

**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.
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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.
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WHITEHEAD, Frank	The Pas	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, October 7, 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**

**PETITIONS**

**Midwifery Services—Interlake Region**

**Mrs. Bonnie Mitchelson (River East):** I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition.

Residents of the Interlake Regional Health Authority do not have access to midwifery services.

Midwives provide high quality, cost-effective care to childbearing women throughout their pregnancy, birth and in the post-partum period.

Women in the Interlake should have access to midwifery care.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider working with the Interlake Regional Health Authority to provide midwifery services to women in this health region.

This is signed by Bonny Miller, Kerri Jo Nickel, Sheri Lee Bednarek and many, many others.

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

**Virden Health Centre—Health-Care Services**

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

And these are the reasons for this petition:

The Virden and district hospital is the only active hospital servicing a large catchment area.

Doctors' services are being provided to communities within the Virden catchment area by doctors who are based in Moosomin, Saskatchewan.

The chronic shortage of doctors in the Virden clinic has forced several residents to seek family physician services in Moosomin and various other centres in Manitoba.

Functioning operating room in the Virden and district hospital has been closed and the room turned into an ARHA supply distribution centre.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to consider increasing the number of doctors and nurses in the Virden and district hospital to ensure stable quality health care for the Virden catchment area.

To request the Minister of Health to consider establishing a walk-in clinic in the Virden and district hospital.

To request the Minister of Health to consider developing a specialized health-care service for the Virden and district hospital.

To request the Minister of Health to consider reopening the Virden and district hospital operating room.

And this petition is signed by Bonnie Yanchycki, Christine Janzen, Don Bernhardt and many, many others, Mr. Speaker.

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

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

And these are the reasons for this petition.

Many seniors from the Morden and Winkler area 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.

And 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 this region.

And this is signed by Betty Unrau, Helen Hamm, Abram Wall and many, many others.

#### **PTH 15**

**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 2004, the Province of Manitoba made a public commitment to the people of Springfield to twin PTH 15 and the floodway bridge on PTH 15, but then in 2006, the twinning was cancelled.

Injuries resulting from collisions on PTH 15 continue to rise and have doubled from 2007 to 2008.

In August 2008, the Minister of Transportation (Mr. Lemieux) stated that preliminary analysis of current and future traffic demands indicate that local twinning will be required.

The current plan to replace the floodway bridge on PTH 15 does not include twinning and, therefore,

does not fulfil the current or future traffic demands cited by the Minister of Transportation.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate twinning of the PTH 15 floodway bridge for the safety of the citizens of Manitoba.

Signed by Chris Dunn, Russ Fitzjohn, David Belsham and many, many other Manitobans.

#### **Neepawa, Gladstone, Ste. Rose, McCreary— Family Doctors**

**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:

Access to a family doctor is vital to good primary health care. Patients depend on their family doctor for many things, including their routine health-care needs, preventive care and referrals for diagnostic tests and appointment with specialists.

Family doctors in Neepawa, Gladstone and Ste. Rose are unable to accept new patients. The nearby community of McCreary has not had a doctor available to take patients in months.

Without a family doctor, residents of this large geographical area have no option but to look for a family doctor in communities as far away as Brandon and Winnipeg.

Residents of these communities are suffering because of the provincial government's continuing failure to effectively address the shortage of doctors in rural Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider prioritizing the needs of these communities by ensuring they have access to a family doctor.

To urge the Minister of Health to consider promptly increasing the use of nurse practitioners in these communities in order to improve access to quality health care.

This petition is signed by Amanda Pinette, Elaine Chaput, Bonnie Brandson and many, many other fine Manitobans.

### Whiteshell Provincial Park–Lagoons

**Mrs. Heather Stefanson (Tuxedo):** I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

Manitoba's provincial parks are—were established to protect our natural resources and the environment for future generations.

In July 2009 the lagoons in the vicinity of Dorothy Lake and Otter Falls in the Whiteshell Provincial Park overflowed, creating concerns that untreated sewage made its way into the Winnipeg River system and ultimately into Lake Winnipeg.

In addition, emergency discharges had to be undertaken at lagoons in the Whiteshell Provincial Park four times in 2005, once in 2007 and once in April 2009.

Concerned stakeholders in the Whiteshell Provincial Park have repeatedly asked the provincial government to develop plans to address the shortcomings with the park's lagoons and to ensure the environment is protected, but the plans have not materialized.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Conservation (Mr. Struthers) to consider acknowledging that more timely action should have been taken to address the shortcomings with the lagoons in the Whiteshell Provincial Park in order to protect the environment.

To request the Minister of Conservation to consider immediately developing a short- and long-term strategy to address the shortcomings with lagoons in the Whiteshell Provincial Park and to consider implementing them as soon as possible.

And, Mr. Speaker, this petition is signed by Darlene Lewing, Edward Lowen, W.L. Yakel and many, many others.

### TABLING OF REPORTS

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, I'm pleased to table the following reports: the Manitoba Human Rights Commission Annual Report 2008 and the Manitoba Public Insurance Quarterly Financial Report for the 2nd Quarter, six months ending August 31st, 2009.

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** I'm pleased to table the report of the Department of Family Services and Housing '08-09.

**Hon. Diane McGifford (Minister of Advanced Education and Literacy):** I'm pleased to table the following reports: The University of Manitoba Annual Financial Report 2009, the University of Winnipeg Financial Statements for the year ended March 31st, 2009, and the Manitoba Council on Post-Secondary Education Annual Report 2008-2009.

**Hon. Eric Robison (Minister of Culture, Heritage, Tourism and Sport):** Monsieur le président, c'est mon plaisir de vous présenter le rapport annuel de 2008-2009 pour le Centre culturel franco-manitobain et aussi le rapport annuel de 2008-2009 pour Manitoba Centennial Centre Corporation.

### Translation

*Mr. Speaker, it is my pleasure to table the 2008-2009 Annual Report for the Centre culturel franco-manitobain as well as the 2008-2009 Annual Report for the Manitoba Centennial Centre Corporation.*

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** Mr. Speaker, I'm pleased to table the Manitoba Health Research Council's 2008-2009 Annual Report entitled Inspiring Innovation. Encouraging Excellence.

### Introduction of Guests

**Mr. Speaker:** Prior to oral questions, I'd like to draw the attention of honourable members—*[interjection]*

Order. Order, please.

—draw the attention of honourable members to the loge to my left where we have with us Mr. Binx Remnant, who is a former clerk of this Legislative Assembly.

And also, in the public gallery, we have from Steinbach Christian High School, we have 26 grade 9 students under the direction of Mr. Curt Plett. This school is located in the constituency of the honourable member for Steinbach (Mr. Goertzen).

And also in the public gallery, we have from Red River College, we have 15 students under the direction of Ms. Karen Favell. This school is located in the constituency of the honourable member for Fort Rouge (Ms. Howard).

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

## ORAL QUESTIONS

### Gang Violence Government Strategy

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Manitobans, of course, are greatly disturbed by the rash of gang violence and horrendous criminal violent activity over the past number of weeks and months here in Winnipeg and around Manitoba. Manitobans were being set on fire while checking a disturbance; others were being beaten, stabbed, shot and a variety of other horrific crimes taking place, Mr. Speaker.

We saw earlier the failure of the government to deal with the issue of overcrowding within provincial jails. In addition to that, Mr. Speaker, the member for Steinbach (Mr. Goertzen) has just received information that indicates that the average caseload for prosecutors within the department is now at 319, a staggering caseload, which is a further failure of this government to deal and put in place the resources required in order to meet the challenge of violence and gang activity in our province.

Why have they failed Manitobans?

**Hon. Gary Doer (Premier):** Mr. Speaker, one of the points we've been trying to make this week and last week at the Senate, that in terms of overcrowding of jails, there's 1,900 inmates in provincial jails in Manitoba right now; 12 to 1,300 of them are on remand. The courts, judges and lawyers have made decisions in the past in this country to give a two-for-one discount on remands in this country and that has, in turn, in fact, resulted in a lot more people staying a lot longer in remand in Brandon, in the Remand Centre, in Headingley, at Milner Ridge, at the women's jail and the new women's jail, potentially, when it's built.

Mr. Speaker, that also represents people that are on remand—are on remand month after month after month. They're not dropped from prosecutors' caseloads.

So, on three scores, Mr. Speaker, in terms of the prosecutors, in terms of the jails and in terms of justice that should be dealt with in a speedy way, this two-for-one discount is wrong and we want you to join with us on this effort.

**Mr. McFadyen:** And we agree with the point on the federal policy issue and we have supported those

submissions along with the Conservative government in Alberta, Mr. Speaker, and the very capable Attorney General of Alberta.

But, Mr. Speaker, the fact is—the fact is that if we are successful in achieving this change, more people are going to spend more time in jail and only under NDP logic would more people spending more time in jail alleviate pressure on jails. It's complete nonsense when he talks about alleviating pressure on the jails. It is a complete red herring when he talks about the remand issue as a way of resolving pressure on jails.

They want to put more people in jail for longer periods of time, which we support, but it means that the resources need to be there for the prosecutors, the jails and the police. They're failing on the jails. They're failing with the prosecutors. Why, Mr. Speaker?

**Mr. Doer:** Mr. Speaker, let me explain this to the member. If you had a person sentenced before, before the two-to-one discount—and I'm glad to see conversion here on this issue—before the two-to-one discount, if it was three years less a day and a person had six months in a remand centre, that would be considered to be one year and it would be two years less a day and then the person would end up (a) in the provincial system longer on the remand and (b) he would end up in a provincial jail instead of being sentenced to Stony Mountain, a federal penitentiary.

The second point of that, Mr. Speaker, even though we've added—even though we've added 29 new prosecutors, a considerable amount of prosecutors—*[interjection]* Yes, I'll pull out my glasses; we're only human. I know the member opposite is perfect, but I'll pull out my glasses. Twenty-nine new prosecutors—*[interjection]* Yes, it's a lot easier than bringing it this close, I agree. Thank you very much for that help. I am on the back nine of life.

Instead of adding—the prosecutors are spending time with remand cases, case after case after case. It's no lawyer left behind. I say take on the lawyers and stand with the public in terms of the remand two-to-one policy, Mr. Speaker.

**Mr. McFadyen:** Mr. Speaker, with that—the Premier says he's in the back nine of life. When you listen to these responses, it sounds like he's spent far too much time on the 19th hole, because the fact is—the fact is—the fact is that we have asked his department for the analysis that would show that it would relieve

pressure on the provincial jail system and they failed to provide it. And the fact is that whether it is provincial or federal, the issue is that if they're going to put more people in jail for longer periods of time, then you're going to have pressure on the system.

And even with the numbers that we're at now, Mr. Speaker, if we're successful on the issue of two for one, the overcrowding will, will continue. The issue needs to be dealt with in the jails, but the issue also are the numbers just released, right at the very end of session by his Minister of Justice (Mr. Chomiak), that show caseloads of 319 for prosecutors in the department, a staggering caseload. Three years after we began to raise the issue, they are—it is a staggering caseload that came from his own correspondence, dated October 2nd.

I want to ask him: Why haven't they put the resources in place to keep Manitobans safe from violence and gang activity?

\* (13:50)

**Mr. Doer:** Well, Mr. Speaker, the holier-than-thou member opposite—there's been a few sightings of the member opposite in a few 19th hole settings as well, but I, on the other hand, am not perfect. I've had the odd drink in a bar and I—and I like to say I never drink and drive after.

Mr. Speaker, dealing—[*interjection*]

And, of course, Mr. Speaker, this is the member that had his anti-crime ads in Earls bar, on the Earls bar door. I mean, so we don't need any lectures from member opposite about the quote, 19th—what is it called? The 19th hole.

Mr. Speaker, more prosecutors, more police officers, a hundred correctional officers that the member voted against, spoke against, and not only that, we're putting money into the city of Winnipeg to open up inner city recreation centres, were closed on evenings and weekends. That's something the Tories don't believe in. They don't believe in putting money into recreation that'll allow kids to go to sports places and Internets in the inner city. That's something we believe in; they never did.

#### **Correctional Facilities Overcrowding**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, the ambassador to the Pony Corral seems a little sensitive on this particular issue. But he and his—

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

**Mr. Speaker:** Order. Order. Remind members once again when addressing another member in the House it's by member's constituency or ministers by the portfolio they hold.

**Mr. Goertzen:** I withdraw the comment "ambassador to the Pony Corral."

Mr. Speaker, the Premier and his fly-to-Ottawa Minister of Justice are ignoring jail guards who want a new prison for their protection and for the protection of all Manitobans. Instead of action, they've thrown out a number of phony excuses as to why jails are overcrowded. Yet, more than three years ago, federal Justice officials said publicly that the coming changes related to enforcement, to mandatory minimum sentences and to changes in conditional sentences at the federal level would push the numbers in provincial jails up. That was three years ago.

Why did this Minister of Justice choose to ignore the warning from federal officials the numbers were going to go up in provincial prisons?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** And as a result of that federal initiative, the provincial ministers undertook initiative of needs and requirements in the system. It was provided to the federal government, which they conveniently tabled.

Mr. Speaker, I make no apologies for going with my colleague from Alberta. I make no apologies for going to Ottawa and trying to get the two-for-one discount changed. My predecessor tried, I tried for three years; we're finally getting a little bit closer. The two-for-one, people won't have to—you know, I think the public gets it.

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** You shouldn't get a discount for two days in remand on sentence. It would make a big difference. Thirteen hundred prisoners in our system are on remand—on remand after remand. That's gotta change. We want it to change. I'm glad you might join us to make that change.

**Mr. Speaker:** Order.

**Mr. Goertzen:** Federal officials warned this Minister of Justice three years ago that the numbers would be going up, and he ignored the warning, and now we see the riots, and now we see the tinder box situation. There's another issue. You know, more

than 70 percent—more than 70 percent of prisoners who leave Headingley are charged with another offence within two years. They come in and they go out. They come in, they go out and they're right back two years later. Prisoners come back to jail faster than this Minister of Justice flies off to Ottawa.

Why has this Minister of Justice failed to reduce recidivism in Manitoba? That's a significant reason why our jails are tinder boxes ready to explode. Why didn't he take care of the issue when he had the chance, Mr. Speaker?

**Mr. Chomiak:** You know, Mr. Speaker, I'll never quite understand the members opposite, why they don't support—why they don't support, for example, on auto theft, when we wanted a change to auto theft, if someone's out stealing a car and they get arrested first time, we cannot hold them in custody. That means they go out and steal again and again and again.

We've tried to have that provision changed. We—and we have found the stats that, unfortunately, when we have those people in custody, auto thefts go down. They've gone down 60 percent because of a comprehensive program that we put in place that members opposite were against. When we put in programs—when we put in programs to reduce auto theft to keep people off the street, the members were against it.

You can't have it both ways. You can't say, lock them up, and then, when we lock them up, say, you have too many locked up, Mr. Speaker.

#### **Selkirk Mental Health Facility Overcrowding**

**Mr. Kelvin Goertzen (Steinbach):** Well, Mr. Speaker, this government is failing across the spectrum of incarceration.

Joey Wiebe brutally killed his mother in 2000 in Niverville, Manitoba. As a result, he's been serving his sentence at the Selkirk Mental Health Centre, and what a time he's been having. Despite his horrendous crime and a previous escape, he was able to recently obtain at Selkirk drugs, a knife, alcohol and strike up a relationship with a female employee who took him on trips outside of the facility.

Can the Minister of Justice explain how security at the Selkirk Mental Health Centre was so lax that Mr. Wiebe, a murderer, was able to obtain drugs, booze, weapons and women?

**Hon. Kerri Irvin-Ross (Acting Minister of Justice):** This—forensic patients are under the jurisdiction of the Criminal Code Review Committee. They make the decisions about the—what the patients will be permitted to do, along with the treatment team.

We have made investments in the security at Selkirk Mental Health Centre. We have invested in better lighting, in more security guards, and I must add, that because of those security—

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

**Mr. Speaker:** Order.

**Ms. Irvin-Ross:** —systems that we have in place, that's how this was able to be uncovered. Thank you.

#### **Manitoba Hydro Advertising Campaign Costs**

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, Manitobans get suspicious when one of our Crown corporations spends money on self-congratulatory campaigns. And I want to reference for the House a Manitoba Hydro insert, *Know Your Hydro*, which appeared in many papers early this summer. Manitoba Hydro spent \$341,000 on this single advertising campaign to tell Manitobans how things were going. Ironically, this was at a time when export revenues are down almost 40 percent for the first quarter of this year from last year.

Mr. Speaker, was this 341,000 public relations exercise designed to deflect from the whistle-blower allegations and the Auditor General's investigation of Manitoba Hydro?

