

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

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The Honourable George Hickes
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 8, 2007

The House met at 10 a.m.

PRAYER

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

SECOND READINGS—PUBLIC BILLS

**Bill 214—The Public Schools Amendment Act
(Property Development)**

Mr. Ron Schuler (Springfield): Mr. Speaker, I move, seconded by the honourable Member for Brandon West (Mr. Borotsik), that Bill 214, The Public Schools Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Schuler: Mr. Speaker, this is a particularly important bill because it makes it very clear to school divisions what they are and are not allowed to do insofar as their duties are concerned. I know one of the responses from the government is going to be, in particular from the minister, that this is already covered off. They've sent out a decree indicating to school divisions that they're not allowed to do that. However, from having gone through the Auditor General's report and having spoken to the Auditor General myself, it is still not clear to school divisions that they are not allowed to be developers.

And why is this a problem? It's because of the Seven Oaks School Division and the land debacle that they got themselves into with the developments. They got into a land development deal on the secret, without proper approval. They risked a lot of public money and they lost a lot of public money. One of the intriguing things about this whole process was that through it all individuals had mass amnesia. There were things that evidently were walked on that weren't. It is rife with all kinds of problems and really got the school division and the NDP government across the way into deep trouble.

We believe that the best thing to do, in this case, is to help the New Democratic government to protect itself from itself, that they don't allow their friends and colleagues in other levels of government that they might have from getting into developing.

Mr. Speaker, I do want to refer this House, if they want to see the details, back into *Hansard*. Certainly, we've had the opportunity to ask the Minister of Education (Mr. Bjornson) numerous questions in the Estimates process. We've asked him questions in the House. We've had the opportunity to lay a lot of the issues on the table, none of these issues that were properly answered by the minister. But, again, what it allowed it to do, when a school division gets into development that isn't its scope of practice.

School divisions, and if you sort of enunciate, it's school division: it has to do with education, it has to do with teaching the next generation of students. It really has nothing to do with land development, and that's where they got themselves into trouble. They had an initial piece of property that they had decided was too large and some of it was surplus. They then went out and bought more property. It signed little side deals with individuals that owned some of that property, put in the basic services, basic services, of course, being the roads, the sewer, the water, the different gas lines, your telephone line, et cetera, at an exorbitant cost. They kept aside one piece of the property that is now fully serviced. So it is serviced to be a subdivision, and that's actually where they would have made all their money. So, until that point in time, they'd actually lost money.

You see, unless you're a developer, you don't understand that it's not on the first phase of a development that you actually make money. That's where you load up all the costs because, initially, you've got to get all the services to your property. You have to go to the City of Winnipeg. You have to get them to agree that the sewer lines are large enough to take the effluent that comes from a subdivision, and if it's not large enough, then the pipes have to be enlarged and so and so forth. The same thing, you have to go to Manitoba Hydro, you've got to go to MTS, and they all have to, basically, tell you what kind of services they have to bring right up to the property line.

Once that's been established, you then have to bring those lines, and that's a developer cost. You have to bring them to every doorstep, basically, when the house is built. They tie in to the sewer lines or the gas lines or the hydro lines, et cetera. So, the

cost up front is fairly heavy. What we found is that by the time the school division got caught on this basic illegal act, and got their hands slapped for it, is the final phase, they then quickly declared was going to be for a school.

Now, I've asked the Minister of Education (Mr. Bjornson), is it clearly earmarked for a school? His initial answer was yes. Then we laid out some facts, and then his answer was, very clearly, maybe. It's obvious that there were the different phases, the last phase is that piece of property that's left over. It is now a fully-serviced site. That means that all the services are up to the property line. All that you have to do is put the roads in, extend the services, and it's ready for housing development.

So, what they have done is they have lost public money, and I try to ask the minister, if this is meant for a school, it is going to cost the public a lot of money. The loss on the property is about \$800,000. Should we, as provincial taxpayers, be forced to pay \$800,000-and-some for a piece of property that's not worth that much? Because why would we pay for all those services that have been brought to the property line? If it's meant to be a subdivision, then let's have it. Let's hear from the minister. Let's hear it from the school board that, actually, they intended the fourth phase, that final phase, to be a subdivision.

But that's why, Mr. Speaker, there is so much confusion on this and it's why I brought this bill forward. It's because you, in the end, needed some escape hatch, and I understand government's need to somehow spin their way out of it. So they got very creative and they created two sets of books. One set of books shows a profit on the subdivision side, on the other hand, shows a substantial loss on the school site. So, what they have done is very cleverly went out and spun: no, no, the subdivision made money. It's just all the losses are on the other set of books, and those are the books of the property where a school potentially will be built.

*(10:10)

So we just feel that there was way too much that went wrong. We know that there were individuals: Brian O'Leary, the disgraced campaign manager for the NDP, good friend of the Premier (Mr. Doer), the Member for Concordia. We know that Ross Eadie was one of the trustees. He now feels he should be elected to a higher office. He's one of those who was part of the mass amnesia. Can't remember. Can't remember what happened at the board meeting. Can't

remember where documents went. Documents were sent. Never recorded.

Unheard of, Mr. Speaker. Unheard of. Of my four years at the school board at the River East School Division that there would be documents moving, legal documents moving back and forth, and no record of it. No record of it having been received. No record. In fact, if you read the Auditor's report there's even a motion where there was no mover and seconder, which basically means it never took place, but then it was all backdated, and they found a mover and a seconder for it.

That's where, Mr. Speaker, when a board, in this case, the Seven Oaks School Division, gets itself mired in the mud and gets in deeper and deeper. There's a saying that goes around that it's never the crime, it's the cover-up, and in this case it's the cover-up that got this school division into such difficulty. It is time to put an end to this. We still believe that there should be accountability held. Somebody should be held to account, and it should start with ministerial accountability, and the minister refuses to take accountability. Certainly all the New Democrats at the Seven Oaks School Division refuse to take accountability. The individuals at the Public Schools Finance Board, nobody took any kind of responsibility. There's no accountability on this issue.

So, what we're going to do is we're going to start with Bill 214 and at least prevent them from ever getting into this kind of fiasco. School divisions, do what you do best and do what you do right. You run an education system and leave developing up to those who do it. That's why we fear what's happening in Waverley West, another development that is bound to be a failure, Mr. Speaker.

With that I close my comments.

Mr. Drew Caldwell (Brandon East): Well, Mr. Speaker, it's a pleasure to rise to speak to this proposal by my friend from Springfield. It also brings back fond memories of the days when I was Minister of Education in training for the Province, and the Member for Springfield was, amongst all his colleagues, the only one that mounted a successful political campaign on the modernization of the public school system in Manitoba with the amalgamations that took place. I give credit to the Member for Springfield because he did highly politicize that particular issue in his constituency, and it provided for many interesting times and a

couple of enjoyable evenings spent with the Member for Springfield at meetings in his constituency.

So, Mr. Speaker, this initiative before the Legislature speaks to the strengths of the member, and that is the politicization of such issues, and he does have, as I said, a very laudable and notable record in that regard. The bill proposes to amend The Public Schools Act to expressly provide that a school board is not authorized to engage in residential or commercial property developments. It should be noted that, in fact, these provisions already exist. It speaks to, again, the politicization of an issue on a matter that our government has already taken action upon.

Mr. Speaker, the member speaks to the Seven Oaks issue and makes some political hay out of individuals in Seven Oaks, but we do not wait, as a government, for the Auditor's findings on the Seven Oaks issue to take action. The deputy minister's report on this matter released in June 2005 confirmed that the development project was not allowed under The Public Schools Act, and our government took steps to clarify and strengthen the land disposition procedures relating to such situations immediately.

Actions taken to date, Mr. Speaker, include the fact that the government has already taken numerous steps to ensure the school boards do not engage in residential or commercial property development. As the member noted obliquely, the minister has directed the Seven Oaks School Division to divest itself of its land holdings within the Swinford Park development and end their involvement as a developer, and Seven Oaks, indeed, has divested themselves of all lots in this particular development.

