physically often very maimed, very weak.

And it really does come in large part out of the incident that affected member of Parliament, Steven Fletcher, and I know many of us who have met him and have had the opportunity to speak with him and deal with him, he really is a Canadian hero. He's an individual that, you know, when the rest of us feel a little down and out about the way things are going for us, we can look at his life, and say, you know, compared to Steven Fletcher, our life is going great. Here's a young man who had absolutely everything, everything going for him; young, educated, smart, bright, intelligent, had a great summer job lined up, driving up north to go to his place of work, and a moose ambled across the road and he didn't see the moose in time and the moose—he struck the moose with his vehicle and the moose ended up in his vehicle, and after that was a very difficult time for him.

And, again, because of modern science they were able to save his life. He writes in his book that at times he wished they hadn't had saved his life because he was starting to understand what he would face from thereon forward.

And very important to Steven Fletcher, and those who have had a catastrophic injury, was quality of life. So, on the one hand, we understand that science and medicine can keep you alive, but very important or just as important is the quality of life. And what I think we should be looking at as legislators, as those of us who do have a vote on legislation, who do set policy for Crown corporations, we should be looking at, for instance, Manitoba Public Insurance Corporation in that, what can we do to make life as good, to have a quality of life at such a standard as good as we can where we are right now in history, that we can actually provide a certain quality of life, that individuals can move forward.

In the case of Steven Fletcher who I've said is—a is a Canadian hero, never understood the word "no," never understood the word "can't." This is an

individual who's done mountain climbing, who's been in some of the most unbelievable places, to show that individuals who've gone through catastrophic accident—catastrophic injury can in fact have a full life and can have quality of life.

Steven Fletcher was the president of the Manitoba Students' Union, was respected by his peers and was re-elected. He was an individual who, you know, indicated that there was really no mountain high—too high, there was no valley too deep, there was no job that he couldn't do. And it was with great amazement that those of us who were there for his nomination meeting when he decided he was gonna run for member of Parliament and to watch him win his nomination and then work on the election, and he was tireless.

And it didn't matter how cold or hot it was or how tough the conditions. With great credibility he went forward and not just won a nomination, but won a heavily contested federal seat. And went into Ottawa and again there, you know, broke down all kinds of barriers, 'cause for the first time the Canadian House of Commons had to deal with an individual who's a quadriplegic, who had to—they had to accommodate him in the House of Commons.

In fact, he was one of the first quadriplegic—he was, I believe, the first quadriplegic politician to semi-stand in a legislative Chamber. He had a chair made up where he could actually stand because they tried to figure out how it was that he would be able to speak, actually caused him some ill health and the member from Elmwood was probably there as a member of Parliament and could probably tell the story better than I can. I tell it from second hand and the member from Elmwood was there and sure would love to hear him tell us one day about that. That would be most interesting.

But again, it speaks to what we can do as individuals. You know, 100 years ago that certainly wouldn't been the standard of quality of life what we have today. But we also understand that that quality of life does cost money. There's a cost to it and I guess the question is and I've asked this of many of my constituents: Are you willing to pay a dollar or two or \$5 a month more to be insured, that if you ever have such an accident with catastrophic injuries that you can still have a quality of life afterwards? Are you prepared for that? Are we collectively prepared to pay a little bit more so that should we one day be in a situation where we have catastrophic injuries, that we'd be taken care of? Because that's

really what the debate comes down to. Are we, are we big enough? You know, can we see, you know, forward enough, and say, you know, if that was me or if that was one of my family, or if that was a neighbour or a loved one, would I not want that also for them? And I think the answer is yes, and I have yet to meet anybody who has said that they do not wish to have that for a loved one, even themselves, a neighbour, a friend, and they also would like to see it for Steven Fletcher.

\* (16:30)

I have seen a lot of positive, positive feedback on that. This legislation that comes forward, I know it's going to go to committee. But I think it's going to be very important for individuals to come forward, and we'd like to hear their comments. I think it's going to be very telling to see individuals and hear what they feel about this piece of legislation. I think it's important that we do take care of those who have suffered catastrophic injuries, and I think it's becoming of all of us to ensure that it always be—the standard be quality of life. Thank you, Madam Deputy Speaker.