**Hon. Rosann Wowchuk (Minister charged with the administration of The Manitoba Hydro Act):** The member opposite is concerned about ads. Well, I can tell you, Mr. Speaker, Manitoba Hydro and this government are concerned about energy consumption. They—we want to see more energy efficient homes, and the money—the money that Manitoba Hydro is spending is resulting in savings for the consumer. It's resulting in the ability for us to export more hydro and increase revenues from *[inaudible]*

Mr. Speaker, the member opposite is wrong when he says that Hydro shouldn't be able to do advertising. They are doing some very important programming, and many, many Manitobans are taking advantage of these programs.

### **Manitoba Hydro Bipole III Location Costs**

**Mr. Cliff Cullen (Turtle Mountain):** Well, Mr. Speaker, here are the facts. We have the Public Utilities Board concerned about the level of risk at Hydro. We have Manitoba Hydro concealing risk analysis reports. We have the Auditor General investigating whistle-blower allegations of improper financial forecasting. Now we have the Hydro dog-and-pony show crossing the province trying to justify this government's decision on the west-side line.

Can the minister justify the \$4 million that's spent promoting their west-side decision?

**Hon. Rosann Wowchuk (Minister charged with the administration of The Manitoba Hydro Act):** You know, Mr. Speaker, the true colours of the members opposite is coming out. What we know is the members opposite really hate Manitoba Hydro. If they had their way, they would privatize the Hydro corporation.

Mr. Speaker, when the Conservatives were in power, all hydro development was mothballed, all was mothballed. Under this administration, the hydro dams are going up, the Bipole III line is going forward. The member opposite shouldn't be so squirrely about Hydro and should admit what he really feels about it.

**Mr. Cullen:** Well, Mr. Speaker, let's talk about the granddaddy of waste. In reference to—I reference a letter here, September 20th, 2007, sent by the Minister of Hydro—that's the member for St. Boniface (Mr. Selinger)—to the Manitoba Hydro board. It's a four-page directive to build Bipole III on the west side of the province. Five days later, Manitoba Hydro issues a news release indicating a line will be built on the west side. As a result, each and every Manitoban is gonna be forced to pay hundreds of millions of dollars extra.

\*(14:00)

This represents a legacy of over \$2,000 for every family in Manitoba. Can the minister justify that decision?

**Ms. Wowchuk:** Mr. Speaker, the decision to move forward with Bipole III is one that we have—we announced that we would do it. We announced that we were doing it on the west side of the province. We announced it during the election. This is not news, and this is—this is based on advice that Hydro

has been given, that Manitoba—the government has been given, that we have to have a way to manage risk. We have to have a way to manage security of supply to ensure that we can continue to meet our exports demands, and the member opposite should recognize that this is a very valuable corporation and water is a very valuable resource. Other people have oil. We have water, and it's a wonderful clean resource, and we will continue to generate revenue from it.

### **Budget Deficit Forecast**

**Mr. Rick Borotsik (Brandon West):** Mr. Speaker, it's not often that I feel sorry for an NDP Cabinet minister 'cause we know that all of the NDP Cabinet ministers, through their own mismanagement, certainly cause their own misfortune, but I do feel sorry for the new Finance Minister, 'cause you see, the first quarter financials and the Dominion Bond Rating Service tell us that we're going to have a \$600-million deficit in the province of Manitoba this year.

We also know, Mr. Speaker, that equalization payments next year are going to be reduced by about \$400 million. Even if the Province uses its entire rainy day fund, it can't cover the forecast deficit for this year and a drastic drop in equalization.

How will the Minister of Finance cover that \$1-billion shortfall?

**Hon. Rosann Wowchuk (Minister of Finance):** Well, I will assure the member he doesn't have to feel sorry for me, Mr. Speaker. He doesn't have to feel sorry for me one bit. I feel sorry that he is part of a party that didn't put all the numbers on the books. When they were in office, they kept two sets of books. Our government has moved forward. We have one set of books. All of the information is there, and I can assure the member that we will address the issues that he is so concerned about. I would say maybe he should talk to his federal cousins and talk about why equalization is being reduced, but I'm proud of the way the economy in Manitoba is going, and I'm proud to be a Manitoban.

**Mr. Speaker:** Order.

**Mr. Borotsik:** You're right, Mr. Speaker, I don't feel sorry for the new Finance Minister; I feel sorry for Manitoba taxpayers. I feel sorry for our children who are gonna pay the debt that they have incurred. The Premier (Mr. Doer)—the Premier and the previous Finance Minister caused the problems. They're

leaving, but this new Finance Minister is going to be staying. We know that the Finance Minister gutted the balanced budget legislation. We know that they're depending on this summary budget, which they identified a \$48-million surplus, which is lost. We're gonna have a \$600-million loss. Cabinet ministers have to give up 20 percent of their ministerial salary if they can't balance the budget.

Is this Finance Minister gonna tell her colleagues that they're gonna lose 20 percent of their salary, and when is she going to tell them that?

**Ms. Wowchuk:** Well, Mr. Speaker, I'll stand by my record and our record on this side of the House versus the comments on the other side of the House. This government has been in power for 10 years, brought 10 budgets in, and they have all been balanced. They've all been balanced.

The Leader of the—Mr. Speaker, the Leader of the Opposition (Mr. McFadyen) said that we were gonna drain the rainy day fund. In three-years' time, the rainy day fund will be—

**An Honourable Member:** He said that in 2006.

**Ms. Wowchuk:** He said it in 2006. There's more money in the rainy day fund. We've quadrupled the rainy day fund, and we will continue to work in the best interests of Manitobans, and we will make investments as we did in this budget—capital investments—so that Manitobans can continue to work so that there will be infrastructure that will be—help lead us in this economy, and we are proud to be Manitobans.

**Mr. Borotsik:** Mr. Speaker, the Leader of the Official Opposition (Mr. McFadyen) is, in fact, right. The rainy day fund will be exhausted and the Premier—

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

**Mr. Speaker:** Order.

**Mr. Borotsik:** —will be in Washington and not giving a care about Manitobans at that point.

Mr. Speaker, this Finance Minister has to come up. She's gonna wear it. I would like to ask the Minister of Finance: How will she come up with the additional cash when she doesn't have a rainy day fund? How is she going to do it? Is she gonna increase taxes? Are you going to increase the \$21 billion worth of debt? Are you gonna raid the Crowns or are you simply gonna cut spending? How are you gonna do it?

**Hon. Gary Doer (Premier):** Mr. Speaker, the Finance critic now is supporting the statement made in this House in *Hansard* in writing by the Leader of the Opposition that the rainy day fund, as of 2006, would be drained in three years under the current NDP government. It's now the three years later. Is the rainy day fund drained?

**Some Honourable Members:** No.

**Mr. Doer:** Is the rainy day fund reduced?

**Some Honourable Members:** No.

**Mr. Doer:** Is the rainy day fund increased under our—

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

**Some Honourable Members:** Yes.

**Mr. Doer:** Who's right?

**Some Honourable Members:** We are.

**Mr. Doer:** Thank you, Mr. Speaker.

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

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

#### **Economy Government Forecast**

**Mr. Blaine Pedersen (Carman):** Mr. Speaker, the Minister of Competitiveness, Training and Trade is attending the federal-provincial-territorial conference in Whitehorse on October 15th. The minister's message within Manitoba is how good we are doing as a province, yet he is quoted in the *Brandon Sun* as saying, and I quote: When I'm sitting down in a room with Stephen Harper I'm going to make Manitoba's situation look as dire as possible—as I possibly can to get every possible cent out of the feds.

Mr. Speaker, which message will this minister take to Whitehorse?

**Hon. Andrew Swan (Minister of Competitiveness, Training and Trade):** Well, thank you, Mr. Speaker, and what I will do certainly in speaking to ministerial colleagues and the federal minister is tell him about the good things that are going on in Manitoba.

One place I'd like to look at is job numbers. I know the Conservatives aren't concerned about how many people in Manitoba are employed, but New Democrats are. And I'll be quite happy to remind everybody in the country, whether it's in a ministerial meeting, whether it's publicly, whether it's in this

House, that in the past year Manitoba's led the country with the best private sector job growth. In the entire country over the past year we've gained 4,500 jobs while the rest of the country has lost 322,000. So I hope that helps the member for Carman to understand a little bit better just how well Manitoba's doing, relative to other Canadian provinces.

**Mr. Pedersen:** Mr. Speaker, just to add to clarity, the minister has committed to reopening the east versus west bipole discussion. The minister has also quoted in the *Brandon Sun* as saying, and I quote: I don't think we have the leadership necessary to get Hydro to do the things we need to build more wind power. Now, the minister seems to have one message for in Manitoba and another message for outside of Manitoba. How does the minister expect to be taken seriously when talking to his counterparts across Canada with such mixed messages?

\* (14:10)

**Mr. Swan:** Well, thank you, and certainly when I attend the meeting on internal trade I'll be certainly talking about how this Province has shown great leadership in advancing a national—a national trade agenda. Now, I know—I know that chattering heads over on the Conservative side would rather us enter into a trade deal only with Alberta and only with British Columbia, and I know they would put all of Manitoba's interests on the back burner. But I'm very proud of this Premier (Mr. Doer) and this government for having been the leaders on the national stage to make sure that we do have an effective trade agreement, which is going to benefit all Canadians and look at a national perspective.

So I'll take a national perspective over any narrow perspective the member for Carman may want to try and put on the record this afternoon.

**Mr. Pedersen:** Mr. Speaker, I'm just—I'm just repeating what I was reading: east-side or west-side bipole, Hydro mismanagement, begging in Ottawa.

Other governments in Canada will not see Manitoba as a serious competitor when this minister cannot produce a definite position within his own government. How does this minister expect to have any credibility with other provinces and territories with the confusion the minister has created here at home?

**Mr. Swan:** Mr. Speaker, I'm sorry the member for Carman is confused. It seems to happen quite a bit, and I'll see if I can clear it up.

There is going to be a third bipole built in Manitoba. It's going down the west side, and that's the correct thing to do.

And, in terms of wind power, I know we hear a lot—

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

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

**Mr. Swan:** Well, thank you, and there was another example of how the Conservative Party is doing its own part to increase wind power, but that's actually not going to be useful to the province of Manitoba.

I'm very excited about the future as we continue to expand wind power. I do believe we can do more and make sure there is more wind power being generated in the province of Manitoba.

And I'm looking forward to the next six, 10, 14 years of NDP government in Manitoba so we continue to build wind power and other renewable energy across this province. Thank you, Mr. Speaker.

### Lake Water Levels

#### Government Response to Community Flooding

**Mr. Leonard Derkach (Russell):** Mr. Speaker, the utter incompetence of the Minister of Conservation (Mr. Struthers) and the Minister of Water Stewardship have left people in misery as a result of the high water levels at Thomas Lake, Jackfish Lake, Salt Lake and Sandy Lake.

Mr. Speaker, homes and cottages remain flooded, farmland under water, feed supplies ruined and rotting in the lake and trees bordering the lakes are dying. Municipal roads remain under water and now water supplies are being contaminated.

Mr. Speaker, I want to ask this government whether perhaps the Premier (Mr. Doer) can motivate his Minister of Conservation or the Minister of Water Stewardship to do something to relieve the misery of the people in the communities of Strathclair, Rolling River Reserve, Sandy Lake and the Elphinstone area around Thomas Lake. Can the Premier perhaps motivate his ministers to do something to relieve the misery of these people who have been suffering all summer long?

**Hon. Christine Melnick (Minister of Water Stewardship):** Mr. Speaker, we have been working with residents around the province. We have been working with the R.M. of Strathclair. The member knows well that there have been several meetings. The R.M. is responsible for dealing with water issues

under their purview, and they are working on that. We are there in an advisory role, and we are there helping them come up with ideas to resolve the current issues. We've been working with them all summer, and we'll continue to work with them as well as other Manitobans.

Again, this has been a very high water year throughout the province, and we have been working very closely with many communities on issues such as these.

**Mr. Derkach:** Well, Mr. Speaker, once again this minister demonstrates her incompetence by the answer that she has just given, because the only thing that she has done and her department have done for the residents of Strathclair is they have forced the R.M. of Strathclair to spend \$50,000 on an environmental study that won't be completed this year, and yet the lake levels remain high, farmlands are flooded, hay supplies are in water, homes are being flooded, water supplies are being contaminated.

And this minister, what is her answer? Her answer is to do an environmental study that will take months, Mr. Speaker. Winter is approaching; snow levels will come. What is going to happen next spring when exceedingly high water levels are going to force an emergency situation in that area while this minister sits on her duff?

**Ms. Melnick:** Well, we can all remember the 1990s when drainage was just run roughshod over. There were very few water resource officers. There were very few resources for individuals and communities to work with when it came to high and low water levels. Members opposite are showing they haven't learned that there has to be restrictions, that there has to be regulation on water. Of course, they would remove all the water regs, Mr. Speaker, we know that.

Again, they're showing their incompetence and their irresponsibility by not following through on structured and organized ways to deal with high and low water levels throughout this province. We're still cleaning up your mess.

**Mr. Derkach:** I wish that she would come out to meet with the communities of Strathclair, Rolling River and the people who are suffering in misery as a result of her inactivity, Mr. Speaker. One of the reasons this minister's department gave Strathclair—why they could not drain the water, was because the contamination of one lake was higher than it was in a

lake below that lake. Actually, when the results came in, they were exactly opposite. Still, the minister would not allow this water to be drained off so that residents could carry on with their livelihoods.

Mr. Speaker, I ask this Premier (Mr. Doer) when he's going to take some action and ensure that his ministers do the right thing and not leave Manitobans suffering in misery because of high water levels and water wells that are being contaminated.

**Ms. Melnick:** Well, again, Mr. Speaker, it's important to follow process. The member opposite has given an example of why it's important to follow the process. Again, it's important that we protect our waterways.

Members opposite, I suppose, would just open the floodgates and let water flow all over this province, as they did in the 1990s. That's not responsible. That's not respectful to the people downstream who would be affected. That's not showing responsibility to the R.M.s who are serious about dealing with their water situations in the short and long term.

I'll stick with our process any day over their wild, madcap, wild, wild west approach to letting water run anywhere throughout this province.

### **Plastic Checkout Bags Ban**

**Mr. Kevin Lamoureux (Inkster):** My question's for the Premier. Every year hundreds of millions of plastic bags enter into our landfill site. You'll often see them in our streets, our sidewalks, blown in trees, and so forth, Mr. Speaker.

You know, this morning I had the pleasure to meet with a number of children from Weston School and those children have seen something in which we believe the government should be looking at, and that is the need to ban the plastic bags. By banning the plastic bags, it is a good thing for our environment, Mr. Speaker, and the children of Weston have recognized that value.

My question to the Premier today is: Will the Premier not stand with me in acknowledging and supporting the need to ban plastic bags in the province of Manitoba, thereby, Mr. Speaker, allowing Manitobans in future generations a much healthier environment?

**Hon. Stan Struthers (Minister of Conservation):** In the Throne Speech last year, we very clearly put out the strategy that we were going to pursue. It was

a practical, doable strategy that has been working, Mr. Speaker. We are going to reduce the number of plastic bags in this province. We're going to ban plastic bags that can't be recycled and that can't be reused. We see signs already that, working with industry on this, has resulted in a reduction: 1.5 million fewer bags ordered by Manitoba grocery stores already, just in the '08 year—at the beginning of the '08 year. So we see results already in reducing the number of plastic bags that we in society have to put up with out on the landscape.

**Mr. Lamoureux:** I think that we need to realize that there are hundreds of millions of plastic bags, and the government has an option. There are children—and we have children in our gallery this afternoon from Weston School. They would like to see the Premier (Mr. Doer) stand in his place and say that, we too, like the children of our province, recognize the value of banning plastic bags. Mr. Speaker, they're looking to the Premier of this province to take action, to stand up and say that he supports banning plastic bags, thereby supporting a healthier and cleaner environment for the province of Manitoba.

Will he join the children in the gallery and children across the province by supporting the banning of plastic bags?

\*(14:20)

**Mr. Struthers:** Well, I'm really very pleased that there are people from the province here and children here at the Legislature to take part in a very important debate, Mr. Speaker. I think we should recognize that.

I think we should recognize that we need to have a strategy in place that'll work, not the one that the Liberal Party keeps putting forward. The strategy needs to be doable. We've shown that there's a better way to go in reducing the number of plastic bags.

Banning the plastic bags that can't be reduced or that we can't recycle, I think that makes good sense, Mr. Speaker, and will get us to the point where we have a major reduction over the next period of time in terms of 50 percent of the plastic bags that we can get rid of from this province.

So, Mr. Speaker, we're pursuing a strategy that will work, rather than one that sounds good but probably won't work.