The minister has also directed the Seven Oaks School Division to undertake an independent audit and report the details of the audit to the minister's office and the public, and an independent audit by KPMG has since been completed, Mr. Speaker.

The minister also made it clear and informed all school divisions throughout the province that they are not to engage in land development activities when purchasing or disposing of property, and the Public Schools Finance Board now requires all school divisions to report land acquisitions as part of their yearly audits to ensure that a land acquisitions and dispositions process is open and transparent.

The Public Schools Finance Board and the Schools' Finance branch review audited statements provided by the school divisions on an annual basis

to identify any unusual practice, and Public Schools Finance Board staff have undertaken an internal review to clarify their land disposition processes as well as review their internal procedures.

The minister's office has reviewed the way the department deals with public complaints and has now instituted new measures to reinforce responses to concerns when they arise in the province. As a result of the deputy minister's report, Mr. Speaker, we changed the Public Schools Finance Board legislation and the member may recall that. I believe members opposite voted against that legislation, but that legislation has been changed to restructure and modernize the Public Schools Finance Board to increase accountability by requiring school divisions to receive board approval for land acquisitions. This new provision increases the restrictions on school divisions' ability to acquire property under The Public Schools Act or The Public Schools Finance Board Act.

Mr. Speaker, we've also increased transparency by requiring school divisions to keep an up-to-date inventory of its land and buildings and to include in its inventory its part of its five-year capital plan submitted to the Public Schools Finance Board for review.

There's also been a restructuring of the board to consist of three deputy ministers with the Deputy Minister of Education, Citizenship and Youth as chair. We've also added a new provision requiring the board to carry out an operating review every five years to ensure the policies and practices remain current and effective.

Mr. Speaker, the Department of Education, Citizenship and Youth will be implementing all recommendations of the Auditor General's report and has already made progress in doing so. These recommendations include that the department clearly define what activities a school board can engage in and clearly specify what other activities are not permitted.

Mr. Speaker, it's important to note the government works on the basis of enabling legislation. Accordingly, The Public Schools Finance Board Act is written as enabling legislation to clearly define what activities school divisions can engage in. The Public Schools Finance Board will review The Public Schools Finance Board Act to ensure that the legislation currently in place clearly defines the activities school divisions can engage in and will

endeavour to strengthen the legislation where it is required.

Recommendations of the Auditor also include that the department update the policy statement governing the disposition of surplus public school properties to ensure that the policy for the disposition of all school board-owned property is in compliance with The Public Schools Act. The department is updating the policy statement governing the disposition of surplus school properties as a consequence of this recommendation. An exposure draft of the revised policy will be made available to school divisions this academic year for review and consultation.

A revised and expanded policy statement governing the acquisition and disposition of school property will be finalized by the Public Schools Finance Board on or before June 30, 2008, and this policy will be supported by specific written procedures and practice requirements.

Mr. Speaker, the Auditor General further recommended the department clarify that the policy statement governing the disposition of surplus public school properties is, in fact, a policy as opposed to a guideline. In 2006, the government brought forth legislative amendments to The Public Schools Finance Board Act to provide the Public Schools Finance Board with explicit policymaking powers for the approval of capital projects, building plans and specifications, and any other matter regarding the administration of public schools capital support program. This power is granted to the Public Schools Finance Board under section 5.1 of the revised act and should remove any doubt about the status of current and future PSFB policy directives, standards and guidelines.

The department is also committed to supporting Public Schools Finance Board policy directives, standards and guidelines and regulations under The Public Schools Act as required.

*(10:20)

Finally, Mr. Speaker, the Auditor recommended that the Public Schools Finance Board develop a formal process to ensure that board motions are followed up upon and reported back to the board on a timely basis. Accordingly, the department and the Public Schools Finance Board accept responsibility for the development and the maintenance of a timely, formal process of follow-up or review for all board motions and policy directives.

So, Mr. Speaker, we can see in substantive ways that the government is engaged in a legislative fashion and in a regulatory fashion ensuring that school boards act appropriately in regard to the disposition and development of properties under their ownership.

With regard to Seven Oaks, Mr. Speaker, which is the political football that the member punts around the House here—[interjection] My colleague from Minto notes that the member fumbles it a lot and I appreciate the metaphor. The Seven Oaks School Board members are elected by the public and accountable to their voters for the decisions they make. Try as the member might to politicize and smear these members, they are elected officials, much like the member himself was when he was on the school board in River East School Division, I believe, many years ago. These members are elected by the public and they are accountable to their public for the decisions that they make.

Secondly, Mr. Speaker, the Auditor General's report clears up all conspiracy theories propagated by the members opposite. Unfortunately, members opposite choose to ignore these findings and continue to put misleading information on the record. The Auditor General's report found that the division had a net income of \$500,000 on this transaction, not a loss. Despite the opposition's speculations that the school division lost money in the Swinford Park project, no money was lost in this project. I think that's important, again, to put on the record. The Auditor General found that the division had a net income of \$500,000.

The independent audit performed by KPMG further revealed that the school division made, in fact, \$512,188 on the project.

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

Mr. Rick Borotsik (Brandon West): Mr. Speaker, I have to say in starting to speak to this piece of legislation that I'm very disappointed in the Member for Brandon East (Mr. Caldwell). He's better than that.

He should be able to, Mr. Speaker, certainly from his own conviction and his own understanding of this particular issue and particular piece of legislation, that he didn't have to read verbatim a report that was prepared for him by the minister's office. I would ask that the minister from Brandon East present that verbatim report to *Hansard* because

it's a lot easier to publish that report without having to go through all of the transcripts, all of the information.

The Member for Brandon East is obviously wrong on any numbers of occasions. By the way, he should know, he should know that school divisions have a mandate. The mandate is fairly simple. The mandate is to educate our children in the best way that they possibly can. Their mandate is not to get involved in other operations that they know nothing about. They shouldn't be involved in land developments. They shouldn't be involved in retail stores. They shouldn't be involved in any other kind of private-sector enterprise. Their job is very simple, and I do thank the Member for Brandon East giving it to the *Hansard*. I've noticed that and I think that's very important.

But school divisions, a simple mandate is to educate our children to the best ability that they can. It's to develop curriculum, to hire the best individuals to teach our children, to make sure that they've got transportation available to get those children from residential to schools. That's what school divisions are supposed to do, not develop land.

Now, there's a model in the city of Brandon. It's a wonderful model. The school division and the City of Brandon have got together and when there's a development or another area that's going to be developed, there's a dedication of land for schools. The municipality either takes the actual land dedication and makes that available in a different area so that a school can be developed there at some future time, or they actually take a cash in lieu of land development and they pass that cash in lieu back onto the school division where it should go.

Now, Mr. Speaker, when the school is developed on that piece of property, if the property is not necessary or if, in fact, the school no longer remains on that, then the land is then put back into the City asset and the City can do whatever it wishes. It can sell the land which it normally does to other developers to make sure that they, who understand the development business, can develop it to the proper needs of the community. That's what happens in the City of Brandon.

What happened in the school division of Seven Oaks, however, is quite the opposite. They wanted to become land developers. It's the absolute wrong-headed thing to do. I believe the Member for Springfield (Mr. Schuler) spoke to that quite eloquently actually. When you get involved in

functions that you don't understand or don't know about, there's a real potential there to get into a loss position.

Now the Minister of Education (Mr. Bjornson) stood in this House, and I was actually taken aback that he would admit that there were two sets of financial statements. One set of books, but two sets of financial statements. What you can do is you can identify all of the costs onto one side of the ledger sheet and then you can show all of the net revenue on one side of the other ledger sheet, and therefore you can show a profit on one side and a massive loss on the other. If you take the 800 minus the 500–800,000 and minus 500,000 worth of revenue, you actually have a \$300,000 loss. That loss has to be reflected in some way, shape or form back onto either the province, which is going to cover off that loss or, heaven forbid, would be on the special levy that goes to the property taxes in this province, Mr. Speaker, that now the taxpayers are going to pay for a foolish entry into land development.