**Mr. David Faurshou (Portage la Prairie):** Madam Deputy Speaker, I appreciate the opportunity to rise and participate in second reading debate of Bill 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries).

I will say that this government is listening but, once again, in its normal operating practice, they have waited years to effectively implement something that should have been done years and years ago. We are all aware of various cases that individuals that thought that they were well covered by the Crown corporation providing motoring Manitobans with insurance were adequately covered. But we found on numerous occasions where this is not the case and, in fact, there—even our justice system, Justice Richard Scott called MPI's compensation scheme wholly inadequate, and noted that legislation should be changed.

And so, hence, the legislation we have before us is aimed at addressing some of the shortcomings that were obvious to even those persons that have not been personally affected. And I'd like to cite a particular example of an individual that was supposedly well covered and—by insurance—and was going to be adequately provided for through home care, and yet when the actual home care was being provided, it was highly obvious that there were

gaping loopholes in the actual personal care that the individual was being received.

And for members opposite, I'll give you the example details. In fact, the individual was at their home and was receiving home care. However, the home care started when the home-care workers were able to access the home. There was a significant snowfall and, because the snowdrift across the front door prevented the individual from accessing the home, the home-care personnel did not access the home. But there was no proviso for someone to shovel the walk. So the individual did not receive home care until the individual, in desperation, was able to make a telephone call and say, I haven't been fed today and could there be somebody come over to shovel my walk.

Well, the home-care workers that came forward stated it was specific that their duties and obligations and responsibilities did not start until they could access the home, and the shovelling of the walk was not part of their responsibility.

These are the types of examples that MPI officials have to look at it from the individual's perspective and to make the provisos for complete coverage of the responsibilities of the individuals that have been injured. And this is and continues to be not the case.

*Mr. Rob Altemeyer, Acting Speaker, in the Chair*

We have seen improvements with MPI with the implementation of the Fair Practices Office. We've seen enhancements with the claimants' advocate and the advisor's office being opened but, for all information of the members of the House, there are significant time delays for those persons trying to get a fair deal from MPI, and it almost seems that it's a case that, we'll wait them out, starve them out and that'll be the end of the claim.

And, unfortunately, I'm really baffled as to why this is the case. I can only come to the conclusion that the MPI has individuals that are torn between serving two masters and that being the actual claimant and the insurer. How can you be employed by the insurer and then advocate for—in the best interests of the claimant? It truly is a conflict of interest, and I would hope all members of this Legislative Assembly see it as such, and that there are further changes made to MPI in order to address this obvious issue.

I know there are other members on this side of the House that would like to participate in the second

reading debate, so I will keep my comments brief, but I truly believe that the legislation should be considerate of the retroactive nature of claims for persons that have effectively been calling upon other family members or digging into their retirement savings to effectively pay for their care that ultimately should have been provided for by MPI.

And MPI is an organization which I have a lot of respect for and, and do believe, in most cases, do an exceptional job. However, once again, I have reasons to suspect that there is government influences at play in the operations of MPI and especially when one looks to the amount of reserve that the MPI has that is significantly, and I mean significantly, below the industry standard as a reserve to—as it relates to the exposure that the insurance company has. And it is something, I believe, this government has had an influence on, and I think that the industry standard should be one that is adopted by MPI and adhered to without any government influence when it comes to rebate cheques when, effectively, the reserves are at such a low ratio to exposure.

So, with those few words, I'd like to—I'd like to allow for time by other members to participate in debate regarding Bill 36, The Manitoba Public Insurance Corporation Amendment Act. Thank you very much, Assistant Deputy Speaker.

**Mr. Leonard Derkach (Russell):** It's my pleasure to put a few remarks on the record on this bill, and I want to speak simply about the need for people who have undergone catastrophic injury to be recognized for appropriate compensation and, when I say that, I refer to a constituent. And I guess if we were to poll the constituencies across the province, Mr. Deputy Speaker, we would find that there a number in each constituency who probably have gone through a similar experience.