**Mr. Lamoureux:** Mr. Speaker, the government should not be applauding non-action. Let me provide, you know, for reference purposes, reference

purposes—you know, you can't tell the difference between a plastic bag and a bio bag. So I would like to provide the minister—

**Mr. Speaker:** Order. Order. Order. Order. Order. Order. Order. Order. All members have been in the House long enough. They should know that exhibits are not allowed in this Chamber.

The honourable member, continue with your question without exhibits, please.

**Mr. Lamoureux:** Yes, Mr. Speaker, my question is for the Premier, and I look to the Premier to actually answer the question, not to be scared, but to actually answer the question.

The question I have for the Premier, Mr. Speaker, is to stand up and tell not only the children of our province but all Manitobans why it is that we do not ban plastic bags. There are alternatives in place. We do not have to be using plastic bags. Why does the Premier not recognize what not only the children have recognized, but all Manitobans recognize that there is an alternative.

It's better for our environment; it's healthier for the whole system. Will the Premier not do the right thing, stand up today and say he is committed to banning plastic bags? Thank you, Mr. Speaker.

**Hon. Gary Doer (Premier):** Mr. Speaker, thank you for the children for being here today and working hard on behalf of our planet. We believe in reducing waste. Waste in the form of plastic bags and in other forms is not good for our environment. The first way to reduce waste is reduce use of the waste to begin with.

Now, it was easy for us to do it at the Liquor Commission. We were the first government in Canada to eliminate plastic bags at the Liquor Commission. We were the first one to do it.

But the retail sector in Manitoba said, let us work to reduce either paper bags or/and plastic bags by having reusable bags, Mr. Speaker. Now, if you stand in a Sobeys store or a Safeway store or a Superstore today, you will see almost 50 percent of the people in those lines using bags that are reusable. And I want to thank the young people for making all of us aware so our parents and ourselves can use and re-use bags over and over and over again.

The member opposite would ban plastic and we'd have more paper. We would rather ban bags when we can re-use bags over and over and over again. That's why he's simplistic and that's why we're

trying to work with everyone, including the young people, to reduce our use of waste, Mr. Speaker.

### **SafetyAid Program Expansion**

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, yesterday afternoon I attended a meeting at Richmond Kings Community Centre along with over 100 residents from Fort Richmond, St. Norbert and Fort Garry. I was very happy to be surrounded by so many people interested in improving services for their neighbours and anyone living in south Winnipeg who fall into the 55-plus age group.

Our government has been working hard to ensure older adults enjoy the ability to age in place regardless of their financial situation. Can the Minister responsible for Seniors please update the House on changes that will be taking place with the seniors programs to ensure that seniors feel safe in their home? Thank you, Mr. Speaker.

**Hon. Kerri Irvin-Ross (Minister responsible for Seniors):** Since 2003, the Department of Justice and the Department of Health and Healthy Living have been working together to implement a program called SafetyAid that ensures that seniors can live in their homes safely. And what we do provide are safety audits to those homes, and every year since then we have expanded that service throughout Manitoba.

And, today, after question period, I will be announcing a further expansion to northwestern Interlake regions of Manitoba: Flin Flon, The Pas, Opaskwayak Cree Nation, Arborg, Ashern, Fisher River, Gimli, Peguis, Selkirk and Stonewall. These initiatives will continue to provide an age-friendly environment so Manitoba seniors can age in place.

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

## **MEMBERS' STATEMENTS**

### **Baldur Regals**

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I'm pleased to rise in the House today to congratulate and recognize the accomplishments of the Baldur Regals of Baldur, Manitoba. The Baldur Regals have been a competitive senior baseball team in the area since 1970, currently playing in the Border West Baseball League. The Regals also had the opportunity to compete in the Manitoba Senior Baseball League for a number of years. The Baldur Regals have had much success over the years, most recently with back-to-back league titles and

back-to-back AA provincial championships in the 2008 and 2009 seasons.

Baldur has been known as a baseball community for many years and has been fortunate to field a team of mostly local players. The team is capably coached by Gerry Janz and managed by Tim Reykdal, both of whom have two sons on the team. The current team roster includes four sets of brothers.

In August 2009, Coach Janz had the opportunity to take the core of his team to Peace River, Alberta, to compete in the western championships. A number of neighbouring ball players were added to the roster for this tournament, and they went on and earned the title of 2009 western champions. The Baldur Regals are known for their sportsmanship and camaraderie both on and off the field. The Regals benefit from tremendous family and fan support. This Friday evening I am honoured to attend—to be attending the Baldur Regals Appreciation Evening where the community of Baldur and surrounding area will celebrate the success of their local team and athletes.

Mr. Speaker, I ask all the members here today to join me in congratulating the Baldur Regals on their back-to-back successes as league champions and provincial champions as well as being crowned western Canadian champions. I extend my best wishes for a fun and safe celebration at the Baldur Recreation Centre Friday October 9th, 2009. Thank you.

### **Western Canadian Music Awards**

**Mr. Drew Caldwell (Brandon East):** Mr. Speaker, Brandon recently had the pleasure of hosting the Western Canadian Music Awards. The weekend of September 18th to the 20th was a raucous celebration of music, community and the spirit of the Prairies as Brandon welcomed music lovers from Saskatchewan, Alberta, British Columbia, the Yukon and beyond.

The seventh annual Western Canadian Music Awards kicked off with the Brandon University Students' Union Rock the Block street party. It was followed by a parade of events including concerts at seven different venues, a songwriters' circle, various workshops and an industry conference. The weekend culminated on Sunday—on Sunday evening as the artistic awards were handed out at the Manitoba—Western Manitoba Centennial Auditorium. Manitoba artists delighted the host city by winning nine awards, including a number of the most prestigious categories, including best country recording by

Doc Walker and songwriter of the year, which was won by Romi Mayes.

An event of such scale is years in the making and is a perfect—and its perfect execution is a testament to the talent and determination of many. The initiative and leadership of Brandon First and the Brandon host committee was invaluable. The corporate citizens who supported the event are to be lauded for their recognition of the value of music and of our regional culture. The scores of volunteers who donated their time, energy and enthusiasm made the event possible and stood as symbols of Brandon's civic pride.

Mr. Speaker, my gratitude is extended to all who contributed to the success of the Western Canadian Music Awards in Brandon. We look forward to hosting more national events in the future. Thank you.

#### **Southwest Manitoba Health-Care Needs**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, it's my privilege to stand today to speak to the health-care needs of southwest Manitoba. I had the opportunity of receiving a group of petitions from a Concerned Citizens for Quality Health Care group in Virden that was led by Mr. David Jordan and co-chaired by Rick Plaisier as well, and many, many others in this committee for the community.

Subsequent to the meeting that we held last August in Virden, where 600 people turned out to show their concern about the lack of doctors and nurses in the region, we have had some response and received some doctors in that area. Melita community is also concerned about the lack of doctors and ability to keep their emergency room services open as well, although it has been through the graciousness of the one local doctor that they were able to keep their health-care emergency services open from Monday to Friday at this point as well.

\* (14:30)

My point is, it's been very intermittent, Mr. Speaker, in that community. Today, I will table the—I'd like to table the petitions that the Concerned Citizens for Quality Health Care provided me, and I would like those presented to the Minister of Health (Ms. Oswald) as well. And I wanted to say that there are 1,579 signatures on these documents and that shows a great deal of concern. Some of these people are in Saskatchewan, as I've made the point earlier, that they want to see this facility established and

expanded in Virden as well. The petition that I've put forward today is also—it's a petition that this group of people put together. I've read a few of the petitions in the House to date, but due to the end of the session, I wanted to make sure that the minister had all of these signatures and persons in her hands.

The concern is that it's the only active hospital servicing a large area in Virden and that there are a lot of people who were seeking doctor and nurse services in Moosomin and that there's a chronic shortage of doctors in that Virden area, and so many people go to Moosomin as well to see family physicians as well as having those physicians come to those areas. They want to increase the number of doctors. They want to see a walk-in clinic established in Virden. They want specialized health care in Virden, and they'd like to see the emergency room re-open, Mr. Speaker. Thank you very much.

#### **Island Lakes Community School Expansion**

**Ms. Erin Selby (Southdale):** Mr. Speaker, I'm pleased to rise today to draw members' attention to the recent completion of an important expansion in Island Lakes Community School. The project is representative of the growth and vibrancy of Island Lakes and the larger Southdale area. Announced in 2007 in response to growing class sizes, the \$1.3-million expansion project consists of four gleaming new classrooms. The classes combine to add 5,400 square feet of space in which our young students can learn and grow. Consequently, class sizes have been reduced and pressure on the music and computer rooms has been eased. The investment in the Island Lakes Community School is a key component in a multiyear \$135-million capital plan designed by our provincial government to further strengthen our educational infrastructure.

The Island Lakes Community School which teaches students from kindergarten to grade 8 opened in 2001 and is among the largest elementary schools in the Louis Riel School Division. Southdale's diverse selection of community programs, networks and activities combine to make it an alluring neighbourhood in which to raise a family.

Our provincial government has, over the last decade, shown an impressive responsiveness in matching significant infrastructure spending with community needs and ensuring that quality of life only increases with demographic growth.

Mr. Speaker, I'm excited to announce the new classrooms at Island Lakes Community School and

am proud to be part of an energetic and progressive neighbourhood. Thank you.

### Plastic Checkout Bags Ban

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, around the world the momentum is building to ban single-use plastic bags made from petrochemicals. They're cluttering up our landfill sites, polluting our waters and causing increasing problems around the world. In Manitoba alone hundreds of millions of plastic bags end up in our landfill sites every year. They take a long, long time to break down, and when they break down they leave toxic chemicals behind.

From Mumbai, India, to Leaf Rapids, Manitoba, communities have acted to ban plastic bags. China has banned plastic bags. The movement and momentum is growing. It's time for us to act in Manitoba. While the NDP government has been trying to move in a convoluted fashion, they've missed the point. Huge numbers of plastic bags continue to be used in our province. The simplest and best action is to ban plastic bags.

I want to congratulate Don Woodstock, Sobeys stores, the David Suzuki Foundation, Bear Springs Blossom Nature Conservation and all the others who came together September 12th of this year to mount an effort at the Manitoba Legislature to visually show the impact of plastic bags. I want to congratulate all those who brought plastic bags and particularly the students of Weston School who are here in the gallery. They demonstrate that young people in Manitoba are environmentally conscious and want to do a better job of taking care of our environment.

I hope that September 12th becomes the international day to ban plastic bags, and while Liberals are acting on the will of Manitobans, the NDP are not. While people like Don Woodstock are leading the charge to ban plastic bags in Manitoba, people like the NDP MLA for Southdale (Ms. Selby) are not listening to the calls of their constituents and are continuing to block passage of legislation to ban plastic bags in Manitoba.

It's time to act. It's time for all Manitobans to speak up for our environment. Instead of the old way, instead of using petrochemical-based plastic bags, we should be using cloth bags and biodegradable recyclable bags made from products like cornstarch. Instead of the products of the past, let us use the products of the future and build the

industries and services to the future as we build our wonderful province of Manitoba.

### GRIEVANCES

**Mr. Speaker:** The honourable member for Russell, on a grievance?

**Mr. Leonard Derkach (Russell):** Yes, Mr. Speaker.

**Mr. Speaker:** On a grievance.

**Mr. Derkach:** Well, Mr. Speaker, today I stand before the House on a grievance on behalf of the people that I represent and on behalf of residents in the western side of the province who have suffered immeasurably as a result of the incompetence, the mismanagement and the inactivity of this government.

Mr. Speaker, I speak specifically about the issues that relate to flooding in the area of Strathclair, Elphinstone, Sandy Lake and surrounding communities. The environmental damage that has been done as a result of government inactivity and mismanagement is astounding.

Mr. Speaker, it is unacceptable for us anywhere in this province to leave hay supplies rotting in water. That in itself causes phosphates and contaminants to enter the water supplies of these lakes, and yet this minister, because she would not allow water to be drained in a natural runway which flows into the Little Saskatchewan runway, or, Little Saskatchewan River—philosophically, she is opposed to that, and so, therefore, people in this area of the province suffer.

Mr. Speaker, we have, today, people living with their water supply—because they have to have water wells on their property—their water supply is contaminated because, again, this minister has refused to act to reduce the water levels. I can take you to the Rolling River reserve where we have a house that has about 20 feet around it that is not flooded, and residents in this house have been living like that for the entire summer. There is water in basements. There is water in wells. Farmland is flooded. There are hundreds of acres of farmland that haven't been able to be used.

And, you know, Mr. Speaker, I'll tell you how incompetent this minister is. When they were viewing fence posts in water that were only sticking up above the water about a foot, the response was that these farmers must have put these fence posts in and these fences in by boat. Well, how foolish can anybody get? This was pastureland that was grazed

by cattle in years previous, but because of unusually high water levels and because the government would not allow the water to flow, farmlands property was being damaged by the day, and continues to this very day.

Mr. Speaker, this minister forced the municipality to close a ditch that had been opened up to allow the pressure of water to be relieved. As a result of closing that ditch, the water tore a gully through a farmer's property and entered into the natural channel that it was being prevented from entering by the department and by this minister.

Mr. Speaker, at Thomas Lake, we have cottages where the front steps are in water. A road that connects the development, the two developments along Thomas Lake, has been under water. The municipality has been hauling oversized rock to try to build up the road so that people could connect, and yet the minister does nothing.

Mr. Speaker, we have a whole recreation vehicle campground that has been under water all summer long. People who had booked spots at this site have not been able to use it because it remains under water.

Mr. Speaker, the minister did allow Sandy Lake to lower its water levels. But, for whatever reason, in the R.M. of Harrison and the R.M. of Strathclair, those areas were not allowed to have one cup of water leave those lakes throughout the summer. Now, the minister said to us, oh, well, we have to get permission from landowners downstream. That was sought, and that was achieved, yet no action has been taken to date.

And so, Mr. Speaker, the incompetence, the utter incompetence, of this minister and the Minister of Conservation (Mr. Struthers), the utter mismanagement of this entire situation has left people in this side of the province suffering and in misery, and that should not happen.

Mr. Speaker, if that happened on that minister's own property, I can rest—you can rest assured that there'd be action taken immediately, but this is an area that is distant from the city. People have tried to cope with this to their own best efforts, but it is getting to the point where they can't.

\* (14:40)

Mr. Speaker, winter is approaching. We are going to have a snowfall. We don't know how much snowfall we're going to get through the winter. But

rest assured that next spring, there will be—this area will be applied for disaster assistance. They will be applying for disaster assistance because of the inactivity of the government this year. And yet all of this could have been resolved if the minister were prepared to work with those municipalities, the residents of that area and the people who understand what needs to be done.

It's not as though, Mr. Speaker, there are no outflows from these lakes. The outflows are there, but because, over the years, we have had low water levels, these outlets have been either silted over or, because of activity, the earth has been brought into the channels and the water can't flow out. All you need to do is deepen some of these channels by six inches or perhaps a foot at the most, and the water is going to flow out slowly, it's not going to impact on anyone downstream because the water flows into natural creeks, natural runways and then into the Little Saskatchewan River and, of course, down into the Assiniboine. But this is a government that would rather have people sit and suffer rather than to relieve their suffering and do what is right.

Mr. Speaker, I listened to the minister, in her foolish remarks, talk about, oh, we have to be concerned about the flooding downstream and the flooding on other lands. Well, there is no flooding going to take place, that has already been determined. The permission has been sought from the landowners that live along the small waterways, even the Keeseekoowenin Band where the small creek flows through, have signed off because they understand that these people have to have some relief to their misery and to their suffering.

But this minister doesn't care, because she never goes out there. She never sees the suffering. She never sees the issues—

**An Honourable Member:** Wrong.

**Mr. Derkach:** —and the Minister of Justice (Mr. Chomiak) is wrong. No, she hasn't been out there, Mr. Speaker. I can tell you that she hasn't been out there.

Mr. Speaker, she has been pleaded with. She has been petitioned. She has been asked to help. Yet, she sits in her chair, but she's comfortable in the fact that, oh, this will go away, this will pass and things will carry on as they usually do. Well, we will not allow the minister nor this government to forget how they've abandoned their responsibility in an area which is suffering, today, unnecessarily.

But, Mr. Speaker, there's more than that that I have to grieve. And I know I only have about two minutes left, but I want to raise one other issue. And that is the issue I raised with the Minister of Conservation (Mr. Struthers) yesterday regarding the tuberculosis on the west side of the province, in the cattle herds and in the elk.

Mr. Speaker, the federal government has put a projection out that in a few years, with their activity, they are going to be able to eliminate the tuberculosis incidents in the Riding Mountain Park. That's their jurisdiction; that's their responsibility.