Mr. Speaker, land development is not easy. I know it's difficult for members on the opposite side to understand business and how it works, but when you develop land, there are a number of issues that you have to deal with. The first is the rezoning issue. The second one is plan its subdivision. We have to do legal surveys of property. We have to budget for, and believe me, they probably haven't got this in their little heads, they have to budget for costs, infrastructure costs which are horrendous. You have roads. You have lighting that's required under the act. You have sewer and water that's necessary for a development. You've got land development costs that are hidden costs, one-time costs of planning, of development, of accounting, and these costs can add up. Not every land developer makes a lot of money at the initial stages of the land development, as was seen, obviously, in this land development. You also have to have a planning issue. You have to be able to decide should there be some commercial that's tied into this particular plan of subdivision. Is there some high density residential? Is there low density residential? Is there some other type of development that should be going on into this particular area? It's something that school divisions really don't have the expertise to do. That's where it happens. That's where it goes to the private sector.

The private sector should be sold the land. I have no difficulty with school divisions, if they have an asset, being able to divest themselves of that asset, take the revenue into their operating, and then they

can show it that way. But they should not, and as by the Seven Oaks example, should never be allowed to develop land for whatever purposes. This legislation specifically speaks to that.

The Member for Brandon East (Mr. Caldwell), in his written presentation, had indicated that this was already the case enshrined in legislation. Well, if that was the case, why, Mr. Speaker, did Seven Oaks School Division ever be allowed to develop their property in the first place? If that, in fact, was the case, they went outside the bounds, outside the scope of their legislative ability, which would be an illegal act and the Minister of Education should stand up and make that fact known.

Now this legislation is pretty simple. All it says is school divisions are prohibited from acting as commercial or residential property developers. That's pretty simple. They should be stopped from developing any residential or commercial properties. If that's the mandate of this government to school divisions, then they should be supporting this legislation. That's all it says. Let's put it in place. Let's put it in writing. School divisions will not be given the right to develop, period, residential or commercial.

Now, if you don't believe in that, if you believe that there should be other examples in other school divisions that should, in fact, be given the carte blanche to go ahead and develop, then vote against this legislation. If you want them to be given the right to go and waste and risk taxpayers' dollars, then vote against this legislation. If you want school divisions to be given the opportunity to do things outside the scope of education, then vote against this legislation. But if you don't want to do that, support this bill, and it will be best for the educators in our communities. It will be best for the school divisions in our communities because now they're going to be given some defined parameters as to what they can and cannot do as school divisions, and, Mr. Speaker, they will not have to put themselves in the position that Seven Oaks did.

* (10:30)

To extrapolate just a little bit, we now have a very serious situation that was brought to light with respect to Seven Oaks. We have two sets of books. We have losses of taxpayers' dollars. We've got a division that was basically running amok outside of the legislation. We're trying to stop that, but there's another really dangerous storm cloud on the horizon, and it fits into this because it's Waverley West.

What they've done, Mr. Speaker, they've now shown that the public sector is not terribly able to develop property. Now we're going to go and put at risk potentially hundreds of millions of taxpayers' dollars. We have just proven that school divisions can't develop. They lose money. Now we're just simply saying, please, get rid of Bill 21 at the same time because do not allow governments to put that kind of taxpayer dollars at risk in something that governments do not know how to do, and that's to develop property.

Mr. Speaker, I'm very fearful for the taxpayers of the province of Manitoba. If this government feels that they should extend their mandate from simply governing as best they can to the citizens, and now they want to get into the land development business, it is, in my opinion, a very wrong-headed direction in which this government is going. They have proven their inability to control a school division in development, and now they're going to go ahead and waste taxpayers' dollars on a development like Waverley West. But thank you very much for the time, and as I said earlier, the members on that side should seriously consider supporting this piece of legislation because it's doing exactly what should be done for the public school system. Thank you.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Well, Mr. Speaker, I listened to the Member for Brandon West. Perhaps he will afford me the courtesy of listening to what I have to say. Thank you very much.

It's a pleasure to rise in the House today to speak against this piece of legislation because there's no need for this particular legislation, Mr. Speaker. When I first got into the Chamber, I heard the Member for Springfield (Mr. Schuler) say, here comes the big myth, but I didn't realize he was preparing me to listen to the Member for Brandon West as he spoke to this particular piece of legislation.

I was quite fascinated to see him take this piece of legislation and tie it into the Waverley West discussion. I was just wondering what his opinion, or what he thinks Robert F. Kennedy Jr., might think about this as well while he was at it. But having said that, Mr. Speaker, there's certainly no need for this legislation because we already have taken an action and that was recognized by the Auditor General in the Auditor's report on the Swinford Park development. The action was immediate. We didn't

wait until the Auditor General had instructed us to do so.

In June '05, we had a report that had been requested for the deputy minister to look into the situation, and it was very clear that the project was not allowed under The Public Schools Act. We took immediate action and immediate steps to clarify and strengthen land disposition processes and procedures relating to such situations, Mr. Speaker. We have taken action, numerous steps, to ensure that school boards do not engage in residential or commercial property development. Seven Oaks was directed to divest itself of the land, and they certainly complied with that direction. They have now divested themselves of all the lots that were part of this particular development.

Mr. Rob Altemeyer, Acting Speaker, in the Chair

I also directed Seven Oaks to undertake an independent audit and to report the details of the audit to the minister's office and to the public, which they have done. An independent audit was done by KPMG. Members opposite stand up and talk about potential losses and so on and so forth, but the Auditors' reports are very clear. KPMG's findings and the Auditor General's Office have both stated the same thing: that there was no loss. In fact, there's a revenue of approximately \$512,000, Mr. Acting Speaker.

It was clear to school boards after this particular situation had occurred, Mr. Acting Speaker, we made it very clear to all school divisions that they were not to engage in land development activities. That directive was very clear, and that was clear as it related to the purchasing or disposition of property. Right now, the Public Schools Finance Board requires all school divisions to report land acquisitions. That's part of their yearly audits, to ensure that the acquisitions and disposition process is open and transparent. That is a requirement. We have acted on this.

The PSFB and the Schools' Finance branch have reviewed the audited financial statements provided by the schools. They do that on an annual basis, and they identify any unusual practices so the checks and balances are in place. We acted on this immediately; we acted on it prior to the Auditor General's report.

The PSFB has also undertaken an internal review to clarify the disposition processes as well as review their internal procedures. These are actions that we have taken, and the minister's office has

reviewed the way the department deals with public complaints as well and instituted new measures to reinforce responses to concerns. As I said in the House and as I said outside of the House, when that particular situation arose, I should have asked more questions. I recognize that and we've taken measures to address that internally.

Now, there have been significant changes to the Public Schools Finance Board legislation to restructure and modernize the PSFB: increasing the accountability by requiring divisions to receive board approval from Land Acquisitions, increasing the restrictions on a school division's ability to acquire property under the PSA or the PSFB act. So, Mr. Acting Speaker, we've increased accountability; we've increased transparency as there's a requirement now for up-to-date inventory of lands and buildings including the inventory in the five-year capital plan to be submitted to the board and that being the PSFB for review.

Of course, we restructured the Public Schools Finance Board; that's the first time that's been done in several decades, Mr. Acting Speaker, and it was time to do that because certainly our capital program under this government has been very ambitious, doubling the amount in our first eight years in government than had been committed to capital funding under the previous administration. Of course, a new provision was requiring the board to carry out an operating review every five years to ensure that policies and practices remain current and effective.

So we have taken actions, Mr. Acting Speaker. So, for the member to introduce this piece of legislation, as my member from Brandon East has said, is strictly for the purpose of playing political football.

Now the department will be implementing all the recommendations of the Auditor General's report and has already made progress in doing so, including that the department clearly define what activities the school board can engage in and clearly specify what other activities are not permitted. So, accordingly, the government works on the basis of enabling legislation, and the PSFB act is written as enabling legislation, Mr. Acting Speaker, to define what activities school divisions can engage in.

So the PSFB will review the PSFB act to ensure that the legislation in place defines the activities school divisions can engage in and endeavour to strengthen the legislation where required. We have

taken the steps, so this piece of legislation is not necessary at all from the Member for Springfield (Mr. Schuler). We do not need to bring this legislation any further than today's discussion.