\* (16:40)

But, in my constituency, I have a woman who had a tragic accident, car accident, and in that car accident she came out of it with a permanent brain injury. And, if you were to meet this lady now—she was a registered nurse at the time—but if you were to meet her today, Mr. Deputy Speaker, you would say that there is really nothing wrong with this individual because she seems to be able to function like a normal person except for the fact that she needs constant supervision because, from time to time, there's a lapse of memory and understanding of

where she is and she tends to wander off, despite the fact that, physically, she looks perfectly normal.

And, Mr. Speaker, what this does is it signals to the need for someone like this to be compensated appropriately, because this person was a professional, this person had her career cut very short. She now has to undergo constant therapy and, then, she's also under 24-hour supervision by her spouse at the present time.

The sad part about all of this, Mr. Deputy Speaker, is that this person did not receive adequate compensation or recognition from MPI for the injuries that she sustained and, even as we speak, there's a dispute between the Workers Compensation, MPI, in terms of this—the support that they are providing for this person and, unfortunately, the family has had to resort to their life savings to be able to sustain not only a quality of life for her, but, indeed, to sustain the family.

And so in these types of injuries it is important, it is imperative that people like Steven Fletcher, like this constituent of mine, are appropriately compensated and looked after because they can contribute and do contribute to society, but all we need to do is recognize and support these people, because it was no fault of their own that they sustained the injury that they did.

So this bill does a number of things. It does define what a catastrophic injury is, and I think that's a good thing, Mr. Deputy Speaker. It increases the lump-sum indemnities to people, and that is important because it does recognize that these individuals have lost an ability to be able to earn a gainful way of life in their future, and it gives the discretion to MPI to pay certain expenses, up to a million dollars for a claimant.

So good things, Mr. Deputy Speaker, in terms of finally recognizing that people who have sustained these types of injuries need to be recognized in a better way than we have been able to do in the past, and that talks to the quality of life and it talks to the fact that there is hope for these people, for being able to carry on as normal a life as possible, given the fact that they have certain restrictions because of injuries they've sustained.

So with those few remarks, Mr. Speaker, I do want to say that I am happy that there are changes to this whole issue and that, indeed, Manitobans can look forward to being more adequately compensated

for catastrophic injuries that they have unfortunately sustained in their lives. Thank you very much.

**Mr. Rick Borotsik (Brandon West):** Mr. Deputy Speaker, deputy Deputy Speaker, assistant Deputy Speaker, I'm pleased to stand to speak to Bill 36, The Manitoba Public Insurance Corporation Amendment Act, and, as have been mentioned by a number of my colleagues, the bill attempts to put into place some corrections, some vital corrections that are needed in Manitoba Public Insurance. It attempts to make some vital corrections but, unfortunately, doesn't go far enough, as has been pointed out and identified by a number of previous speakers.

I think—and Mr. Fletcher's name has been mentioned quite often in this House, and the reason his name has been mentioned is because he's a prime example of just how Manitoba Public Insurance treats individuals. Now, Mr. Fletcher has the ability and has the wherewithal to be able to take MPI, Manitoba Public Insurance Corporation, to court—in fact, to the Supreme Court—in order to right a terrible injustice, a terrible wrong. But Mr. Fletcher is only one individual in this province that has been affected in this fashion. I would challenge anyone in this House right now to identify with an individual who, through no fault of their own, becomes either a paraplegic or a quadriplegic because of an accident that, as I said, is no fault of their own.

Each one of us in this House right now is able to stand and walk out of here and to perform a number of duties, whether they be duties that are assigned to us as members of the Legislative Assembly, or simple duties as being an individual that resides in the province of Manitoba—going home and perhaps taking flowers to your wife, perhaps hugging your child, perhaps shovelling snow in the wintertime, perhaps mowing grass in the summertime—those tasks and those duties we, as individuals, take upon ourselves every day of our lives. But think about what would happen if we left this august Chamber today and all of that changed in the blink of an eye. And it could. Accidents happen. People find themselves in difficult situations, and should our lives be changed that quickly, then we would then depend on others to help us with those tasks that I just mentioned.