But, Mr. Speaker, outside of the park, on Crown lands, on farmlands, the deer population and the elk population are the responsibility of the provincial government. And so, therefore, cattle producers, the Manitoba Cattle Producers Association, landowners are asking this government what their plan is to reduce and to eliminate, eventually eliminate the incidents of TB in elk, which can be transferred to cattle, to livestock, and this is costing our producers, our livestock producers, millions of dollars a year.

Now, Mr. Speaker, the government has come up with a \$6 per head mustering fee. That doesn't even come close to covering what the real costs are. And I know that first-hand because it happens that this year our herd is going to be tested, and it should be tested, because nobody wants to see this disease transferred to humans, and the only way that we can prevent it is to have an effective program that is going to work to ensure the elimination of this disease.

But, Mr. Speaker, when I asked the minister for his plan, for his plan to eliminate this disease on the western side of this province, he has no answers, he has no strategy, and I find that regrettable. I find that he, again, has abandoned the people that he is responsible for. He has abandoned the cattle producers and he's abandoned Manitobans, and it's costing Manitobans millions of dollars as a result. Thank you.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### House Business

**Hon. Dave Chomiak (Government House Leader):** I wonder if you'd call bills for concurrence and third reading, Bills No. 36, 31 and 35 in that order, please—Bill 36, Bill 31 and Bill 35.

**Mr. Speaker:** Okay, orders of the day for government business this afternoon, we will deal

with concurrence and third reading of Bill 36—in this order: 36, 31 and 35.

### CONCURRENCE AND THIRD READINGS

#### **Bill 36—The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries)**

**Mr. Speaker:** Okay, I'm gonna call concurrence and third reading of Bill No. 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries).

**Hon. Dave Chomiak (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Mr. Speaker, I move, seconded by the minister of highways, Transportation and Infrastructure, that Bill No. 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries); Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (majoration de l'indemnisation en cas de lésions catastrophiques), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

**Mr. Speaker:** It's been moved by the honourable Attorney General, seconded by the honourable Minister for Infrastructure and Transportation (Mr. Lemieux), that Bill No. 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

**Mr. Cliff Graydon (Emerson):** I'd like to put a few words on the record about Bill 36, and as you're quite well aware, that we brought forward a number of amendments to Bill 36. Those amendments were non-political amendments. They were brought forward to enhance the bill, not detract from it in any way. It was unfortunate that the minister responsible for the bill chose not to vote for them, actually instructed his caucus and backbenchers to speak against it and to vote against the amendments, Mr. Speaker.

In regarding Bill 36, there was a catastrophic definition that was supposed to define "catastrophic," and one of the individuals that had made a presentation to the committee made a very, a very good presentation, an in-depth, well-thought-out presentation from a personal experience, and her recommendation was a whole-person impairment of

a brain-injured claimant. And she said: Please be aware Mr. Chomiak's comments at the committee which was—and that—this will be considered in review of the bill. Mr. Chairman, as we went forward—

**Mr. Speaker:** Order. Order. When addressing a member in the House, it's members by their constituency or ministers by their titles, not by their names, please.

**Mr. Graydon:** Thank you, Mr. Speaker. I meant to say the Minister responsible for MPI.

But the minister's comment in committee was: that this will be considered in review of the bill. That was a comment that he made to the presenter, and, quite frankly, Mr. Speaker, when the amendment was brought forward, the minister paid no attention to it. So Manitoba Public Insurance is failing the most vulnerable and the catastrophically injured people.

Marilyn McLaren, who is the CEO and the president of MPI, recently published a letter in the *Free Press* that is blatantly false and neglects the realities that Manitobans must face in dealing with a catastrophic automobile collision. Ms. McLaren continues by criticizing a *Free Press* editorial that accurately describes MPI as failing. MPI's CEO, obviously, is unaware of the intentions of the MPI legislation, which is to provide insurance so that individuals, as much as practical, can live as they did before the accident.

\*(14:50)

*Ms. Jennifer Howard, Acting Speaker, in the Chair*

The debate during this time when the legislation was introduced clearly indicated this intention. MPI's own brochures and propaganda states this principle. There is no point to having insurance if the insurance company simply is going to rely on services already provided by a government.

Insurance is just that: insurance to protect one from catastrophically—from catastrophic injuries. MPI fails the legislation the Doer government has introduced. Tragically, people who are injured in car accidents under MPI legislation are doomed to fail in life without proper support. The issue is that personal injury protection plan is not fulfilling its original intention of helping catastrophically injured people reaching the level of independent quality of life as much as possible as if they had not had an accident.

A recent court ruling by a chief justice of Manitoba describes MPI coverage as wholly inadequate in dealing with the costs of attendant care. Premier Doer promised to fix the situation. Instead, the Premier has introduced legislation that will do nothing in practical terms to address the issue.

As the *Free Press* editorial correctly stated, the insurance is enough for a catastrophically injured person to remain housebound for life instead of pursuing dreams and ambitions with caregiver help. Ms. McLaren continues by getting in a false argument between a litigious court system of 1980s which brought down the Pawley NDP government in 1986 versus a no-fault system of today. Remember that, Mr. Minister.

The no-fault system was introduced to ensure that the catastrophically injured people would receive the care needed and deserved. In exchange for this coverage, Manitobans agreed to forgo their right to sue MPI, the assumption being that MPI would begin to look at victims from their perspective and have the ability to compensate their economic and health-care needs. That is why section 138 of the MPI is flexible without caps. What was not anticipated is that MPI would continue its litigiously tort mentality from the past and apply it in a no-fault system where MPI has all the powers. This leaves the average person on the street with little recourse. Those people who have to deal with MPI well know that MPI has a battalion of lawyers ready to crush anyone who has the audacity to challenge MPI's Orwellian will. A few brave souls have tried to challenge MPI but are faced with the incredible challenge of doing so without a lawyer or the resources to pay for a lawyer while their premium dollars are paying for MPI's legal hit squad. Not surprising, MPI wins every time.

MPI's obligations are being subsidized by Manitoba Health, and due to the fact that Manitoba relies on over 40 percent of its budget from the federal transfers, MPI's being subsidized by taxpayers of Alberta and other have provinces.

The legislation introduced by the NDP undermines the principle of no-fault insurance further by introducing artificial lifetime caps on benefits: why someone who is in their 20s with 60 years to live is faced with the same cap as someone in their 90s. The caps, particularly over time, insecure captivity—ensure captivity for anyone who is catastrophically injured. Equally important is

that there are no guidelines or appeal process with which to access the \$1-million cap.

If the NDP government does not straighten out MPI, it provides another reason why it's time that we have a Progressive Conservative government in Manitoba. The NDP's attempt to reform the personal injury protection plan, which is administered by the Manitoba Public Insurance, is a farce. In a recent court ruling regarding MPI's support for Steven Fletcher, a quadriplegic resulting from a collision with a moose, a chief justice of Manitoba, Richard Scott, ruled that MPI's coverage was wholly inadequate to provide the essential level of personal assistance for a victim of an injury such as Mr. Fletcher's, who decided to make something of his life despite his catastrophic physical injuries, and that the PIPP legislation should be changed. The changes proposed by the NDP do not meet this demand and would actually reduce coverage for the catastrophically injured.

First of all, funding for home care as proposed in the revised act is totally inadequate. The NDP needs to do some simple calculations for home care. We tried to help the minister in the amendments, and it didn't seem to register. The NDP is proposing about 5,000 per month for personal assistance—home care—and when this is divided by the number of hours in an average month, about 730, the result is less than \$5 an hour. This is from a government that says we need to have a minimum wage in this province, but not for the catastrophically injured's help. This is less than minimum wage. This new proposal by the NDP is obviously still wholly inadequate for catastrophically injured victims who need 24-hour care.

Secondly, the NDP is proposing to institute a total lifetime maximum of a million dollars for medical expenses. The limit would be reached while a person was in their 20s if they were injured in their teens. The math is irrefutable. The main objective of no-fault PIPP legislation was to ensure that the seriously injured would be provided with necessary care. To this end, no limit was put on medical care for the seriously injured, and this is one of the fundamental reasons why no-fault insurance was accepted by the Manitoba public. Now the NDP wants to put a limit on medical expenses.

In addition, the proposed revisions to the act state that other agencies, including federal government, must support MPI. Why should the taxpayers from other parts of Canada subsidize MPI?

MPI should stand on its own. It should not be subsidized by other government agencies. In fact, there are no other agencies in place for catastrophically injured victims to turn to. MPI is simply trying to create an escape clause for themselves.

In a recent article—in a recent article in the *Winnipeg Free Press*, the MPI CEO, Marilyn McLaren states that catastrophically injured now have a piece of mind knowing that they're entitled to virtually unlimited financial support. The statement is false; it makes one wonder why is MPI trying to mislead the public. The current feeble attempt by the NDP to change PIPP legislation have been counterproductive. The NDP must do the math and recognize that MPI is not providing adequate coverage for the victims who need the 24-hour care.

So, Madam Deputy Speaker, with those few words, I hope that the minister gives this some serious consideration. He said that he would do that in committee. He has neglected to do that. I would hope that he takes the message today, that he has heard today and that he takes that forward, and he takes it forward and gives it to Ms. McLaren, the CEO and president of MPI, and ensures that MPI does look after our catastrophically injured and, doing that, also looks after—and I will give him a suggestion that there needs to be changes made to the procedures that MPI bodily injury department.

But since they have only barely defined catastrophic definitions, I will help him. The description for this should be that the symptoms and deficits are so severe and disabling as to seriously and continuously impair their functioning and quality of life—and attach a procedure to this definition, asking the treating physicians to certify with criteria that two years have passed since the accident and that they are not expected to improve. That it needs to be that simple, an automatic decision without MPI referring this back to the independents, the independents that they say they have, which are hired and paid for by MPI, the very same independents that challenge each and every individual at every step that they do as they go forward with their claims. The most vulnerable in our society are being put down by this very minister and by this very government, the NDP government. Thank you, Madam Deputy Speaker.

**Mr. Blaine Pedersen (Carman):** Madam Deputy Speaker, as we are in third reading of Bill 36, my colleague from Emerson brought forward a great

number of amendments, all to be denied by this government, and their fall-back position on Bill 36 always has been and always continues to be, the Tories are going to privatize MPI. *[interjection]* It is not—that is the NDP fall-back position, and that—and all that is—all that is is means that they put their government ahead of the catastrophically injured in Manitoba. This government has no idea how Manitobans feel about MPI.

\* (15:00)

So, Madam Deputy Speaker, I just received an e-mail this afternoon—kind of coincidental, actually, that we're debating Bill 36—and this comes from a constituent in Somerset, and I'll just enter into *Hansard* what this constituent wrote to me. And, he says: How many complaints come to your office about Manitoba Public Insurance? I can tell him there's many. I have—he writes to me, I have come to the conclusion and, not only I, but many I have talked to, that MPI does not give one hoot about the public in general. The office is a mess as far as dates are concerned and, what is worse, the company compels you to take a lawyer, which quite often makes the cost run so high that in the long run it's a losing proposition for them. MPI is wonderful when you never have an accident, but, oh, when you have one, which might not even be your fault, they are certainly no servants to the insured. No fault to insurance—no-fault insurance to MPI means everyone is at fault, there are no innocent parties. You drive an automobile insured by MPI, you are, no matter what at—you are, no matter what, at fault. Who is responsible and whom can you take these concerns? Something needs to be done. The public, by just listening to them, that there are those who have dealt with MPI are fed up. And this comes from a constituent in Somerset.

And it's not just us as partisan people that take MPI to task, this government to task. This is constituents that we hear from every day about MPI. If there—they are more—this government is more concerned about the bottom line of MPI than it is concerned about dealing with the catastrophically injured.

The member from Emerson introduced an amendment which would increase, or which would take the cap off of the monthly allowance for catastrophically injured. The argument came back, we can't do this because this would cost too much money. So now what you're talking about—it's about

cost. It's not about dealing—helping these most vulnerable citizens of Manitoba.

We know that this government is more concerned about the bottom line. We know that they want to bottom line out of MPI so they can raid it for their own government coffers. That's the bottom line of their running MPI and as well as many other Crown corporations.

Madam Deputy Speaker, this is—this bill is—this bill would have never come forward had it not been for the high profile case of the MP Steven Fletcher. The Premier (Mr. Doer) was backed into a corner on this to bring it forward because of—because of Steven Fletcher's injuries and his high profile and the poor treatment that he had received out of MPI.

So what they did is they made some grandiose announcements, more press releases, millions of dollars spent. But what the bottom line is, when you come down to the individual person who is catastrophically injured, this government is not willing to deal with them. They are treating them worse than poorly, and this bill does nothing, does—pardon me. This bill does very, very little to help those who are catastrophically injured. It does not bring them up to helping them lead a more—as full life as they are capable of doing.

It instead puts penalties on, puts limits on and, for that reason, this bill should never pass. But it's going to pass because of the arrogance of this NDP government. There is no concern at all for the—for the very people—the very people—who paid the insurance premiums to make MPI possible to even exist. There is no consideration of them at all. This bill is bad legislation. It should never pass. I urge this government to pull this.

Thank you, Madam Deputy Speaker.

**Mr. Kevin Lamoureux (Inkster):** Madam Deputy Speaker, I just want to put a few words on the record prior to this bill passing, and just to recognize as the official opposition members have pointed out a number of—a number of concerns, some of which we would share. Having said that, I wanted just to quickly make reference that there are some areas of the bill in which I think would receive widespread support. In particular, where individuals have succumbed to the injuries of a vehicle accident and, at some point in time after the accident, they require, through death, the need for burial and death benefits, and we see that the bill does deal with that issue in good part.

There are other issues in which I wouldn't mind just to make reference to, the issue of appeals. MPI through the years I believe needs to move in a direction that is more, say, consumer friendly, for the lack of better words, where individuals can feel adequate and capable of being able to represent themselves in going through an appeal system in which they are not going to be wondering, well, what if I would've hired a lawyer to represent me in going through an appeal. I think that we want to keep it simple enough to the degree in which people are able to get decisions made and feel comfortable in knowing that they've been treated fairly.

I do believe that there are a number of people within the MPI system that have, unfortunately, had to wait for, you know, unbelievable times in terms of being able to see a final decision being made, and, on occasion, we do see decisions that are made that are favourable to a particular claim and, quite often, where they're not. But whether it's a favourable or unfavourable decision, we need to do and have in place an appeal mechanism that ensures that there is justice as quick as possible and that decisions are in fact being made, and to that extent the consumer of this service would be better served.

With those few words, Madam Acting Speaker, we recognize that the bill in fact would be passing. Thank you.

**The Acting Speaker (Ms. Howard):** Is the House ready for the question?

**Some Honourable Members:** Question.

**Some Honourable Members:** No.

**The Acting Speaker (Ms. Howard):** Oh.

**Mr. Larry Maguire (Arthur-Virden):** I appreciate the fact that the member from Inkster was speaking to this particular issue as well. It was a concern to me this whole issue of compensation for catastrophic injuries. I know that we're pleased to see that Bill 36 has come forward, The Manitoba Public Insurance Corporations Amendment Act (Enhanced Compensation for Catastrophic Injuries). But, as mentioned by my colleague from Emerson (Mr. Graydon), and, I believe, others, the member from Inkster just spoke on this as well, and some of my colleagues who have spoken and who will speak in future on this or have at second reading in report stage.

This bill only goes part way in regards to the types of requirements that are needed. It certainly is

a step in the right direction, and I commend the government where credit is due. But, Madam Deputy Speaker, in regards to why this bill is before us in the first place, I just want to make it very clear that I had the opportunity to speak to Bill 229, a private member's bill that was brought forward by the member from Emerson earlier in this session to deal with similar catastrophic injuries and compensation and home-care needs and how to deal with these circumstances, and I've spoken to this before in the House, and I commend the member from Emerson for bringing forth the bill that he did.

\* (15:10)

Now, I know that the government didn't vote in favour of that bill, but I think it helped spur on the fact that they were able to bring in Bill 36. Like, I know it did, Madam Deputy Speaker, and I commend the government for doing that.

But I believe that, as the member from Emerson indicated, that during committee, the member from Kildonan, who's brought this bill, you know, seen it come forward, that, you know, he led the committee people to believe that this—that their suggestions would be dealt with once the bill came back in the House, that there would be amendments brought forward by the government to deal with those issues. And there wasn't, Madam Deputy Speaker, and I think that that's a concern to those citizens. Certainly, it shows that the government wasn't listening to their needs in that area. And so the member from Emerson, I think, with a great deal of research and a great deal of time and effort on this, brought forth some 11 amendments towards improving the bill. And as he indicated in his words in the House today, it was brought purely with the intent of making sure that the bill was improved, to cover some of the circumstances that we felt strongly, on this side of the House, needed to be dealt with.