The recommendation was that the department update the policy statement governing the disposition of public school properties. Mr. Acting Speaker, that was one of the recommendations to ensure that the policy for disposition of all school board-owned property is in compliance with The Public Schools Act. The department is updating the policy statement governing the disposition of surplus schools' property and an exposure draft of a revised policy will be made available to school divisions in the '07-08 academic year, and that will be for review and consultation with the school boards, Mr. Acting Speaker.

The department request to the Auditor General was that the department clarify the policy statement governing the disposition of surplus public school properties is, in fact, a policy rather than a guideline, so the '06 legislative amendments to The Public Schools Finance Board Act provided the PSFB with explicit policymaking powers for the approval of capital projects, building plans, and specifications in any other matter regarding the administration of the public schools capital support program. The department is committed to supporting PSFB policy reviews, directives, standards, and guidelines in regulation under the PSA as required. This legislation introduced by the Member for Springfield is not required, Mr. Acting Speaker.

As the Member for Springfield had been a duly elected trustee at one time in his political career, so, too, are the members of the board of the Seven Oaks School Division. They are duly elected and they are accountable to their voters for the decisions that they make. The Auditor General's report clears up all the conspiracy theories, and I said it many times during Estimates, I've said it in Question Period, that the members opposite continue to caucus on a grassy knoll, coming up with all these conspiracy theories about how things transpired and who knew what.

* (10:40)

Well, frankly, the report has debunked a lot of those myths that they've created in their conspiracy theories. The division had a net income of \$500,000, not a loss. Members opposite continue to stand up and say that, despite the findings of the Auditor General. They continue to perpetuate the myth. The independent audit performed by KPMG revealed that

the division made \$512,188 on the project, and that is on page 4 of the Auditor General's report, if the members care to refer to that particular finding. But facts notwithstanding, that's obviously something the members opposite are not interested in; they continue to perpetuate the myths. There is no conspiracy to be found in the Seven Oaks School Division accounting practices, Mr. Acting Speaker.

Now, the members also said that people higher up knew about what was transpiring here, that people were well aware of what was going on. They claim that I knew about what was going on. The Auditor was clear that neither the minister nor the deputy were aware that this indeed had transpired.

The decisions of the PSFB were clear and transparent, not politically motivated, and no one unduly benefited from the Swinford Park project, Mr. Acting Speaker. They often talk about our friends at Seven Oaks. Well, the educational leaders at Seven Oaks have been doing a tremendous job for their community, for their schools, and they continue to do so.

But I appreciate the fact that members opposite have expressed so much interest, finally, in Manitoba schools. While they were playing politics and trying to dig out conspiracy theories, we've been working to improve the education system for all Manitobans, Mr. Acting Speaker. Certainly they're interested in hearing some of the details about what we've been doing, and I'm sure I'll have an opportunity to speak to that if members opposite should ask questions about the quality of education instead of taxes and things of that nature, as they tend to do.

So we'll continue to work for all Manitoba students, for all Manitoba schools, all Manitoba school divisions, all Manitoba teachers, both retired and active, and we will continue to do so as a government who puts a lot of emphasis on education and prides itself as a government that is very pro-education here in the province of Manitoba. Thank you, Mr. Acting Speaker.

Mr. Peter Dyck (Pembina): Thank you, Mr. Acting Speaker, for the opportunity to speak to Bill 214, a private member's bill that's been brought forward by the Member for Springfield (Mr. Schuler). The purpose of this bill, of course, is to provide that a school board—to initiate the fact that it's not authorized to engage in residential or commercial property development.

Now, I just heard the Minister of Education (Mr. Bjornson) talking about the fact that this bill was not necessary. I believe it is. I have been on school boards for 17 years. This was prior to my being elected as the MLA for Pembina, and I know that during my tenure on the school board, that certainly this was not something that we as a board were engaged in.

It was our mandate and our responsibility to find property which was explicitly used for the purpose of constructing schools for the students. So, consequently, Mr. Acting Speaker, at that time, it never came as even, I guess, an idea that the school board would be into land development. As time went on, and, of course, as one's eyes are opened, we find out that school boards within the province felt that this was a way to make money, and so they got into the land development business.

Now, the intent of this bill is to make sure that this doesn't happen again. Also, the intent of this bill is to make sure that there are not two sets of books that are kept by school divisions. I know the Minister of Education is smiling at this, but, as you go through and you see the audit that has taken place, there certainly are references made to that extent. So we wanted to make sure that this would not happen again. Then, of course, as we go further and fast forward with the Waverley West development that is taking place, we're not sure exactly where we're heading with that development.

The Province seems to condone this sort of an approach because of some of the responses that they have made in the past, so we wanted to make sure that this would not happen again. So the Member for Springfield (Mr. Schuler) put forward a bill which would, in fact, make sure that this could not happen. So, consequently, Mr. Acting Speaker, that is why I support this private member's bill that has been brought forward.

Why is this bill necessary? We must ensure that a situation like the one involving Seven Oaks School Division never happens again. We have said, time and time again, that school divisions should be in the business of ensuring the best possible education for our children, not in the property development business. As I indicated, during my time as a board member, that certainly was something that we looked at, time and time again. In fact, we developed policy which was specifically there for the education of children, and I believe that that is what a board's mandate is. That is, to develop policy which is

specific to the education of children, which looks after the needs of the students, which in fact, brings forward the responsibility of the school board in that policy development, to make sure that children have adequate housing, if I could use that term, or classroom space.

That brings me, of course, to the age-old concern that we have within the constituency that I represent. The Garden Valley School Division right now has 950 students who are in huts. Although the huts are nice, and I have not heard concerns regarding the niceness of the huts, the problem is that the students there do not have timely access to washrooms. As the Minister of Education (Mr. Bjornson) has said, and I certainly support the fact that our students today need to be physically active, that they need to also have access to gymnasium space in order that they can, in their senior-high years, get the credits that they need in order to graduate with the necessary credits. So this is presenting a problem in the Garden Valley School Division.

Then I look to my neighbouring school division, which is Western School Division, and they are starting to develop the same kind of problems. I know that within the next year they also will be building huts. Their student enrolment is going up and so, where the board could go ahead and say, well, we're going to get into the land development business and hopefully make some money, it is a responsibility of the Public Schools Finance Board and the Province to provide the dollars needed in order to have schools built. Consequently, it is the responsibility of the board to go out there to purchase property which, by the way, is funded through the Public Schools Finance Board, but to purchase the property that is required for the construction of that school that is needed within the area. It is not to add and buy extra space that will be used for development purposes.

Now, I would just like to interject as well that what happened in the case of the Emerado school, which I give the minister credit for, for expediting—I think he called it fast-tracking—so whereas usually the building of a school will take five years, this one was done in three years, but I know that the Public Schools Finance Board allowed the Garden Valley School Division to buy extra space which is used for park. Now, this, together with the City of Winkler, is a really, really nice addition in that development that's taking place in Winkler. So the board did not purchase this property in order to develop it, but they

purchased it for green space, and it has really added a nice touch to that area within the city of Winkler.

Again, I believe that we must have our priorities straight and in this case, the priority that is out there is that of providing good space for students. As we see, what took place here is something else. The school division thought that they would get into the land development.

Now, one of the Auditor General's objectives in the review of the Seven Oaks School Division and land development scheme was to determine whether the Seven Oaks School Division's disposition of the surplus school lands in the Swinford Park was in compliance with The Public Schools Act. In her findings, she stated, and I quote: Given that residential land development activities by the board are not specifically allowed for in The Public Schools Act, it is arguable that Seven Oaks School Division was not in compliance with The Public Schools Act when it undertook residential land development activities in the park.

*(10:50)

It went further on, to quote—and then I would like to, rather, quote from the minister's internal review, or the whitewash review as we refer to it, as the findings state, and I quote from page 7 of the review: While only a decision by a court of law can say definitely whether Seven Oaks School Division acted within its legal authority in the disposal of land, a prudent interpretation of this matter supported by the legal advice is that Seven Oaks School Division did not act within its legal authority as granted by The Public Schools Act. That is a quote from the minister's internal review.