And that, Mr. Speaker, is why we, as Manitobans, acquire insurance, whether it be life insurance—if, in fact, an accident ends up in death, we need life insurance to protect our families, to protect our children, protect our grandchildren,

protect our own ability to provide for those that we would leave behind. But if it's not a fatality and it's simply—simply, I take that back. If it's not a fatality, but, in fact, it is a catastrophic injury—that any one of us in this House would encounter—then we depend on others. We depend on our families, certainly, if we have a spouse or a partner, but we also depend on financial stability, and that financial stability comes from that insurance that we purchased from Manitoba Public Insurance Corporation. We depend on that for our livelihoods, for our retraining, for our ability to, in fact, become and still retain the ability to be constructive members of this society.

Unfortunately, MPI doesn't see it that way. What a public insurance corporation does is they seem to think that the cheaper they are and the less amount of services they provide is better for the corporation. That is wrong, absolutely 110 percent wrong. What MPI should be doing is everything in their power to make sure those individuals are able to cope. And believe me, not being able to walk, not being able to hug your children, not being able to provide what's necessary for your family is very difficult to cope with. Put yourself in that position. So what we need now is we need some compassion from the insurer that we've put faith in.

Now, this legislation does make some minor changes to catastrophic occurrences, but not enough. If any one of us required 24-hour service, the amount of money that's identified in this legislation isn't enough. It goes from \$4,000 to \$4,800 per month. I defy each and every one of you to try to acquire service—necessary life-giving service—for some \$60,000 a year.

*Mr. Speaker in the Chair*

\* (16:50)

Twenty-four hour care is needed in a lot of cases. Now, we're not talking about an awful lot of individuals, thank goodness. I believe we're talking about, on average, some 40 to 45 individuals who are going to require assistance from MPI because of catastrophic occurrences. People who become paraplegic because—or quadriplegic because of no fault of their own. So, what is it that MPI is trying to achieve? Are they trying to protect us as ratepayers or are they trying not to provide services that are vital for these specific individuals?

Now, it was mentioned earlier, it's easy for MPI, during an election year, to issue rebates to each and every one of us as Manitobans. Now, I wouldn't

suggest that that's got any political motivation, but it seems that the rates are in place right now to generate additional revenues to provide each and every Manitoban who is insured by MPI a rebate during an election year. What if those benefits, those rebate cheques, should, in fact, then be directed to the people who really need them, the people who have suffered a catastrophic occurrence, people who's lost the way of life that they've known for so many years? Why cannot MPI put into place the proper amount of coverage, the proper amount of compensation for these individuals? I don't know why they can't do that.

Insurance companies historically always follow the first rule of insurance and that's to deny any liabilities or deny any kind of compensation through insurance. I would have expected better from a publicly operated insurance company. I would have expected better. I would have expected them to say, no, really what we're here for is to make sure that our customers are taken care of.

Well, I'm sure each and every one of us in this House has opened a file on Manitoba Public Insurance, whether it be to deny a claim outright, whether it be a minor traffic accident, whether it be to try to negotiate a lesser rate for a vehicle if in fact you're in an accident and the vehicle's written off.

MPI, historically, and has always, by policy, tried to do the least amount they can for a claimant, and that's exactly what they're doing in this case. They're providing the least amount they can for a claimant, and it's the wrong people to pick on. These people who have been injured in a catastrophic way—and remember the term, catastrophic. This is not a broken ankle or a broken arm; this is a change of a complete life. And all we're asking is to say, treat these people with respect, treat these people so that they can continue on, in some way, shape or form to be contributing members to this society. Allow them to go and get retrained if necessary. Allow them to get the necessary care that they need on a 24-hour basis. Allow them to have their dignity. But no, we've decided, by this legislation, we're only going to go halfway, we're only going to go part way and not provide what's necessary for these individuals. It's a start. As I said earlier, it's a start, but it's not quite enough, to be perfectly honest.