I know the government has indicated—I think it's—I think it's something like \$14-million worth of enhanced benefits, that \$35 million would be set aside to improve ongoing benefit payments over the course of their lifetimes for these individuals, Madam Deputy Speaker. But I have indicated in my previous comments that—two areas that were of a concern were the fact that the \$800 increase per month from \$4,000, capped at this time, goes up to \$4,800. It hasn't been changed for a number of years. That wouldn't keep up with inflation, I don't believe, in the numbers that we looked at, and I think that there needs to be a removal of this cap entirely.

And I say that because, you know, knowing full well that there's a fiscal responsibility in regions of insurance and in care, but when it comes to the definition of catastrophically injured persons, as defined by other provinces—I know the Province here picked up on what's being done in Saskatchewan—to include others in quadriplegia and paraplegia, two amputations or more, loss of functional vision, 80 percent damage in those areas, full thickness of burns in some areas, psychiatric injuries and brain injuries, Madam Deputy Speaker, and I commend them for changing the definition and improving it as well.

But for the—but where this falls down in the government's—in my mind at least—in the government's responsibility is in the fact that in their own documents, Manitoba Public Insurance indicates that there are only 16 quadriplegia persons in the province, and quite a number of more paraplegia and others that would be covered under some of these definitions. But in—when we have a situation where there are only 16 quadriplegics since 2004—and believe me, three a year is too many, Madam Deputy Speaker, we'd like to see that reduced to zero—but to help those people and others get on with a normal and functional life is why this bill has come forward, I'm sure, from the government, and it's why our member brought forth Bill 229. It's also why he brought forth 11 amendments that could have been very much used to improve the bill and help clarify the needs of these persons.

Madam Deputy Speaker, I just wanted to put on the record as well that while we're going through the House in report stage on these amendments coming forward, that quite often, you know, one amendment comes forward and it gets voted on and the government voted it down, and maybe the public's listening for that particular amendment, but not for the next one or the next one and the next one. And so I just want to put on the record that all 11 amendments were voted down by the government, from the opposition's amendments, in an effort to try to support the government, actually, on a bill like this. And I think that that's too bad, that their political view got in the way of good legislation on this particular view—on this particular bill.

There was a \$1-million cap on one of those amendments as well in those areas, the \$4,800 one that I mentioned as well earlier. There was sections that needed to be changed in—around 137.1 in regards to the days of reporting, the 14 days after receiving the victim's request that the corporation should notify

the victim in writing, and that's pretty important at that particular time in a major accident like this, Madam Deputy Speaker, regardless of the type and the cause. It not only helps even if the person isn't able to understand, their families, their relatives, their friends, certainly, are going through a trauma as well. And they need to be aware and know that there is going to be support there for the individual and for their families, and it certainly does alleviate a good deal of stress from those individuals at that critical time.

And I think that, you know, to say that, well, we'll have a million dollar cap on areas is a bit disconcerting as well because it doesn't take anything into consideration for the age of the individual, Madam Deputy Speaker. If I'm 70 and I'm involved in an accident like that or even, you know, younger or older, that particular cap, to a person that's basically a senior, is one thing, but if this happens to you when you're 18 or 19 or 20, and you've still got a million dollar cap on that area, it only goes so far, depending on the quality and the depth of the kinds of care that you're going to need. And, believe me, if you need 24-hour, seven-day-a-week care, as say, Christopher Reeve did, with his level 2 accident, or as has been mentioned in the House many times, our Manitoba Member of Parliament from St. James-Assiniboia, Charleswood and Headingley, Mr. Steven Fletcher. That type of—well, it seems like a lot of dollars. If you try to spread that over a lifetime, it doesn't give that person the care to do what is required by the goals of the bill to provide that individual with an opportunity to get themselves re-transitioned into lives that are productive, both socially and economically, for their own future.

And those opportunities are available today, much more so than they've ever been in the past, Madam Deputy Speaker. And I know that personally because of the computer age that's available, the types of voice-activated equipment that is available today, the on-line courses and opportunities that individuals can take. There isn't the mobility requirement when they have to get in the winter and move in cold weather. There's a lot of these courses available in their homes or in their—opportunities, and that's only one example.

I know that the member also brought amendments forward to strike out clauses 17, 18 and 19 in this act, in this bill, Madam Deputy Speaker, and the reason was clearly that they limited the amount of appeals that the individuals could do to MPI's decision about not supplying them with further

support. And these could be for many reasons. You know, a person at MPI has a big caseload, there's a lot of accidents, not just catastrophic ones but others that they need to go through on a regular basis. And, you know, a person can make a mistake or an error in the types of interpretation that they've had on a case that's coming before them. And so you need to make sure that these kinds of cases are looked at and that we are compassionate to those kinds of issues.

And I think that, you know, we've also heard the issue that sometimes the appeal isn't allowed because of a cost-cutting measure. And I've made my case, I think, in that regard for these particular catastrophically injured persons, that we need to take a look at how much more it would be required over that lifetime of the individual to provide them with the care that would be necessary for them.

And I think it also provides an appeal just for the regular basis of the accountability of Manitoba Public Insurance itself in restricting claimants' ability to appeal MPI's decisions, Madam Deputy Speaker, and I urge the government to give serious consideration to future amendments in looking at this bill in the future to provide those opportunities.

I know that there were other amendments that this government chose not to pass, all 11 of them, very substantive, in an effort to try to help catastrophically injured persons in Manitoba, Madam Deputy Speaker, and I think that, you know, we all know that insurance is there to try and help in terrible scenarios and accidents that are extremely catastrophic. And there's no question that the member's amendments were brought forward to help but to try and enhance this bill, and that the bill, while it's a step in the right direction, needed a great deal more support from the government in regards to trying to bring these individuals back to a fully productive life, as fully productive as you can under the circumstances of their accidents.

\* (15:20)

And I must just say, as well, that any one of us—I think I made this comment in my comments earlier in the House—that any one of us could be struck by this type of an accident at any time, Madam Deputy Speaker, and I think it's really a—it's what I know made my colleagues look at this in such a responsible manner. And there are many other places, I think, that these claimants could gain the support from as opposed to what is being—the government has directed the public insurance corporation. And I—and I know that, perhaps, the

people that work very, very hard in Manitoba Public Insurance would, in fact, enhance and maybe look at doing some of these things if they were allowed to do it internally. But I think that the government has directed them not to make further changes in this type of a—of definitions and further changes in the kinds of support that they're getting.

But I think we need to put on the record that the government needs to look at where it's spending money, whether it's in overhead administration costs at MPI which, I know, as a corporation, they're probably trying to do the best they can. But then the government offloads things like drivers' licensing on them and, you know, there's about 5 million a year that they have to absorb from the government's decision to pick up that cost, Madam Deputy Speaker. There's 13 million and counting in the enhanced ID cards that they're continuing to use. These are—these are not small amounts of money in anybody's mind in Manitoba in regards to the size of support that would be needed for these individuals. In fact, it could well fund all of the changes that the government is looking at bringing forward over a certain period of time.

And so I think that while there are a good many areas that can be used to pick up support for these types of individuals, I just want to reiterate, as well, the comments that my—that I know the member from Emerson was talking about. And that was in regards to the, of course, quadriplegic case of Mr. Steven Fletcher and, of course, the Manitoba court ruling from Justice Richard Scott at that time, where he also said that it was wholly inadequate. And that was in reference to Manitoba Public Insurance compensation scheme for people of Mr. Steven Fletcher's determinant injuries, Madam Deputy Speaker, I guess, is the words that I'm looking for. It was a tremendous accident that a young individual, an up-and-coming engineer in the province of Manitoba and a very great athlete in his own right at that time was—had his life changed in a split second when he hit a moose on a highway in the dark in the middle of January. And it's a—it goes back to what I've said earlier in this House about how quickly things can change in regards to where we need to be in regards to support for any one of us that might be faced with this in the future in the province of Manitoba.

So, with those words, Madam Deputy Speaker, I would look forward to other comments on this particular bill. Thank you.

**Mr. Kelvin Goertzen (Steinbach):** Madam Acting Speaker, just a few comments I want to put on the record regarding this bill before it moves to conclusion in the Legislature here.

First of all, to repeat what I have said in the past, I want to commend the member for Emerson (Mr. Graydon) for the hard work and the heart that he's put into this bill, because he really has not only put the sweat equity into ensuring that the work was done in terms of amendments and speaking to individuals, but he really poured his heart into it, and—*[interjection]*

Well, you know, I hear the Minister of Energy (Mr. Rondeau) making some derogatory comments. I know, I think if he were to review his own heart, he would find that the member for Emerson put all of these amendments forward with the right intention and with the right motive in terms of helping individuals who, in many ways, aren't able to help themselves in the context of the Legislature and many other things that we take for granted in our daily lives.

A great deal of time has already been expended in referencing the case of Steven Fletcher. And I just want to, again, say to the Minister responsible for Manitoba Public Insurance Corporation (Mr. Chomiak), that the specific case of Mr. Fletcher is important and the work that he has done in raising awareness about the deficiencies regarding coverage under MPIC is also important.

And I know, as a personal friend of Mr. Fletcher, that he never ever would have wanted this battle foisted upon him, but it's something that he's taken up because of the circumstances of his life that he's found himself in and he's done so not simply on his own behalf. Certainly, he was fighting for benefits to allow him to lead his life to the fullest of his abilities, and his abilities are many, Madam Acting Speaker. But he also took on the cause for many others who either weren't able to articulate for themselves, or who didn't have the podium that he has in the various positions that he's held in his remarkable life. And that certainly is drawn out very clearly in his book that he's written and that has received, I think, critical acclaim across Canada. He has met with many individuals across the country and so he has specific expertise about how jurisdictions compare in terms of coverage for injuries that are considered catastrophic in our country.

And so there's a very good reason why we would cite his particular case and his particular experience;

is because that is somebody who has, not only real life experience, but also has taken it upon himself to be a champion for the cause. And, again, not something that he would have asked for in his life but something that I think he felt was put upon him and he has picked up that responsibility to ensure it happens.

And, you know, Madam Acting Speaker, we could cite many different pieces of legislation that have come before this Chamber and that have been debated and passed in this Chamber, that came as a result of a particular individual who either lobbied government or who had some sort of experience. There's been labour legislation that's been brought forward and supported by all members of this House because of individual experiences that people have had, sometimes tragically. And the law was changed; the law was rectified as a result of that individual experience.

So I'm not entirely sure why the Minister of Justice (Mr. Chomiak) would say that we shouldn't talk about individual experiences because time and time again so many of our laws are based, and are driven, and are brought forward as a result of individual experiences and there's nothing wrong with that.

I would hope it's not a partisan issue on behalf of the Minister of Justice. I would—I'll take him at his word that it isn't and that for whatever reason, he has a particular desire not to see Mr. Fletcher's case brought forward publicly. But in that way, I mean, he's already—you know, he's speaking—he can't close the door on that from happening because Mr. Fletcher's case is well in the public and he's well known and he's a published author about it and it's been discussed at great length, his particular case. And so it's not as though we're revealing something here in the Legislature that isn't already well known across Canada and the halls of Parliament in Ottawa.

So I do also then want to just put on the record that I thank Mr. Fletcher for being somebody who was willing to take up this cause and to be vocal and to not give up, to not give up when so many expected him to give up. And I know not only in reading his personal life story, but in hearing it from Steven himself, that is what the system believed would happen with Steven Fletcher; that he would simply give up and that he would not try to complete his M.B.A., his Master's of Business Administration. They never contemplated that he would run for political office. I mean, it was so far off the mark. It

had never happened before, and time and time again they believed, and I mean the system believed, that he would give up in his quest to either become elected or to reach higher education or to achieve other things or that he would fail. And I'm proud of the fact that we have, not just somebody who I call a friend, but a Manitoban who didn't give up and who didn't fail and who proved all the naysayers, and there were many, wrong.

\* (15:30)

And I suspect, Madam Acting Speaker, that's why this bill doesn't go as far as we'd like it to go, why it doesn't reach as far as it should reach, I do think that Mr. Fletcher will be successful again in his quest some day, and that this Legislature at some point in the future will recognize the shortcomings of the legislation that he has pointed out. He's not a quitter; if there's one thing I've learned about Steven Fletcher is that he's not a quitter, and I don't think he'd—he'll quit and I don't he should quit. And I thank the Minister of Energy for agreeing with that, and I suspect that we're gonna hear from Mr. Fletcher again, and this Legislature whatever its composition may be, in terms of members or in terms of government, will hear from Mr. Fletcher again, and I predict he will be successful in the future, and we'll look back at this day as a day when we didn't go as far as we should have, but I think that that error will be corrected by a future Legislature at another time.

Thank you very much, Mr. Speaker. I believe, from our perspective, we're willing to move this forward on a procedural basis.

**The Acting Speaker (Ms. Howard):** Is the House ready for the question?

**Some Honourable Members:** Question.

**The Acting Speaker (Ms. Howard):** The question before the House is concurrence and third reading of Bill No. 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries); Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (majoration de l'indemnisation en cas de lésions catastrophiques).

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

I declare the motion carried.

### **Bill 31—The Manitoba Floodway Authority Amendment Act**

**Hon. Dave Chomiak (Government House Leader):** Madam Deputy Speaker, I move, seconded by the Minister of Child and Family Services, that Bill No. 31, The Manitoba Floodway Authority Act, Loi modifiant la Loi sur la Commission du canal de dérivation du Manitoba, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

**The Acting Speaker (Ms. Howard):** It has been moved and seconded that Bill No. 31, The Manitoba Floodway Authority Amendment Act, seconded by the Minister for Family Services (Mr. Mackintosh), be—reported from the Standing Committee, be concurred in and be now read for a third time and passed.

**Mr. Larry Maguire (Arthur-Virden):** Thank you, Madam Deputy Acting Speaker. I am assuming that the minister—and I appreciate the fact that he's allowed me to proceed first in speaking to this bill.

We had a couple of presentations from Grand Chief Ron Evans and from deputy—from, pardon me, Chief Donovan from the east side of Lake Winnipeg on this particular bill, and I know that their concerns were raised with regards to the Manitoba Floodway Authority and the kind of training that it has offered to First Nations people in regards to the Floodway Authority. And we don't have a problem with the training issues, Madam Deputy Speaker. This is a priority and the training should be a priority. It will remain a priority on all projects, but not just the Floodway Authority or the east-side road; it's in regards to projects in the north and all over Manitoba, and these are skills that can be learned for a lifetime.

But, Madam Deputy Speaker, I do want to say that, from our perspective on this side of the House, we are in favour of the east-side road being built. That is a priority of our Progressive Conservative side of the House as well. I've stated that in my comments in regards to second reading and at committee, and I want to make sure that that's clear tonight, as well, today, this afternoon in the debate in the House. And I think that it's very, very incumbent upon us, though, to be clear on the record as to what the government's intent with this bill is. And it's not so much an opportunity to perhaps have a road built up the east side as it is to provide a carrying on of an existing authority, for what reason we don't know. The Floodway Authority was put in place to build a

ditch, to expand a ditch that already existed, called the floodway, in Manitoba, started by Duff Roblin many years ago, but in the '60s has saved, I wouldn't say hundreds of millions at one time but certainly now billions of dollars worth of costs that would have had to have been rebuilt time and time again from several floods that we've had since it was built. It was a great concept. The Floodway Authority was put in place to do that.

The government passed a bill to allow the Floodway Authority to be put in place and Mr. Gilroy was put in charge of the Floodway Authority, and they have expertise in the Floodway Authority to be able to handle certain circumstances, Madam Deputy Speaker, that they've used, but our side had concerns about why that kind of a body was put in place, or needed to do that particular job. And subsequent to that, which had nothing to do with The Floodway Authority Act, then there was a forced unionization for the labour to build the floodway, and so that you need not apply unless you're unionized, in regards to the work that was done on the Floodway Authority.

So, when I had the briefing from the minister, that is a concern that I have raised then and raise now in regards to those issues and, of course, the answer is, well, no, it's not part of the bill. Well, it wasn't part of the Floodway Authority either. Now they're saying it's not part of the Floodway Authority's responsibility in regards to building the east-side road. Madam Deputy Speaker. I can only speak against this bill from the perspective that we don't know what the government's intent is, and I think we need to make very, very clear that you don't have to have the Manitoba Floodway Authority in charge of a project like this, to build a road up the east side of Lake Winnipeg.

And, if you do want the expertise that those people have, Madam Deputy Speaker, the minister has all the power that he—that he can muster in his department and through his office to hire those people who are presently with the Floodway Authority, continue on with the jobs, if that's what he feels is necessary, and bring the responsibility of building roads back into his department.