So, Mr. Acting Speaker, what I would indicate to you is that there certainly is a need for this private member's bill to come forward, and I support the Member for Springfield (Mr. Schuler). I believe it's appropriate that we make sure that school boards continue to know what their responsibilities are, that they are policy setters, that they are to make sure that there is adequate accommodation for the students within the school division, so that, in fact, they can get the education that they need. We also know that the backbone of any country, province, community, is for their students to have a good education.

I want to thank the teachers, the staff, within the divisions that I represent for, in fact, giving that good quality education to the students. Mr. Acting Speaker, I know that they are dealing with some

rather challenging circumstances at times, and I've had discussions with teachers within the last few months. They have shared with me the fact that the accommodations that they are in, while they are good, they are stressed. They are very full. There are many students in their classrooms and, of course, they have varying degrees of needs. So, consequently, they are trying to and wanting to meet those needs.

So, Mr. Acting Speaker, I would support this resolution. I believe it is important, or this bill rather. I believe is important. I would encourage the government, the Minister of Education (Mr. Bjornson) to allow us to vote on this, to bring it forward and allow it to go to the public to see what in fact their response would be to it.

So, with those few words, Mr. Acting Speaker, I want to thank you for this opportunity.

Mr. Daryl Reid (Transcona): It's my pleasure to rise to add my comments to Bill 214, The Public Schools Amendment Act, brought forward by the honourable Member for Springfield (Mr. Schuler), Mr. Acting Speaker.

I guess before we get into comments with respect to this particular bill, I'd like to kind of review some of the accomplishments that our government has had since 1999 with respect to our investment in education, because I think it's important to note all of the work that our Minister of Education has undertaken on our behalf to improve our public education system in the province of Manitoba.

Our accomplishments are many, and having had the benefit of having been in this House since 1990, Mr. Acting Speaker, one can recollect back to the times of those dark days in the history of our province when the previous administration, the Conservative government of this province, that that day decided that the public education system was not a worthy investment in our province, and, in fact, we saw a withdrawal from investment in our public school system in this province. Those are dark days in the history of our province.

But since that time, our government has recognized and made investments in public education of which I'm quite proud. Not only has my community had the opportunity to benefit by that investment, but, in fact, every school division and student and family in this province has had the opportunity to benefit from those investments.

I'll just review some of the investments that have occurred here. Our government has increased funding to special needs, something that's, I'm sure, near and dear to the hearts of most members of this Chamber and to Manitobans that have children with special needs. We've increased our funding some 46 percent since 1999, Mr. Acting Speaker, a significant investment. I'm not to say that our work is done in that regard because I think we have other work that we're continuing to do to make sure that the needs of our children living with special needs are recognized and that we do everything we can to help their learning capabilities as they look to reach their full potential in our public education system.

I know, in listening to the debate that goes on in this House over the last several weeks, Mr. Acting Speaker, I know the opposition has brought out retired teachers who sat up in the gallery of this Chamber and watched the proceedings as they played to the gallery. They talked about the government hasn't taken any steps to help retired teachers in this province.

Mr. Acting Speaker, we have made as a government significant investment to help the pension plans for retired teachers in this province. In fact, our Minister of Education (Mr. Bjornson) and our government has invested \$1.5 billion into that fund to help retired teachers in this province, significant to fund 75 percent of the government's portion of the pension liability. So let not the opposition say that we haven't taken any steps to address that particular concern in this province. Not to say that that work stops there; we're continuing to meet and talk with the retired teachers and the active teachers of this province to make sure that those concerns and interests are addressed and our work continues in that regard.

Now I'm sure most members of this Chamber and members of the public will recollect the fact that just a few short years ago our government decided that they wanted to make a longer summer, and we announced that we were going to have a start of the school years after the Labour Day long weekend, something that everyone in our community was quite proud about and quite happy about. Every time I had a school group come to this Manitoba Legislature and we talked to the students: Do you want to sit through the entire summer or do you want to have government expand the summer holidays, every one of those students said that they have the same opportunities for sitting days in this province so it's not like they've lost educational opportunities.

Mr. Speaker in the Chair

The sitting days are there in this province. We've had the opportunity to expand the amount of time that families have to spend together during the summer months, as short as the number of weeks are. We have taken the steps to expand the school summer vacation period, retaining in fact the provisions that will allow for some 200 school days a year to occur to allow for the education of our children in this province, Mr. Speaker.

I know, Mr. Speaker, our government has made capital investments into our education system in this province here. Through that capital investment, we have made investments in schools all over this province. I'm quite proud of the fact that our Minister of Education has visited numerous schools in my own community of Transcona and we're quite proud of the fact that he has—[interjection] The minister indicates that he has visited over 300 schools in our province, which is I think quite an impressive record. We congratulate him for that accomplishment and for taking a strong interest in our public education system in our province.

We have, Mr. Speaker, made investments into the public schools in Transcona. Transcona Collegiate, for example, has received an investment for an upgrade in addition to its facilities, something that the community is proud of. We will continue to work with our school division, the River East Transcona School Division to look at the capital requirements for not only my school division but all school divisions in this province and continue to make investments into those structures and facilities to provide a safe, nurturing learning environment for the youth of this province.

We have made, Mr. Speaker, as a part of that investment, about \$135 million over the three-year period for capital to bring our total capital spending for that—since 2005 we made that announcement—to some \$423 million in new capital expenditures for those, double what the previous administration, the Conservative government, had invested in education capital. So we have made investments in our facilities.

Mr. Speaker, one of the things we had the opportunity to talk about on many occasions through the last provincial general election campaign, was the plan that the provincial government had that implemented where we eliminated the education support levy, bringing down school division property taxes or school property taxes that was a net saving

to the homeowners of this province, something that we are quite proud of. I know much has been made about government also reducing farmland school taxes in this province, and we have made those investments to reduce the costs on the farming community of this province as well. So we have made numerous steps with respect to our public education system. I remember that I listened—

An Honourable Member: \$1.5 million.

Mr. Reid: Billion, \$1.5 billion is what we invested into the teachers' pension fund in this province, Mr. Speaker, for the benefit of members opposite that may not remember that announcement that we made many, many weeks ago.

Now, Mr. Speaker, I know that school divisions have some difficult decisions to make and that they are elected folks in our province. I know the River East Transcona School Division has decisions that are currently under review with respect to schools and the enrolment levels of those schools, but I remember members opposite saying that, as a result of our school division amalgamation, there were going to be schools that are closed, teachers—

* (11:00)

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Transcona will have two minutes remaining.

RESOLUTION

Res. 12—Privacy Protection in Manitoba

Mr. Speaker: The hour now being 11 a.m., we will now move on to resolutions and we will be dealing with the resolution, Privacy Protection in Manitoba.

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I move, seconded by the Member for Russell (Mr. Derkach), the Privacy Protection in Manitoba resolution,

WHEREAS the protection of personal privacy and freedom of public information are both necessary and requirements in a fair and democratic society; and

WHEREAS increasing response times and increasing complaints under The Freedom of Information and Protection of Privacy Act show a need for systemic reform to freedom of information, protection of privacy legislation in Manitoba; and

WHEREAS Manitoba is only one of three provinces in Canada that does not have a privacy

commissioner's office to ensure the protection of privacy for provincial residents; and

WHEREAS the protection of privacy is an ever-increasing need for Manitobans in a world where technology has made identity theft an ever-easier crime to commit; and

WHEREAS Manitoba needs a privacy commissioner's office to help ensure protection of their personal information and educate them on how not to become victims of identify theft; and

WHEREAS the Premier (Mr. Doer) committed in 1999 to establish a privacy commissioner and eight years later has failed to do so; and

WHEREAS the Premier of Manitoba committed again in this very House on November 22, 2006, to bring forward legislation to introduce an office of the privacy commissioner in Manitoba; and

WHEREAS nearly a full year later, the Premier has failed to live up to his own word in this House; and

WHEREAS the integrity of the House is questioned when Manitobans cannot trust the ability of the Premier to live up to the commitments he makes within.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to consider fulfilling the Premier's commitment to establish a privacy commissioner with order-making power, to ensure that Manitobans' privacy is protected.