So, with those few words, I would suggest that if there is amendments coming forward to this legislation, which there may well be, that members opposite think about of what was said in this House

today, that these are individuals who deserve respect, deserve dignity and deserve proper coverage by a public insurance corporation, Manitoba Public Insurance. So thank you, Mr. Speaker, for that opportunity.

**Mr. Larry Maguire (Arthur-Virden):** I'd like to put a few words on the record today in regards to Bill 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries).

And I'd just like to commend the member for Emerson (Mr. Graydon) for his work on this bill that he's done as the opposition critic in regards to this bill, and I believe that the government had good intentions when they were bringing this particular bill forward. And I would like to commend the Justice Minister for bringing this forward as they have but, as has been said, there are a few shortfalls in this particular bill. And I do want to commend the member from Emerson for bringing forth this private members' bill last fall, as well.

Mr. Speaker, I know, in regards to this area of concern, and I know that that particular bill that was brought forward by the member before has a whole host of things that he wanted to see dealt with in regards to this bill, but I do know that one of the concerns was the monthly levels of service increasing \$800.

And I know that, as well, in catastrophic circumstances that moving up from the \$4,000 to \$4,800 a month will not cover those kinds of circumstances in some of those cases and I would say that, as well, the member from Brandon West has just indicated that, you know, we're talking about quadriplegic, paraplegic persons and also those with brain damages, Mr. Speaker, and in some cases that's a great concern, obviously, in all cases around a bill like this.

It's easy to say that bills like this don't go far enough but I guess we wanted to say that an example of that is what I just outlined and also that the bill gives Manitoba Public Insurance the discretion to pay certain expenses up to \$1 million for a claimant which is in the right direction, Mr. Speaker, and I think that it, you know, allowing a lump sum indemnity allowed for personal home assistance helps as well. It defines more particularly the word—the term catastrophic injury as well and whose—and those who survive an accident of such catastrophic proportion at least 90 days after the day of the accident and then passes away, that it provides a

lump sum indemnity and a death benefit to those, to that family.

And I think those are good moves, Mr. Speaker, but I think that the members from Emerson's bill that was brought in dealt with some other areas and I know that he had greater definitions in some of these areas in regards to the health that was required and I know that the example that we've dealt with in the House here is spoken to as that of a member of Parliament for St. James-Assiniboia, member of Parliament Steven Fletcher, and he wasn't entitled to more financial benefits than was described under the MPI act.

And, of course, the former—the justice, Richard Scott called MPI's compensation scheme wholly inadequate and, therefore, this helped to provide impetus for this kind of change to come forward.

Mr. Speaker, there are a host of areas, I think, that we need to look at in regards to this. I know the member from Emerson has, as I said, raised some of these concerns in the past. He introduced a private member's bill that would of eliminated the cap on personal home assistance for claimants, many of whom need round the clock care and the bill would've changed section 138 in regards to the definition of rehabilitation as well and, therefore, not entitled under the present bill, they wouldn't have been entitled to further financial assistance from the corporation.

And I think that that's the wrong way to save money when you're looking at the numbers of individuals as been indicated since 2004 in Manitoba that the Public Insurance Corporation would of had to have looked after 16 new quadriplegics and 42 paraplegics, Mr. Speaker, and, of course, over 400 new cases in brain damage.

And so with those few words, Mr. Speaker, I look forward to being able to deal with this bill at third reading again and look forward to other comments. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill No. 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries).

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

### House Business

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I would like to announce that the Standing Committee on Legislative Affairs will meet on Monday, September 28th, at 6 p.m., to consider the following: Bill 8, The Civil Service Superannuation Amendment Act, and Bill 36, The Manitoba Public Insurance Corporation Amendment Act.

**Mr. Speaker:** It's been announced that a Standing Committee on Legislative Affairs will meet on Monday, September 28th, at 6 p.m., to consider the following: Bill 8, The Civil Service Superannuation Amendment Act (Enhanced Manitoba Hydro Employee Benefits and Other Amendments); Bill 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries).

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**Mr. Speaker:** The hour now being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, September 21, 2009

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