And, Deputy Speaker, this is not out of ordinary either. The precedent here would be set that this would be the first road in Manitoba not built by the department of transport or in charge of it. We've got a situation where all highways and roads in Manitoba today of a provincial nature have had the Province

involved in the management and through their engineers, either done it internally or had it hired externally on a contract basis, to build every road and highway that's got a provincial designation in this province, and some of the ones that they've had partnership with the federal government on as well.

So why does the minister not have confidence that his own department to be able to do that on the road up the east side of Lake Winnipeg? We don't know. I do know, and I can put on the record, that SCN-Lavalin has been hired by the Floodway Authority Inc. to a corporation that's been set up to begin the process of looking at acquiring documents for, and getting documents for the environmental licensing process that will be necessary when—before a road can be built.

We do know that this Inc. corporation has hired SCN-Lavalin Engineers and Constructors Incorporated to provide possible routes to the Floodway Authority when it will be established, when the bill is passed by the government. We do know that the word "authority" is the only word that's really changing in this act, Madam Deputy Speaker. It's just being expanded to include—beyond the Manitoba floodway to include the East Side Road Authority, and that the government seems that they don't want to have the responsibility in the department for building this road. And from our side of the House, it just doesn't seem fathomable that the government has to offload its responsibilities on another organization to do—to take on the responsibility.

You know, we've got concerns there, Madam Deputy Speaker. I've raised some of them in question period here; you know, whether or not it's going to end up being the role of the present people that are in the Floodway Authority or not, and, of course, I'm assuming that the 38 or 40 people that are presently working there, 38 staff, according to the FIPPA information that I have, freedom of information and public protection act, is the fact that there are 38 persons working there now with a total salary and benefits package of just under \$2.6 million. It's not the issue of what their salaries are, but when the work of the Manitoba Floodway Authority was completed, that was to be the end of the Manitoba Floodway Authority's role, initially.

\*(15:40)

So if, now, it's going to be expanded to do the east-side road, what's next? Will it be in charge of building CentrePort Way at several hundred million

dollars to the CentrePort area from Inkster, joining the Perimeter Highway? Has the minister got plans for putting them in charge of doing things like that? I don't say that the minister as well, because I think this is more of a government initiative, perhaps coming from his leader, that this is the edict that's come down, that this is what has to happen. But the minister's certainly carrying the ball for and doing a good job of trying to make sure that it's put in place, Madam Deputy Speaker.

But I just want to utter a word of caution as well. I received yesterday a document entitled, *The Changing Face of Infrastructure*, and it's a study done through the private sector infrastructure providers and views from all over the world by KPMG International, a very renowned organization, Madam Deputy Speaker, that indicates through the economist intelligence unit that the biggest concern of a lot of contractors in—throughout the world—127 of these were from North America—69 percent expressed concern about the impact of government effectiveness, and they cited government effectiveness as the biggest obstacle to meeting infrastructure needs. Well, I think that if that's the case, the government should actually be more hands-on in regards to the type of contracting and the accountability of the dollars that are being spent, because these are taxpayers' dollars in regards to the projects that we're seeing built.

If the minister wants to hire the persons from the Floodway Authority and hire them within his department, we don't have a problem with that, as long as there's a responsible role in not duplicating work that could be presently done by people in his own department. But, historically, large projects like this are contracted out, and tenders are provided for individual companies to pick up parts or sections of the work. And so we have no problem with SCN-Lavalin being hired to do some of that work at the present time, but why then is it being turned over to the Floodway Authority as opposed to the department? And, of course, I'm sure that the minister will have access and first-hand knowledge of what those reports say.

He'd be negligent in his responsibilities if he wasn't demanding that, and I understand that those reports should be available within weeks. But I—and these reports will outline some of the areas of where the road should go. We've already got, Madam Deputy Speaker, opportunities for winter roads. Many miles of winter roads have been carved out of the boreal forest and—already, of course. This is the

same boreal forest that they don't want to bring a hydro line down through, and they want to go 400 extra kilometres around the west side of the province at a cost of 600 extra million dollars, enough money to at least build this road, maybe even twin it up the east side of Lake Winnipeg.

And I think those are why we have concerns, or why I, as the critic in this particular area, have concerns as to why this road would go up the east side under a Floodway Authority management program. And I know from my days as competitive, training and trade critic, as well, that all of the training that can be done and will be done and should be done in regards to the utilization of Manitobans that we have, whether they're First Nations or otherwise, needs to be done, Madam Deputy Speaker, and can be done by programs that the Minister for Competitiveness, Training and Trade (Mr. Swan) has already got on the go.

These are processes that are existing, that would be very valuable tools for life skills for persons on the east side of Lake Winnipeg, and it's certainly why the grand chief and many other persons on the east side of Lake Winnipeg want to see this road built as we do. It's because they need to have access to the rest of our society here in Manitoba, and the fact that they need to have access to not only the rest of Manitoba, but the rest of North America, and they are isolated at the present time unless, in some cases, they are able to come out on the winter roads or catch flights into those areas that will come out periodically. And, you know, these are costly ventures for these individuals in those areas as well, and it needs to have that openness so that they can expand their opportunities to make a living and take care of themselves in many of those areas as well, Madam Deputy Speaker. And so I think that it's incumbent upon the Department of Infrastructure and Transportation to manage the development of this particular road, and do it with—internally, with their own personnel.

And, you know, this—we know, is a situation, as I want to refer back earlier to my comments about Bipole III and the fact that it's not going up the east side, Madam Deputy Speaker. And it may not need to be built at the same time, but we know that there are Hydro lines already in that particular area, trying to deliver energy to those regions of Manitoba that need it the most, some of them. And we know that there are boreal forest trails that have been blazed through that area already, and the minister's own department has provided the go-ahead to do some of

those. As the minister—I know that there's a Hydro minister in place, there's an Infrastructure Minister in place, there's supposed to be somebody in charge of Water Stewardship in these areas.

We know that there's ballooning costs in some of the bridge networks in Manitoba. The numbers that I tabled in the House yesterday in question period—or that I didn't table, but I mentioned directly in question period—lead us to be concerned about where the government is. One minute they're saying, well, these were only preliminary numbers that we took towards the CEC. We know the Environment Commission recommended changes to those areas, and we know that those changes will provide increased costs, Madam Deputy Speaker. And in an escalating environment of costs that's to be expected, but not tripling of some of those costs. When a bridge comes in in an estimate of 14 million and the final analysis is 42 million, that leads us to be concerned about how Manitoba taxpayers' dollars are being spent without the development or the public consultation with persons to let them know how these—where these costs came from. And I think that that's, you know, a detriment to the government in regards to their ability to move forward on bigger projects like this in the future. We certainly want to see the road built, but we'd like Manitobans to know what the costs are going to be and that the department is in charge of it, through the government, in regards to how and when it's going to be built.

And, of course, Madam Deputy Speaker, I know that there'll be a new leader of the party in power here in the next short while. That'll put a new premier in place, most likely on the 18th of October here. The Premier (Mr. Doer)—present Premier—has already indicated that he will be gone on the 19th, at least, anyway. So I think that it may be incumbent upon the new premier to take a look at some of these bills again and redirect them, although I assume that they're going to pass this afternoon in the House. And I think that, from those perspectives, the new leader has to maybe provide some new direction in regards to where the responsibilities and accountability lie within government from the members that are presently there today.

So, Madam Deputy Speaker, with those few words, I'd like to just say that we will—that we have great concerns with this bill, that it's not necessary to build the road up the east side, that the government should maintain its responsibility for building all of the roads in Manitoba, and that it will have the

opportunity to change its mind if it—even if it does pass this bill, it still has the authority to be able to hire and tender contracts for all of the work that's required, including the developmental work. And we know that that's already being done and that the—once this bill passes, the authority that's already there today, the East Side Road Authority, will transfer over to the Manitoba Flood Authority and East Side Road Authority—new name, or the name will be labelled on the present group that's already doing some of this work. And I think there's a duplication in some of those areas, and so we need to be very clear on why the—on why the government is going forward with this, and they haven't really given us a clear definition as to why they need to have the Manitoba Floodway Authority put in place to build a road. And we questioned why they needed it to build a ditch, but we certainly question as to why they are going to build the road.

And, Madam Deputy Speaker, I want to finish by saying the road needs to be built. The government needs to be in control of it, and they need to be accountable to Manitobans. So thank you very much.

\* (15:50)

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** I just want to put a couple of comments on the record with regard to Bill 31.

I'll start from maybe the end of where my critic started on his points. I know—I know, he absolutely is correct where they're questioning the value of building or widening the floodway around the city of Winnipeg, and I would—I would certainly want to answer that by saying there's \$12 billion—or 12 billion reasons why. If there were ever a flood and that floodway is not expanded, that's the kind of damage that people are estimating could take place to the city of Winnipeg, and I'm actually somewhat shocked that my critic would even say that they would even question the floodway being built at all.

So I would just want to make a couple of points with regard to Bill 31, and the member for Arthur-Virden (Mr. Maguire), my critic, asked why. Why would it be necessary to have an organization like the Manitoba Floodway Authority have their mandate extended to build an all-weather road on the east side of the province.

Let me begin by saying, by establishing the Manitoba Floodway and East Side Road Authority as one agency, Bill 31 provides the opportunity to take advantage of the Floodway Authority's experience

and expertise to ensure that the east-side project moves ahead in a timely manner. The reputation that the Floodway Authority has with regard to being on time and on budget is really unprecedented to such a major project like this taking place in Canada and, indeed, in Manitoba.

The member opposite raised yesterday in question period issues, I think, that were really a red herring with regard to the increase in cost on bridges. The estimate that was first given on bridges were bridges that were—were bridges that were—well, they were—first of all, the estimates that were looked at were on bridges that were not built. I mean, the ones that were really built were after the Clean Environment Commission gave their ruling with regard to not wanting to harm or damage ground water, which we agreed with the CEC. So what we did is we expanded the channel by making it wider as opposed to deeper. I explained that to the member opposite yesterday, and by doing that, you had to make the bridge longer and higher, and, of course, so the estimates changed. There was a bridge that was being looked at, and bridges were being looked at initially that were not—didn't take that into consideration. So I'm sure he understands that the changes had to be made, estimates had to be redone, more material, larger bridges, so, of course, the costs are going to go up.

But the bottom line is this, is that the project has come in on time and on budget. If you take a look, it doesn't matter how you mix it, whether it's bridges, asphalt, concrete, steel, all those costs, the bottom line is the 665 million that was cost-shared with the federal government, it's on time and on budget no matter how they want to misconstrue different types of projects that make up the total entity.

So, with that, I hope that I've clarified that with my critic opposite and I don't—I'm not sure why he's not clear on this, but I know the FIPPA request that they received, and the information they received, specifically states that. And if he'll review the documents, the two documents that they received—they were FIPPA reports—they say exactly that, in a little bit more clarity than what I've just put down on the record. But, essentially, it lays out exactly why the costs in bridges went up. So I would just ask him to review those documents again and the answer is there right before him.

Bill 31 is really, indeed, important, and he asks, why is it? Why would you want to take that work away from your own department? And just one

simple reason is that our budget has increased by 30 percent in the Department of Infrastructure and Transportation, 30 percent; it's gone up to 545 million. And that, essentially, is three times the amount of money the opposition spent when their hands were on the paving machine. When their hands were on the paving machine, you know, the dollars were far, far less. So the department has their hands full in bridges and roads and culverts and the many infrastructure projects that they're doing within the department. The task that they have is huge, and they're doing the best they can.

But, aside from that, the Floodway Authority has been asked to take a look at being responsible for the east-side road. The authority has already demonstrated the ability in delivering a large-scale public infrastructure project on time and on budget. In addition, the Floodway Authority has also developed a successful Aboriginal Set-Aside Initiative.

Who are we trying to gear—who's this road for? I would argue it's not necessarily for someone from Virden unless they own a trucking company that wanna deliver goods up north. It is essentially for the people who live in isolated and remote communities on the east side. Now they're serviced by plane or sometimes by boat in the summertime, but generally by winter roads when they have to get their goods in and out. So I would just make the point that this road is being built at the request of First Nations communities on the east side. It's being built for the benefit of First Nations communities on the east side, and it's also being built for the overall economic and social well-being for the—for the members of those communities on the east side. We take groceries for granted at the prices we get them in Safeway and SuperValu and—or Superstore and Sobeys in Winnipeg or other stores that we are very fortunate to have the products at reasonable prices here.

Up north and on the northeast side they don't have that luxury. And, with having an all-weather road, it enhances the opportunity for economic tourism, for possibly mining and other initiatives that they wish to look at. But also, the fact, just imagine that they can actually get into a vehicle and get in and out of their communities. They can come into Winnipeg like we take for granted every day. Drive in, drive out from my constituency, and members opposite who are rural MLAs would know this, and we would wanna offer that. Just that is a small example of why it's important for them.

The set-aside was developed by the Manitoba Floodway Authority working in close collaboration with the association of Manitoba or Assembly of Manitoba Chiefs, with Manitoba Métis Federation Aboriginal contractors. You know, the argument members opposite often raise saying, oh, well, just, you know, build a hydro line down there. You know, I have to tell you that the training and the monies that are available and the jobs that are available by building a road on the east side far outnumber what would be happening to scrub the bush under a possible hydro line that runs on the east side.

There's great opportunities there for people to be involved in, not only gravel crushing, but the actual construction work on the road on the east side. These are huge economic development opportunities related to this initiative, and to date the Manitoba Floodway Authority is engaged in millions of construction tenders on the set-aside to Aboriginal construction companies and are looking at this initiative on the way to provide the benefits for First Nations people overall. The people who live on the east side and on those isolated communities have a right as Manitobans to have employment, have all the opportunities that we have in southern Manitoba, and we are really committed to having this organization run this huge megaproject that is going—that is called the east-side road.

I have to tell you the member opposite made reference to the Manitoba *Heavy News Weekly*, which Chris Lorenc and others contribute to. Mr. Lorenc is a very respected member of the Construction Association, and in his document that my critic references talks about taking a look at the changing face of infrastructure and the need for sound decision-making policies. I would argue that if the member is asking why would we do this, talk about I can't think of a more sound decision than having the Floodway Authority now having their mandate extended to building an all-weather road on the east side being more important than what we've already made mention to.

So there are many, many reasons why, as we mentioned, why they want—I guess—I know he can't answer back, but maybe we'll have an opportunity to have a discussion aside from this debate—is that I'm not sure why they're so concerned about—maybe they have something against the person who is responsible for the Manitoba Floodway Authority. They questioned the expansion of Duff's Ditch. I'm not sure where they're coming from on a lot of these things. But you have an organization that has a

strong track record of delivering such a huge project and doing it on time and on budget, that we're sure that they will do a great job on the east side by putting this all-weather road in place.

\* (16:00)

The members opposite say that they're very supportive of an east-side road. I'm not sure, you know, why they—why they're questioning the idea of an organization being able to deliver this project. I mentioned in numerous occasions, in briefings and other opportunities to speak, that the department's hands are full with the task at hand. We already have 19,000 kilometres of roadway in this province that need to be refurbished and fixed, and we're making great inroads to that, a \$4-billion, 10-year plan that we've put in place under the leadership of the Premier (Mr. Doer)—who will be soon leaving us—you know, a true—a true visionary that looked and saw that infrastructure in this province was necessary and was—it was dearly lacking for many, many years.

And I understand—I understand the financial challenges that members opposite had during the 1990s. Granted. They did. And it was really tough to try to prioritize wherever they were going to go with their finances. But, having said that, and without looking too much into the rearview mirror, that the initiative put forward by our Premier with regard to fixing our highways and roadways and addressing not only CentrePort Canada, but taking a look at fixing our hospitals, fixing our schools and, as well, fixing all our roadways and infrastructure in this province is a huge task. But, again, the leadership of the Premier, ensuring that our government was focussed on the needs of this province and what had to be addressed, was something that will stay with us for a long time.

And, indeed—indeed—you know, the Premier is not one, quite frankly, to look for the spotlight and people now are praising Duff Roblin; rightfully so. But I would argue in years to come—in years to come—when many of us will not be in this Chamber, we will look back fondly upon this Premier, the MLA for Concordia, for having the vision to take a look and take a stand at infrastructure—infrastructure—whether that's CentrePort Canada, whether that is fixing our hospitals and our schools, and whether that's putting in all-weather road for First Nations people on the east side of this province, to give them the same benefits that many of us take for granted. When we look back, many of us will be away from this Chamber, but we'll look back and

we'll have the opportunity to say, this Premier had a vision. He wanted to build this province to be better than what we have, and he was not someone that was going to mothball anything. But he was something, he was a doer, a someone that got it done.