Thank you.

Mr. Speaker: It's been moved by the honourable Member for Morris, seconded by the honourable Member for Russell (Mr. Derkach), WHEREAS the—dispense?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mrs. Taillieu: I'm pleased to speak about this resolution today on the need for a privacy commissioner in Manitoba. I think it's very important that we look at establishing this. Privacy is one of those things that people are concerned about. They feel that they have less privacy today than they did before. They feel that there will be less privacy in the future.

I just want to read even from an article in yesterday's *Free Press* by Brian Bowman, and he's a

person that does do a number of articles on privacy. It's in regard to the Canadian Privacy Commissioner who, in her annual report, stated that—and it was a survey conducted by EKOS Research. It revealed that a large proportion of Canadians continue to worry about their privacy and think that businesses and the government need to take their responsibilities in this regard more seriously, Mr. Speaker.

I want to point out that the Premier (Mr. Doer) did, as part of his 1999 election platform, promise a privacy commissioner in Manitoba. He's had eight years to do that and still we have seen nothing. I've been advocating for a privacy commissioner and for strengthening our laws in terms of protecting personal information for over two years now and it's falling on deaf ears on the government's side. I quite do not understand the fact that they don't understand the need for protection of personal information and privacy.

Privacy in today's world, with technology advancing at light speed the way it is, is very important. We look at other jurisdictions that have established privacy commissioners like Ontario, like Alberta, like British Columbia, that these privacy commissioners, it's their duty to ensure that the privacy of their citizens is protected.

I'll just give you an example of something within our world of technology and the advancements that are happening that erode our personal privacy, Mr. Speaker. Things like radio frequency identification tags which are embedded in a lot of the things that we take for granted these days, like cellphones and credit cards. These have the ability to track people should they be used in the wrong way.

People don't understand the implications of the technology that we have today. The Ontario privacy commissioner, in a report that she did about four years ago now, outlined some of the needs to protect personal information and protect the privacy of citizens. She's already had the mandate to do this and has addressed some of these things. We in Manitoba have not done this. I do want to also reference the Manitoba Ombudsman's 2006 report where she details the differences between a person like the Ombudsman, who has recommendation powers, and a person like a commissioner that has order-making powers. At the federal level the responsibilities are generally divided between access to information and privacy.

Certainly, Mr. Speaker, these two things tend to be grouped together. We have The Freedom of

Information and Protection of Privacy Act, which sometimes sounds like it's contradicting itself, but what we're talking about is the need to separate the two into having an information commissioner who deals with complaints about access to government information that is not personal information and a privacy commissioner that deals with the complaints about access to and protection of personal information.

If the Ombudsman were an Ombudsman's office, within the Ombudsman's office there should be the ability to have an information officer and a privacy commissioner. The privacy commissioner could in fact do much to ensure the privacy of Manitobans by, first of all, educational awareness as to what privacy is and how easily it can be invaded with the technologies that we have today and the protection of personal identification, which has led to the most increasing crime in our society today, and that is identity theft.

Identity theft is based on personal information and personal information needs to be—it's one of the things that is defined in privacy. The information, the numerical data about a person, that's private information. Other things, biometric data about a person, these are all things that we tend to give away too freely in our society without understanding the ramifications of doing so. All the time we hear about people that have been subject to identity theft, and they were unaware that they had given some personal information and unaware that personal information could be used against them.

Part of the need, the reason that we think that a privacy commissioner is important is we need to look at what other provinces are doing and certainly other provinces are doing it and recognizing that the citizens in Canada are very concerned about privacy and protection of personal information. I think it's essential for a democratic and transparent process. We have freedom and access to information that governments hold and we also need to ensure that personal information from individuals is protected.

Right now, as I said, the Ombudsman only has powers to recommend, so an independent officer with expanded powers would allow Manitobans to feel that they could follow any concerns raised to court. The Ombudsman will say that most issues have been resolved. They can be resolved through meetings and conciliation, but there are certain things when people feel that their privacy has been

invaded, that they might want to pursue this further, Mr. Speaker.

* (11:10)

I know that the Premier (Mr. Doer) again promised that he would be bringing legislation in regarding a privacy commissioner. Mr. Speaker, we have not seen anything yet, and that's almost a year ago. On November 22 last year, the Premier said he would be bringing legislation in regarding a privacy commissioner. We have seen nothing. I know that we'll be starting a new session, and I'm very hopeful that this will be one of the things that this government will finally intend to do after eight years.

In 1999, they ran on this platform and eight years later, they've had eight years to do something and they've done nothing, which just makes you wonder about their real true feelings about whether we should have full transparency and accountability in our system. Perhaps they have much to hide. I'm sure that they do, considering the number of FIPPA requests that go unanswered or delayed constantly to opposition parties and to the media.

There's much, much in the media these days about privacy, invasion of privacy, protection of personal information and identity theft. Appointing a commissioner, a privacy commissioner in Manitoba with order-making powers, will allow people to become educated in this very important matter and allow some recourse should people feel that their privacy has been violated, as seven of 10 people in Canada feel that their personal information is less protected than it was 10 years ago.

So, Mr. Speaker, I hope that the government will stand up and speak with me today on the need for a privacy commissioner because how can you say that you don't want a privacy commissioner in Manitoba? How can you say that you don't want to protect the privacy and personal information of seven out of 10 Manitobans who agree that their privacy is susceptible to violation? How can they not want a privacy commissioner when the Premier has promised this in his 1999 election platform, has eight years to do it and has not done it? How can they not support this resolution today? Thank you.

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, following some discussion, I'm seeking leave of the House during this portion of debate on private members' resolutions. I'm seeking support of the House to return to three private

members' resolutions: No. 8, standing in the name of Mr. Dyck on Agricultural Input Costs; No. 9, standing in the name of Mr. Nevakshonoff dealing with Provincial Diabetes Strategy; and No. 11, standing in the name of Mr. Gerrard dealing with Canadian Internment Camps. *[interjection]* We're passing all three.

Mr. Speaker: Order. Is there leave of the House to revert to Resolutions 8, 9 and 11? *[Agreed]*

DEBATE ON RESOLUTIONS

Res. 8—Agricultural Input Costs

Mr. Speaker: Now I'm going to call Resolution No. 8, Agricultural Input Costs, and the debate remains open.

Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House is Resolution No. 8, Agricultural Input Costs.

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

Res. 9—Provincial Diabetes Strategy

Mr. Speaker: Now I'm going to call Resolution No. 9, Provincial Diabetes Strategy, standing in the name of the honourable Member for Russell (Mr. Derkach).

Is there will of the House for the bill to remain standing in the name of the honourable Member for Russell?

An Honourable Member: No.

Mr. Speaker: No? Okay. Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House is Resolution No. 9, Provincial Diabetes Strategy.

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

Res. 11—Canadian Internment Camps

Mr. Speaker: I'm now going to call Resolution No. 11, Canadian Internment Camps, standing in the name of the honourable Member for Radisson (Mr. Jha).

Is it the will of the House for the resolution to remain standing in the name of the honourable Member for Radisson?

Some Honourable Members: No.

Mr. Speaker: No? It's been denied. Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House is Resolution No. 11, Canadian Internment Camps.

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

Is it the will of the House to revert to Resolution No. 12, Privacy Protection in Manitoba? *[Agreed]*

RESOLUTION

Res. 12—Privacy Protection in Manitoba

Hon. Steve Ashton (Minister of Intergovernmental Affairs): I think everybody there was showing a degree of interest and co-operation in Private Members' Business which I think is very important.

I do want to put on the record that I've said for many years that we need to reform our own approach to democracy in this House, Mr. Speaker. I think it is very positive that we're seeing healthy debate and discussion on resolutions, and, indeed, we're probably seeing a record number of resolutions passed, or at least voted on, in this session. I recognize there are certain resolutions that require a significant amount of discussion and debate prior to that, but, clearly, there are resolutions, as we've seen earlier today, that can easily be considered as something we could all support or certainly see go to a vote.

I think that's important because I think it's really important that we continue to reform our structures in this House, whether it be our standing committees or Private Members' Business, because over the last number of years there has certainly been a decline, I would say, Mr. Speaker, in the role of individual members, the ascendancy of the role of caucuses. I'm certainly a strong believer in the caucus process. I'm very proud to be a member of our caucus, but I do believe that there is a much greater role for private members, for all members, whether it be on behalf of

their constituencies or on matters of broader public interest, because, quite frankly—*[interjection]* Well, the Government House Leader is asking about this particular resolution. I think the fact that I'm here in Private Members' Business debating this shows the degree to which I take very seriously what is put forward by members of the House.

That's another thing that shows some element of decline. I think healthy debate is positive. I think this is what the Manitoba Legislature should be all about. What we are seeing today, it's not only important to have resolutions dealt with in terms of votes, but it's important to have those debates, because if you were to go back to, say, the 1960s, it was a regular occurrence to have pretty healthy debates. In fact, in those days, I am told by members of the Legislature from that period of time that it was not uncommon for debates to break down over different differentiations other than party. So you might have a rural-urban split rather than an NDP-Conservative or -Liberal split. *[interjection]* Even into the 1980s, the former Member for Lakeside, Harry Enns, he actually voted for a bill on Second Reading brought in by the government to take over the gas company at the time.

So there was a healthy sense that you could have those kinds of differentiations, Mr. Speaker. I say that in the context of this particular resolution because I believe that debate is important. I also believe that considering matters is also important, but it's a combination of both.

Having elections is not the only element of a democracy. There are a lot of places in the world where they have elections. It may not be free elections, and you sure don't have the ability to have freedom of speech afterwards.

That's why I want to put that in context because when I do speak on this resolution, it's because I take very seriously the ideas put forward, in this case, by another member of the House, and I think it's important we all do that. I think we should do that.

I also think, by the way, it's healthy when we have some of the debates we've seen recently in terms of Opposition Day, something that is a relatively new addition to the rules, historically, but, again, it shows the need to recognize that, yes, the government has an agenda, but there can be alternative ideas put forward. We respect that. I think those debates are healthy debates in this House.

* (11:20)

Now, in terms of freedom of information and privacy, I think it's important to recognize that this government has been a leader in terms of both sides because it's important to recognize the paradox that in a world in which we have instant Internet access, where we can access information from around the world, there is the ultimate paradox, that on the one hand, this great ability to have information freely accessed and distributed, but on the other hand, to recognize that there are some real challenges out there in terms of individual privacy. I want to address both of them.

First of all, our government has made significant strides in terms of transparency. I think that's very clear. We've done that in terms of opinion polls. We've moved in a proactive way in terms of putting information forward. On a national basis, I think it's important to note that we're declared second-best in Canada with a disclosure rate of 88 percent by the Canadian Newspaper Association. That's second. We're maybe trying harder, but we are No. 2. We are No. 2, and I think that's very significant.

We are making Orders-in-Council available for the first time. That's something we committed in 2006. We'll be tabling them annually starting in the fall of 2007. This year, for the first time ever, we tabled ministers' expenses in the House, a proactive decision showing the degree to which we think the public should have that kind of information.

Mr. Speaker, our access to information is more comprehensive than the federal legislation because it also covers Crown corporations. In fact, in 2000, early on in our mandate, we extended it to all public bodies. That includes government, particularly municipalities, school divisions, universities, et cetera. We have free on-line access to all government statutes and legislation, a very significant move. Since the creation of the Ombudsman's office in 1970 by former Premier Ed Schreyer, there's been opportunity for applicants to file complaints. I want to put on the record, I think the Ombudsman's office in this province is a fine institution, does a very good job, and it takes its responsibilities very seriously in terms of this.

I want to compare this to the 1990s and, at the risk of being a little bit partisan here, when the Leader of the Opposition (Mr. McFadyen) was the mastermind of the Tories, the power behind the throne, the chief of staff, they routinely rejected everything from surgical waiting lists requests

through to even the most basic information. Now that information is publicly available, and so it should be.

Now, in terms of the flip side, let's recognize that, at a point in time when we're seeing greater use of technology in terms of whether it be people paying with a Visa card or accessing banking on-line, there is a real concern here about personal identity and theft of personal identity. We placed this as a high priority because we recognize it is of concern to Manitobans. Back in March of 2006, we established an identity theft Web site which is very important because we feel it's important to be proactive in making sure that people can protect themselves against this. I think that's very important because, quite frankly, the consequences of the loss or the theft of identity can be quite significant. Anybody that's been on the receiving end of credit card fraud—I had a situation where there was a fraudulent charge to my credit card; I understand the degree to which it's important to protect oneself.

We've also been quite active in—I'm going to give credit, by the way, to the degree to which we've been active with the federal level, which is to make the point that it is a Criminal Code protection against fraud and personation; to make sure there's a national approach to this, and, quite frankly, that there is protection there. I think it's also important to note our consumer protection in terms of limiting a consumer's liability to \$50 in case of a lost credit card. That is important.

You know, the bottom line is, here we have been very active, in both freedom of information and the protection of privacy. I think we've been leaders in the country. We'll continue to be leaders.

I realize the opposition member who's put this forward is focussed on a very narrow question. We have a broad question here, and whether, indeed, you have a separate commissioner or you have the Ombudsman's office continue to do the fine job it's doing, I want to put on the record that I actually would hope that there's no suggestion that the Ombudsman's office has not been doing a very good job. It's been very aggressive in both freedom of information and protection of privacy issues.

I realize that the Member for Morris (Mrs. Taillieu) maybe didn't get a chance to really say what she felt in her comments when she spoke. I think she should recognize that we welcome this debate, but I think it should be noted on the record that this

government since 1999 has been a leader in terms of both the protection of privacy and the freedom of information. We saw this just November 7, with the release of additional information. So, Mr. Speaker, I appreciate the debate and the ideas being put forward here, but you know what? I think it's important to put on the record that our government, we should all be proud of the fact that we are leaders across the country and are recognized as so. Thank you.

Mr. Leonard Derkach (Russell): Mr. Speaker, it's always a pleasure to speak after the Member for Thompson (Mr. Ashton) because he is forever the cheerleader of that group over there. You can always assure yourself that if there's going to be any emotion or passion shown in a speech, the Member for Thompson, the Minister of Intergovernmental Affairs, will provide that for this House.

It also gets to be somewhat entertaining from time to time, and we've all come to know the Minister of Intergovernmental Affairs, the Member for Thompson, as being the one who provides that little bit of enthusiasm in this House when it comes to issues.

Well, Mr. Speaker, with regard to this particular legislation that has been proposed by my colleague, what we need to do is take a look at where Manitoba sits. These are the other jurisdictions, and it's obvious that Manitoba is one of the last jurisdictions to enter into this area and yes, it's the opposition that's leading the government down the correct path here. We're only trying to encourage the government to follow what other jurisdictions are doing today and to adopt this kind of legislation.

Mr. Speaker, the privacy commissioner is one that is evolving out of the freedom of information legislation that was passed in this province and other jurisdictions to ensure that the public has a more open door to the information that it requires that government has. For too long governments have protected information that actually the public is entitled to have. Today, when we ask for information from the government, we are stalled at every point. I think many organizations that try to seek information from government today find themselves stalled by, I guess, legalistic kinds of procedures. Perhaps government taking too much care in trying to streamline that information and indeed to keep relevant information out of the hands of the public.

Well, Mr. Speaker, a privacy commissioner is one who would adjudicate what the public should

have access to and would provide far better information to the public that the public deserves. This doesn't only apply to the government that's presently in power in Manitoba but would apply to future governments as well.

Mr. Speaker, we would also join other jurisdictions, other provinces across this country who today have privacy commissioners in place who understand that it is important for the public to have a transparent process when it comes to freedom of information so that the public can be better informed, better be able to hold the government to account and better to hold legislators to account as well. None of us, no individual in this House should really be against having a more open process in terms of providing information to the public.