And, Madam Deputy Speaker, we can all stand up and be proud for that because when we look back upon his record and all the infrastructure that has taken place in this province, and, indeed, that will go many, many years into the future, it's this Premier that led the way. It's this Premier that paved the road for many initiatives that are going to take place. Well, we'll stand to be proud to call him our Premier. It's going to be a sad day when he leaves.

Thank you, Madam Deputy Speaker.

**Mr. Kevin Lamoureux (Inkster):** Yes, Madam Acting Chair-Speaker, I listened very closely to what the minister was talking about, or trying to share with us, in terms of his understanding of whether it's this Premier, the east side and the floodway, and I guess I would like to refute some of the comments.

You know, he ended his speech off in terms of talking about the glory days of the Gary Doer—I withdraw that Mr. Speaker—Madam Chair. I realize I'm not supposed to say names—about the glorious days of this particular Premier.

What the minister doesn't necessarily allude to is the fact that this is, in fact, a Premier that has been blessed with huge, huge revenues coming in from Ottawa. And I would suggest to you that anyone that would have been in the position of being a premier would have had a responsibility in terms of building and putting some of these things into place. Madam Acting Speaker, that this is the real—the real test is how the Premier has been able to manage those monies in areas in which the government has a role to play in terms of management, administration and so forth. So I don't necessarily agree with what the minister is talking about there.

Having said that, I want to get on to the bill itself. The bill is proposing to allow for an amalgamation of, let's say, the east-side authority into the Floodway Authority. The minister talks in terms of the advantages of doing that. The minister makes reference to the experience, and we have seen the minister, on numerous occasions, talk about the floodway and we want to be able to take advantage of the experiences with floodway.

And, you know, I know Monsieur Gilroy, and I applaud his efforts to date, and, no doubt, he has done a great deal in terms of ensuring that the floodway continued to make progress and will, in fact, be done virtually on time.

But where I do take some exception with what the minister is saying is when he says, well, we are on budget. The minister—the minister knows that there was the initial announcement with regards to the floodway and that floodway was going to be—I believe, it was a one—once-in-a-700-year flood. It would prevent that from occurring. Now, you know, we, inside this Legislature, are not scientists which could have come forward and say, yes, based on this drawing provided by the minister, there is no doubt that it would be a one-in-700-year flood protection. Well, Madam Acting Speaker, I would suggest to you that somewhere between the initial announcement and what we have today, there have been significant modifications to the floodway. And in some of those modifications, we need to take a look at some of the issues such as the bridges. Not all bridges—not all bridges, are, in fact, being acted on and we might see in future budgets, some of those bridges being addressed, in future budgets. We don't really know for sure. This minister might know but we don't necessarily know.

To the best of my knowledge, there has never been a document that has been tabled or brought forward to this Legislature that clearly indicates that with the modifications that have been made, that Manitobans, or in particular, Winnipeggers, will be protected against that one-in-700-year flood still. The assumption is there but we have never been provided any sort of documentation to that.

What we have been told is that it's been widened as opposed to digging deeper—the channel deeper, that it has been widened. Well, there appears, in all likelihood, to have been some cost savings. But is the benefits of the floodway still there that were being talked about when the government first announced that they were going to be spending 600-plus million dollars in doing the floodway?

So I believe that when the minister talks about being on time, yes, there could be some strong argument for being on time, but on budget, well, you're comparing apples to oranges. And the government has not been able to provide a clear picture in terms of any sort of assurance that we are going to still derive the same benefit in terms of

flood protection as we would have had the overall design of the project not changed, nor has the minister addressed the other bridges that, no doubt, will likely require some change going into the future. And there is no doubt—there should be no doubt, that there will be additional costs in dealing with those bridges going into the future, Madam Acting Speaker.

So then we take the east-side road and we look at what it is that the government is proposing to do. Some might suggest that, as the member from Arthur-Virden had indicated, that, you know, why wouldn't the department of highways be responsible for this particular road. And the minister responded in terms of, well, because we have so many other projects, that we want to do it this way.

You know, some within the New Democratic Party might suggest, well, that's kind of moving towards privatization to a certain, certain degree. Even though the floodway is an authority that is—that is public. But, you know, some still might be arguing that it is movement in that—in that direction. But I won't make that particular argument, at least not, not today, Mr. Speaker.

\* (16:10)

But what I would like to point out to members is that for years we have heard the government talk about the environment and the damage that is going to be caused to the environment by doing the whole bipole issue. Should it go on the east side? Should it go on the west side? Should it go down the centre underneath the lake? And the government has, in essence, said that, well, we can't do it because of the environment. That's the reason why it cannot go down the east side, yet we see a road being built on the east side, and the floodway—and I think we will benefit. I think we'll benefit immensely by the expertise and so forth with what's currently in place with the floodway and taking on the east-side project.

But, having said that, Madam Acting Speaker, I would suggest to you that building and the construction of the east-side road will have an impact on the environment, and I say that because, you know, government seems to be fixated in terms of moving forward now with the east side even though other political parties have suggested that we've needed the east-side road for a number of years already, but only now we're seeing the move in that direction.

Well, as they start to see millions in tax dollars start to flow to turn this thing into reality, on the other hand, we're seeing the government squandering what would appear to be tens of millions of dollars in other opportunities by sticking to a position that they have not been able to justify in terms of the west side, Madam Deputy Speaker. I believe that the east-side road that we're talking about kind of chews away at their principal argument in terms of building the hydro line and building it on the west side. So I see some inconsistency in terms of what it is the government is actually doing, and all of us need to be very much aware of what it is that the government is doing because of the costs, I would ultimately argue. Environment too.

But we need to be aware, you know, as a population of 1.2 million people, that we're going into the hundreds of millions of dollars, and a bad decision here will saddle future generations of Manitobans with the burden of additional hydro costs, that means hydro bills, Madam Deputy Speaker, additional tax dollars, and it's because a government is too fixated on wanting to look good as opposed to making a good decision. And that's why, when I look at this particular bill—there's a great deal of merit in terms of the bill and seeing it actually pass through.

It also provides individuals such as myself to remind the government very clearly that it is indeed making a huge mistake, Madam Acting Speaker, in terms of its approach in dealing with the bipole, that the bipole would be best to go, I would ultimately argue, under the lake. The government has not been able to disprove that fact. Failing that, I would suggest to you that it should be going down the east side where, in fact, now would even be better served because at least of the construction of the east-side road which this bill is putting into place.

Well, Madam Acting Speaker, most Manitobans would recognize that that seems to be common sense. The sad reality of the issue is that the government does not want to make this particular Premier (Mr. Doer) look as if he's made a bad decision, and I think that's one of the things that needs to be brought up because when the Floodway Authority deals with the construction of the east-side road, a part of that construction should be including considerations for the bipole, and I would have suggested to you that there might have even been room within this legislation to incorporate some sort of bipole consideration, but that would be forward

thinking, and it's unfortunate that the government hasn't recognized the value of that.

You know, it says to me that sometimes with this concentration of power within the Premier's office could ultimately be to the detriment of the best interests of all Manitobans, and when a caucus, as the former minister concluded his comments by worshipping the current Premier because of the power and the influence coming out of this Premier's office, probably greater than any other Premier, that MLAs in the government caucus seem to just follow like lemmings. You know, if the Premier was to walk off a cliff I suspect that all 34 of them would follow him right over the cliff, and we should be concerned about that. We should be concerned about that because ultimately they have to start getting behind—or outside of behind what's in the best interest of this Premier and his legacy and protecting the interest of the New Democratic Party and start saying what's in the best interest of Manitobans.

And, Madam Acting Speaker, I believe that if MLAs would've done that, then a part of Bill 31 would've incorporated some consideration in terms of the whole bipole issue and, as a result of taking that lemming attitude, this legislation could, in fact, or will, in fact, be passing today but should've included other possible considerations. And that would've made a lot more sense, and I suspect that if we were to actually share it and have the opportunity to have a good discussion on the issue with the public, I suspect that you would find that there would be a lot more common ground saying that this is the direction we should be moving in, look at the east side, complement it with the bipole or, at the very least, maybe even the bipole under Lake Winnipeg.

With those few words, we're prepared to ultimately see the bill pass, Madam Acting Speaker, and ask the government to really seriously reflect on after our current Premier decides to call it quits, and we will await to see, hopefully a little bit more consensus building even from within the current leftovers from the NDP and, hopefully, we'll see some better decisions being made for the province in the not-too-distant future. Thank you.

**Mr. Cliff Cullen (Turtle Mountain):** It's certainly a pleasure today to enter into the discussion about Bill 31, The Manitoba Floodway Authority Amendment Act.

Let me say from the outset we are certainly fully supportive of the initiative moving forward to have an east-side road developed here in the province of

Manitoba. I will say that I've had first-hand experience in travelling the winter roads on the east side of Manitoba. It's certainly an experience that Manitobans should take sometime during their life. It is an interesting area. It's a beautiful area. It is somewhat remote for sure, and obviously that's what those communities that are located on the east side of the province feel as well, that they are quite remote and quite isolated.

The concept of an east-side road has certainly been discussed for decades here in Manitoba, and it's certainly I think a positive commitment here on behalf of the government that they want to try to move this project forward. I'm not completely satisfied that this is the right method or the right means to move the project forward, but I certainly will discuss that later in my comments.

But, getting back to the individual communities on the east side of Lake Manitoba, they certainly are remote, and they do recognize the tremendous economic and social benefits that could be associated with an east-side road.

\* (16:20)

And not only that, Madam Acting Speaker, when we have discussions with those communities, as the member for Inkster (Mr. Lamoureux) said, they also recognize that there's tremendous opportunities in terms of a east-side bipole line, and I think if the government were honest in canvassing the communities on the east side, they would see there is tremendous support for the development of an east-side bipole line, and the reason I bring this into the discussion is because the two could work in tandem, the development of an east-side road and the development of an east-side hydro line.

Now, Madam Acting Speaker, we're talking about this government directing Manitoba Hydro to develop a line on the west side of the province that will probably cost us, as Manitobans, \$640-million extra. And that's something that—a legacy that this particular government is going to leave behind to the tune of \$2,000 for each and every family here in the province of Manitoba, and it's not the fact that we have the money to go and invest in that hydro line. We don't have the money to do that. We have to go out and borrow the money to do that, and when we borrow the money for the extra infrastructure costs, we have to pay interest on that capital that we borrow as well. So it's a huge, huge investment that we would have to make in that extra bipole line.

It's one thing that this particular government hasn't been very good at. You know, they talk about consultation with Manitobans, but the fact of the matter is they're not really interested in listening to what Manitobans have to say, and this is another example of where they've failed to listen to Manitobans. You know, we had a debate with the Minister of Conservation (Mr. Struthers) about his new waste-water regulations, and, clearly, he took six months to so-called listen to Manitobans in the consultation process. After six months, he went and did what he had originally planned to do anyway and didn't listen to Manitobans. Same thing goes back with Bill 17. He wouldn't listen to the hundreds of Manitobans that came to discuss Bill 17.

Madam Acting Speaker, I want to talk a little bit about what some prominent Manitobans are saying about the initiative on the east side. I refer to Brian Schwartz. Brian Schwartz is a well-known Manitoban, a law professor at the University of Manitoba, and he's been weighing in on the east-side debate for some time now.

And I just want to read into the record some of his comments in talking about the east-side road, and this was comments he made on CJOB radio back in the spring of 2009, not very long ago. And he says: The social conditions on the east side are a human tragedy. Cost of food and medical care and accessibility is much impaired by a desperately inadequate infrastructure. You take that money and you put it into the development on the east side. You build it on extending that road or providing air services so that people can have proper nutrition and medical care. You could do a lot of good with that. The west side route makes no sense environmentally. You're just going through more boreal forest. You're wasting a lot of renewable energy and it's wasting a lot of money that could be used for a lot of social purposes. It could be used on the east side. It could be used for hospitals and other social services in the city. It does not make sense.

Madam Acting Speaker, that's what you're hearing from Manitobans that are paying attention to the issues on the east side of Manitoba. And those are the people that this government should be having serious discussions with when we're developing policy on the east side of the province. This government is all about politics and not good, effective public policy.

Madam Acting Speaker, you know, the minister gets up and he's contradicting himself when he gets

up and speaks. You know, he says that we need this east-side road, but we can't build the hydro line on the east side because we're gonna cut into the boreal forest. Well, if you go up on the east side of Lake Manitoba now, you will see an all-weather road that's carved through the boreal forest, as he wants to say, and you see existing hydro lines carved through the existing boreal forest, right up as far north as Poplar River. In fact, last year when we were there on that particular road, you could see the bulldozers working clearing the brush, so they're making sure that the brush wouldn't interfere with the hydro lines that already exist there.

Now, we have some infrastructure there in terms of hydro line already. Why can't we just continue the job? Let's do the right thing for all Manitobans, put the east-side road there, run it parallel to an east-side bipole transmission line, saving Manitobans time and money. And it's just a wonderful concept; saving time and money—[interjection] Security issues—security issues. How is Manitoba Hydro going to get in to access a transmission line on the west side of the province? Are we going to be building a road on the west side of the province somewhere so we can get access to that transmission line? Are we going to be building—are we going to be building this transmission line across farmers' fields and taking up more agricultural land?

And, the fact of the matter is, we're actually carving out more boreal forest on the west side of the province than we would on the east side of the province. The facts—the facts—speak for themselves, Madam Acting Speaker, and if the government was really serious about doing what's right for Manitoba, they would listen to the facts and get the job done.

You know, the other issue that I really have—I really have a problem within this terms of this legislation is letting this Floodway Authority—which really hasn't got the job done over there in terms of the floodway—now the minister can go on and on in talking about on time and on budget, but that's a dream, Madam Acting Speaker. This budget he's talking about must be a floating budget in his own mind. I don't know how he can say with a straight face that they're on time and on budget. That project's not even done yet. So here we are, the minister getting up with a straight face trying to say it's on time, it's on budget.

But that's like our Finance Minister saying it, hey, we've balanced the books here for 10 years. Well, we know what kind of garbage those

statements are, Madam Acting Speaker. So, if they want to try and—if they want to try and smoke Manitobans, you know, it's only going to come back to bite them in the end. Sooner or later it will catch up to them.

Here we have—here we have the Floodway Authority with 35 or 40 people employed by the Floodway Authority that hasn't finished the job at hand with the floodway. Now, the minister wants to move them on to—into another job here. Well, he's trying to keep his friends employed here, obviously, because what kind of payroll have we got over there on those 35 to 40 employees? I don't know how many people he has staffed in his department. I know there's several hundred in there, at least, in that particular department.

The minister himself told me just a few minutes ago that his department has a responsibility for 19,000 kilometres—19,000 kilometres—of provincial roadways in the province of Manitoba. I can appreciate he's got a lot of work ahead of him.

But we do thank him for his investment here, and I can certainly point out highways such as 340 that need a lot of work, and I know the minister is familiar with that and I hope the minister will move that up on his five-year plan. I don't even see it on the five-year plan. I know—and the minister drove it himself. He knows what kind of terrible shape that particular road is, and we wouldn't bring this issue forward time after time if it wasn't in such disrepair, that particular road. So we're hoping that the minister will take note of that particular stretch of road. Some of us had a business meeting with the new commander-in-chief at CFB Shilo and the mayor of Wawanesa was there. They expressed their concern over the condition of that particular road. You know, and we've got school buses travelling that particular road daily, and we've got—we've got potato trucks travelling that road at this time of the year, I'm sure, and, you know, there's a lot of—a lot of things that can be done there and should be done there.

So here we have the minister of highways responsible for 19,000 kilometres of road within hundreds of staff in his department. He's saying now, yeah, but my staff can't handle the next—what is it—170 kilometres, and that 170 kilometres versus 19,000, I mean, how many more of his department does he need to get that job done? Why would he have to employ 35 or 40 more people on a floodway authority just for this job? And that to us is the issue with this particular legislation.

Madam Acting Speaker, I could go on at length over this particular issue and others related to infrastructure in the province of Manitoba, but I know there's other pressing legislation that wants to be brought forward. Hopefully, I've made my point to the minister and he will take those words and work with those into the future. So thank you very much.

\* (16:30)

**The Acting Speaker (Ms. Howard):** Is the House ready for the question?

**An Honourable Member:** Question.

**The Acting Speaker (Ms. Howard):** The question before the House is concurrence and third reading of Bill No. 31, The Manitoba Floodway Authority Amendment Act; Loi modifiant la Loi sur la Commission du canal de dérivation du Manitoba.

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**The Acting Speaker (Ms. Howard):** I heard a no.

#### Voice Vote

**The Acting Speaker (Ms. Howard):** All those in favour of the motion, please say aye.

**Some Honourable Members:** Aye.

**The Acting Speaker (Ms. Howard):** All those opposed, please say nay.

In my opinion, the Ayes have it.

#### Bill 35—The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended)

**Hon. Andrew Swan (Acting Government House Leader):** Yes, Madam Acting Deputy Interim Speaker, I move, seconded by the honourable Minister responsible for Infrastructure and Transportation (Mr. Lemieux), that Bill No. 35, The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended); Loi sur les conflits d'intérêts au sein des municipalités et le financement des campagnes électorales municipales (modification de diverses dispositions législatives), reported from the Standing Committee on Legislative Affairs and subsequently amended, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** Well, Madam Deputy Speaker, Bill 35 extends campaign finance rules to all municipalities. The bill will strengthen these rules. The bill will also strengthen municipal conflict of interest law that applies to all municipalities in Manitoba and, through this bill, transparency and accountability is increased.

I'm not sure why the members opposite have a difficulty with transparency and accountability. It's very—it's disconcerting, quite frankly, that, you know, all politicians in Manitoba should have an opportunity to, to see all that's necessary to ensure that the politicians, whether they be municipal, provincial, federal, that, that something that the Province and the City are already subject to campaign finance rules. And campaign finance rules are also in place for most other municipalities, I should say, in Canada.

Campaign finance rules that are long-standing practices in the Province and Winnipeg are extended to all municipalities, and some of these rules have been strengthened, and the new rules will apply to Winnipeg as well. Individuals running for elections in Manitoba municipalities in the 2010 municipal elections will be subject to these new rules, and Bill 35 also strengthens conflict of interest rules that apply to all council members in Manitoba to support transparency and accountability in municipal governments and decision making.

We've listened to presenters in committee, and we certainly listened closely to what they had to say, and I know there was a real difference of opinion coming from a number of different individuals that made comments with regard to this piece of legislation. And, again, Bill 35 proposes that the municipalities outside of Winnipeg adopt an employee code of conduct that includes conflict of interest policies. And Winnipeg already has a code of conduct for its employees, but similar rules are already in place in—for provincial MLAs and provincial public servants.

We made minor administrative amendments to this legislation, and it was to enable Saskatchewan residents of Flin Flon boundary area to contribute to a candidate's campaign, given that they are eligible to vote in Flin Flon—and I believe members opposite agreed to that and felt that was okay, and I would certainly concur with that—and to provide that the chief administrative officer in municipalities outside

of Winnipeg file the report of candidates' failure to file an election statement with council rather than to the head of council. And I know that we had a number of people come forward to talk about this piece of legislation and, as I mentioned, there was varying views with regard to what people should—basically, their approach to transparency and accountability. There were many that wanted more; some wanted less.

Some wanted—some wanted, by saying, well, you know, can you just put it off until after the next municipal election. You know, and why that would make a difference, I still haven't heard the MLA for Ste. Rose (Mr. Briese) explain why that was truly important. We heard the argument of changing the rules in the middle of a game and how you don't change the rules in the middle of a hockey game. It's—this is not a hockey game and it's not a football game, Madam Deputy Speaker. This is—this is—this is—this is truly important to the citizens of Manitoba, I would argue, greater than any sporting contest, whether it's hockey, soccer or baseball.

And the argument, I think, falls far short by the member from Ste. Rose. I respect the—respect the MLA for Ste. Rose. He has been a long-time municipal politician, and he has been in the trenches with regard to municipal politics and he knows what that's all about, and he knows that—he knows that the citizens that elect municipal councillors and municipal politicians certainly put them through a great deal of scrutiny.

But what does someone have to hide, I would ask the MLA for Ste. Rose. What are they hiding? Why can't you just, you know—why can't they just open up their books and let people have a look at—since there's nothing to hide, why are people so afraid of having a conflict-of-interest legislation like this, just to touch on one part of it.

I know that we will have an opportunity to hear from the MLA from Ste. Rose with regard to this—with regard to this piece of legislation, and I would argue he's wrong, and he's on the wrong side of this argument.

*Mr. Speaker in the Chair*

And I would argue that Manitobans want to see legislation like this in place, and they want to see their politicians held up to a higher standard with regard to conflict-of-interest rules. You know, federal politicians, provincial politicians, we have

these standards that we adhere to, and all politicians, municipal alike, should also be adhering to these.

The—and I know the member from Ste. Rose will make a few comments and he will argue that you're changing the rules in the middle of the game, somehow that you shouldn't do this, oh, until after October 2010, you know, and somehow after, after the next election. [*interjection*] And you know, and—you know, but—well, yes, I stand corrected. The MLA for Ste. Rose saying, have it in place; we agree with it, but don't put it in place until after the next election. I guess that's where we differ. We believe that people should be opening up their books and allowing people to determine, you know.

So we have a number of varying opinions. We've heard both sides of this at committee. We listened sincerely to all arguments, but we believe that the position that's being put forward by our government right now is the right one, and we stand by that, Mr. Speaker.

So, with that, I just want to conclude by saying that we know that MLAs will support this bill, and we look forward to passage of this important piece of legislation, and we would hope that it would be unanimous in this House.

**Mr. Stuart Briese (Ste. Rose):** Pleased to rise and put a few more remarks on the record on The Municipal Conflict of Interest and Campaign Financing Act, Bill 35.

It's—I listened closely to what the minister was saying in his remarks, and I want to assure you, I have no problem with transparency and I never have and I never will. I believe there has to be transparency, and there's a lot of very good parts in this act.

One of the places that I think that really needs strengthening, and it came out of the Auditor General's report on La Broquerie, was on the municipal employees, and I think that the fact that the municipalities weren't willing to put policy in place—some municipalities weren't—created a lot of that problem.

\* (16:40)

On the issue of what have they got to hide, they have nothing to hide. It's simply you don't change the rules in the middle of the game. You're changing them 11 months before an election. What does that gain? What does that prove? It doesn't prove a thing. We heard the AMM come out very strongly on that.

Promises were made and weren't kept, and there's going to be a lot of feedback from them in—as the process goes on.

I find it really ironic that we talk about—the minister talks about transparency and openness, at the very time when they're in a issue with the '99 election, where they are hiding a whole bunch of information out of that election. They did cheque swapping. They did trade-offs with payoffs to union workers and they did it in 13 campaign constituencies. And they're not—they're not coming clean on what actually did happen and they need to do that. Those constituencies involved several of the members on the other side of the House—did a cheque swap or reimbursement to take \$76,000 out of the Province of Manitoba, which they eventually paid back. But nobody was charged for doing something that was absolutely illegal. Now they want all this accountability and transparency with municipalities. They don't want to be accountable and transparent themselves, and I think that's definitely a sad statement to make.

The municipalities, the AMM, certainly were sideswiped by the change on the opening up the statements of councillors, and the process wasn't a hidden one before. It simply was that you thought that there may have been a conflict, you went to the CAO and asked the CAO to review that statement, and tell the person whether that particular councillor had an interest in, in whatever property or whatever company or whatever it may be and they were thinking of.

I do think it will—once the rules are laid out before an election, and I believe they should go into place before the next election, just prior to, so that the people know the rules that they were running under. I think the paltry sum that most rural municipalities and most small urbans get as municipal councillors, I think they'll just say, it isn't worth it. The hassle's there anyhow; the hassle's always there. You want to pile on more hassle, I just won't even bother running. And we have a tough time getting councillors to run in those areas.

The other thing I'd just like to mention is one thing—one place that I don't think the bill goes far enough. The bill suggests that that when there is a conflict or a supposed conflict, that it's supposed to be solved by council. Most of the councils are, in the rural areas especially, are four or five people. If you have a conflict that involves two of those councillors sitting around that table, and suggest that the

council's going to solve the conflict, you might as well forget it. It isn't going to happen. And I think the bill should have went a little further and said that there would be a third party that could be turned to in the situations where there may have been a conflict.

I know there are a number of other members here that want to speak to this bill so I'll stop now. I just wanted to put a few of those statements on the record. I do truly believe that the minister has erred here, that this should not go into place until 2010 on the conflict—on the statements that the councillors make.

Thank you very much, Mr. Speaker.

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I'm pleased to put some comments on the—on the record in regards to this bill as well. I think the member from Ste. Rose has certainly outlined the concerns of The Municipal Conflict of Interest and Campaign Financing Act that's been brought forward by the government, various acts amended.

I think I just want to say, as well, again, as we did in second reading, that the government has brought forward a bill here that changes the rules in the middle of the game, as has been used as the—term that's been used, I think, a number of times, by speakers in this House.

And they refuse to provide another helpful amendment from the member from Ste. Rose in regards to making it—accepting the amendment. They actually defeated an amendment that would have allowed the bill to proceed, but utilize the disclosure mechanisms for councillors effective on the 2010 election that will take place across the province of Manitoba for rural municipal elections next fall.

And so I think, Mr. Speaker that it's a—it's detrimental to the democratic process. I think that the government isn't listening to these sound recommendations coming forward as they could've on Bill 36. Here on Bill 35, they're doing the same thing in regards to turning a blind eye to what the population of Manitoba certainly is considering credible common sense, if you wanna use that term as well. And I only wanted to put these comments on the record because, I think, it's a—it shows a pattern, I think, that the government isn't listening to Manitobans when they're bringing these things forward. You know, in Bill 36, it was a step in the right direction. There are some things in Bill 35 that go in the right direction, but I think that not going far enough with the types of concerns of individuals

across the province of Manitoba really leaves the government in a position where their credibility is lacking on some of these issues.

I wanted to say that in regards to the Bill 35, I think it's one of the things that we're making reference to, Mr. Speaker, at considerable length is the fact that municipal councillors will now, if this bill passes today or in the near future or whenever it goes into proclamation, they'll have to disclose their private statements in regards to their assets and investments, and that's not a concern to a lot of individuals. And most of them, if they wanted to run in the 2010 election, would know that that's the rules that they enter under.

But it's not the rules that they entered under in the '06 election for municipal councils across the province. The present process is that they have to take those same declarations which is nothing new. It's the same declaration that they already make, only it's held by the CAO and the council. And so, when the council has that—if an individual has a complaint against that particular individual, then they—then they come forward and they—CAO is the one that looks at the documents, and the CAO determines then whether that individual is in a conflict of interest or not and reports back to the person that made the claim against that individual councillor.

So, Mr. Speaker, that's pretty clear as to the fact that these people have already made the declaration available to their council and there is a means of dealing with a conflict of interest situation. Most councillors that I know of are very clear in pulling themselves out of a conflict of interest. They pull themselves out of votes that are taken by their councils if they feel that they're in a conflict of interest, and I think that that's commendable. But in this case, all of a sudden it becomes a public document, whereas all of the information presently stays with the CAO in the council chambers.

I don't—I imagine if you took a vote on this, amongst the councils, it would probably—most councillors would say, well, I don't have a problem with, you know, disclosing my information, but I do have, a process with the rules changing in the middle of the game. And that's the point that we're trying to make here, Mr. Speaker, that the—that apart from a number of other issues and financing for municipal elections, it's probably not going to be that big a concern in rural Manitoba, and apart from some of the other areas that I think would come about because of changes in this act, that this is the one, I

think, that the—that the member I know from Ste. Rose has great experience in this particular area, having been the former head of the Association of Manitoba Municipalities in the province of Manitoba, having spent virtually a decade in municipal government and more, I think, in regards to his own local municipality, knows full well, as I have, from talking to a number of the councils that I represent as well, they know that—what the government's intent is is to try and bring forward, but to provide greater, I guess, public disclosure, if you will, from municipal councillors. And I think that a number of them have expressed to me that maybe this is cherry picking a particular council that the—that maybe the government here has got a one or two particular councils in mind, keeping in mind that the city of Winnipeg is part of the—of the AMM situation across the municipal—is the municipal jurisdiction in Manitoba, and that it is a very contested situation here in the city as opposed to, perhaps, some of the municipal councils.

\* (16:50)

The budget is outstanding in the City of Winnipeg and it is huge, Mr. Speaker, and there's considerable—it's not the same time commitment in rural municipal situations as it is here in the city, even though they are all under the same act.

And, so, therefore, I rise to caution the government in regards to the use of this particular amendment and to—even though that they are looking at passing this, that they could proclaim it after the next election if they so chose to do so and therefore provide a good deal of clarity and certainty in the fact that the people that are presently elected to municipal councils in the province of Manitoba would know that they can finish out their term with the same rules that they were elected under, Mr. Speaker.

And so, with those comments, I would like to hear what the views are of other members in the Chamber. Thank you.

**Mr. Kevin Lamoureux (Inkster):** Yes, thank you, Mr. Speaker. There are—some pieces of legislation really kind of pique an interest for myself. This is one of those because it deals with elections, and I would, you know, look to the minister and ask him to believe, by passing this legislation, will democracy be better in the province of Manitoba as a direct result of passing this legislation? And I would suggest to you that if it would be better that that

would be a general feeling amongst all members of this Legislature.

I'm gonna suggest to you that there's a huge question mark over this legislation. No one would oppose, I believe, the need for transparency. I think, Mr. Speaker, we're in a day and age in which the voter has a right to know where the candidates are getting their money from. I believe they have a right to know where that money is actually being spent. I believe that, ultimately, Manitobans are concerned about where they get the money from, corporations, unions and so forth, and to what degree they're prepared to say that unions and corporations have no role in elections. Well, that's maybe a debatable issue, but let there be no doubt that the—from the Manitoba Liberal Party's perspective, that we support the need to have more transparency, and we believe that the voters have a right to know who is actually donating to campaigns and how that money is being spent.

For the minister to introduce the legislation, believing that, at the end of the day, it will be healthier for democracy in the province and try to sell it as the end-all-be-it-all legislation that's gonna address civic politics, is wrong, Mr. Speaker. There are major flaws within this legislation. For those of you that believe that politicization of party politics into city halls or municipalities is a good thing and you want to see more party politics in city hall, well, you will be happy. This legislation will ensure that there will be more party politics inside city hall. I can guarantee that that will in fact be the case. Is that a good thing or a bad thing? I'll suggest to you that that's not necessarily a good thing.

The people that I have talked to—and I've participated in civic elections, Mr. Speaker—they, generally speaking, would like to see less party politics at the city hall. Many would argue that they want to see less party politics in all levels of government, let alone city halls across the province or our municipal boards, so some might argue that that's a debatable point. Does it really have an impact in terms of democracy? Well, that's debatable. What's not debatable is that if this legislation prevents people from entering into a race or limits the average person's ability to participate in the election, well, then, I think that we should be concerned about that. And I'll suggest to you that this legislation comes dangerously close to stopping, or will, indeed, prevent some people from entering into the race. And I think that that is—if that is the case, I believe that this particular minister and the

government is moving in the wrong direction. You see, I believe I understand why the government's actually doing this. The transparency rules is a bogus argument that they're using, and it's kind of like saying, well, we want to challenge elected officials to say no to this legislation because who opposes having the voter know who gives donations and putting in some limits.

No politician really wants to say no to that, Mr. Speaker, but, on the other hand, I believe that there is an alternative motive behind this legislation. And that is the politicization in bringing party politics to city hall, in particular in the city of Winnipeg. To believe that it will not have long-term ramifications, as it is proposed, for the city of Winnipeg and the way in which councillors and the mayor will get elected is simply wrong and naive to believe that that will be the case.

There are some candidates that will have a strategic advantage over other candidates as a direct result of this legislation, Mr. Speaker, and that is the reason why, when this government ultimately is replaced, that you will see amendments brought forward to this legislation. This legislation will not stand the test of time. It will, in fact, be changed. And I suspect, whether it's a Liberal administration or a Conservative administration, that it is only a question of time before we will have this legislation before us again and, hopefully, it will rectify the number of problems that are being created as a direct result of this legislation.

The only reason why it's passing and it's even getting placid support, questionable support, from individuals like myself, is because I do believe the voter has a right to know who is donating to the

candidates and that there is a need to have more transparency. At the end of the day, I know and I believe that this legislation will, in fact, change. It's only a question of time to where it will be, in fact, made better, much like when the government brought in legislation that ultimately got me re-engaged on the provincial scene. I was on my out of the provincial scene until this government brought in stupid legislation that ultimately caused a great deal of harm to the political process in the province of Manitoba, and, ultimately, we've been able to rectify some of those problems, in part because I believe that the Liberal Party fought for, inside this Legislature, for a fair and more democratic legislation. And that is something in which, as long as I'm around, that I believe that we will see a party that fights for better democracy in the province of Manitoba, not questionable legislation.

And if any member would like to have the discussion with myself in an apolitical fashion, I'm prepared to sit down and talk about the potential harm of this particular bill. Thank you, Mr. Speaker.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is concurrence and third reading of Bill No. 35, The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended).

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

Okay, the time now being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, October 7, 2009

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