Mr. Speaker, my understanding is that we are one of few provinces that doesn't have this kind of legislation and doesn't have a privacy commissioner. The Member for Thompson did allude to the fact that in Manitoba we use the Ombudsman's office to try to resolve some of the disputes when they arise from people trying to get access to information, but when you really look at the powers of the Ombudsman, the Ombudsman does not have a full range of power, if you like, to force freedom of information to be disclosed to individuals. All the Ombudsman can do is make recommendations in terms of what action should be followed, but the Ombudsman cannot compel a government to disclose information that perhaps it doesn't want to.

* (11:30)

So there is a deficiency in our freedom of information process and that process needs to be changed so that indeed the public can have more access, have a more transparent process in terms of how information flows and indeed can then hold the government and legislators to full account for what we in this Legislature do.

Mr. Speaker, for eight years now or seven years—the eight years this government has talked about and made platitudinal statements about where we should be with regard to freedom of information. But it has not acted in the spirit of providing open information to Manitobans and to people who request this information. I guess we in the opposition feel this. We feel it from the perspective that when we ask for information not only does it take a long time for that information to come, but more importantly, when that information does come everything seems to be

blacked out except some very generic kind of information that really doesn't do anyone any good.

Mr. Speaker, I think we have to rethink the process. We need to rethink where we should be going, and this bill provides that kind of leadership, that kind of possibility of something happening that is more productive, more proactive and indeed holds government more to account.

Mr. Speaker, I certainly support the Member for Morris (Mrs. Taillieu) for bringing this forward. I know that she has been on this issue for not just this session but the previous session. I think she's had a lot of discussion with government ministers on the other side of the House to try to explain her position on this. I think, by and large, she's even received some positive feedback in terms of the intent, but government seems to be stuck in the mud in terms of really moving this forward.

Now today we saw something in this House, Mr. Speaker, that I think is a positive. We saw, by agreement of this House, us revert back to resolutions that we had dealt with in private members' hour and were able to pass through unanimous consent three resolutions, some that were put forward by opposition members, some that were put forward by government. If you want to go forward, I think that this kind of co-operation is productive, and it makes us all look better in the eyes of the public when good things are introduced into this Legislature and together we agree to move them forward.

Mr. Speaker, you'll find that in our comments to bills this session, I know that, when the government proposes a bill for whatever reason now, after Second Reading there is no debate on the bill. Government members do not stand up and debate a bill. They don't put their case forward. But there is some good legislation that comes out of even this government. So from time to time there is the opportunity for us as opposition to see that legislation in fact is beneficial to Manitobans and we support it.

So, Mr. Speaker, I think government needs to look at bills that are brought forward by opposition members as being positive, as being good change for process in Manitoba. So we look for the same kind of support when we bring legislation that we think is helpful to Manitobans. I have to say, as one opposition member who had an important piece of legislation brought forward and supported by

government, it took a long time, but when we did the amendment to the health act I was extremely pleased. It was an important day in our province. Indeed, many Manitobans commented on the fact that a private member's bill coming from the opposition amending the health act was approved in this Legislature and gave us a better direction and better process in terms of how we deal with health issues.

Mr. Speaker, I know my time is limited here, but I simply want to encourage government to take a look at this bill and not necessarily speak it out, but more importantly to endorse this bill and make sure that this kind of legislation goes forward in a positive way. Thank you.

Hon. Greg Selinger (Minister of Finance): Thank you, Mr. Speaker, and I'm thrilled to speak on this. We must always be mindful of the balance that must be struck between giving access to information and protecting the privacy of individuals and third parties. We are committed to balanced access in accordance with the law.

In November '06, our government committed to establishing a privacy commissioner included in the legislation that will be brought forward on freedom of information. Other provisions of the legislation will address our commitments made in '06, including adding opinion polls paid for by government to the list of information that may not be withheld as advice, putting into law the practice that already exists under this government.

As well, Mr. Speaker, on government records, the Premier (Mr. Doer) issued a memo to all ministers and deputy ministers, on April 26, '05: Reasonable access and sound protection of information privacy are fundamental to a democratic society. The responsiveness of your departments is critical to making sure Manitoba remains open, accessible and accountable to our citizens. That was a quote in his letter.

On May 29, '05, the results of a national survey by the Canadian Newspaper Association looked at how free and accessible government information is. They declared Manitoba was No. 2, or second best in Canada, with the disclosure rate of 88 percent. Recently, journalists from across Canada asked all governments for the same information. Manitoba came through in all three requests asked. In other words, we delivered the information they were seeking.

Orders-in-Council for the first time ever are available on-line, as we committed to doing in September '06. Also, for the first time, our government will be making ministers' individual expenses available. We will be tabling them annually starting in the fall of '07. On November 7, '07, for the first time ever in Manitoba, we tabled ministers' expenses in the House.

Our access to information legislation is more comprehensive than the federal legislation as it also covers Crowns. In April, 2000, we extended FIPPA, which is our information legislation, to all public bodies; specifically to more than 350 government, including municipal; educational, including school divisions and universities; and health care bodies, including regional health authorities.

In 2002, our government introduced free on-line access to all government statutes and legislation, and I need to underline the word "free." Prior to that, Mr. Speaker, these documents, you had to pay to get them.

Mr. Speaker, the Ombudsman's office, created by NDP Premier Ed Schreyer in 1970, provides an opportunity for applicants to file complaints. We want to work with the Ombudsman, who already uses mediation and finds resolution in over 90 percent of cases relating to FIPPA requests, a very high rate of satisfaction and resolution.

With respect to the Conservatives' record on FIPPA, in June of '99, when the Member for Fort Whyte (Mr. McFadyen) was the chief of staff to the Tories, they denied a FIPPA request for the number of people on surgical waiting lists, stating that the information did not exist. Mr. Speaker, that information does exist today. It is available on-line.

What is Manitoba doing to address identify theft? In November of '06 the Minister of Finance—that would be myself—introduced The Personal Investigations Amendment Act (Identity Protection), which gives people who are concerned that their identity's being used by someone else the ability to place a security alert on their credit report. On March 28, '06, the Manitoba government launched an identity theft prevention Web site. The identity theft Web site, which can be viewed at www.gov.mb.ca/id_theft/index.html, includes access to the ID theft prevention kit, an ID checklist, and contact information for a variety of organizations and resources. I can repeat that later if you wish.

This new Web site provides tips about protecting against identity theft and what to do if it should happen. Through this Web site, Manitobans are encouraged to be cautious about giving up personal information and to give it only if it is imperative. Businesses are also reminded that they are responsible to protect customers' personal information under PIPEDA, Mr. Speaker, which is federal legislation.

* (11:40)

Other measures taken in the recent past to combat identity theft include the ministers responsible for consumer affairs—

An Honourable Member: That's you, again.

Mr. Selinger: Yes—for consumers met in Winnipeg in January '04 and launched an identity-theft kit for consumers which contains advice on how to prevent identify theft and what to do if you are a victim. This was a very well-put-together kit. As well, an identity-theft kit for business, suggesting steps that businesses can take to prevent identity theft, has been launched. As well, a discussion paper was released in July '05 to invite comments from consumers and businesses about possible consumer protection legislation to address identity theft.

What legislation currently exists in Manitoba to protect consumers against identity theft? Fraud and impersonation are matters that fall under the Criminal Code. In October '07, the federal Minister of Justice and Attorney General of Canada, the Honourable Rob Nicholson, announced that the federal government will introduce new legislation proposing Criminal Code amendments when Parliament resumes. The amendments will permit police to intervene at an earlier stage of criminal operations before identity fraud or other crimes which actually cause financial or other harms are attempted or committed.

Provincial legislation under The Consumer Protection Act—and this is very important, Mr. Speaker—limits consumers' liability to \$50 when a credit card is lost or stolen or the credit card information is used to make fraudulent purchases. I think this is some of the best protection for consumers in the country. When a credit card is stolen, their exposure is a maximum of \$50. That's very important.

Vital Statistics has also taken steps to ensure that critical personal information is protected and fines up

to \$50,000—that's \$50,000—may be imposed on anyone processing or using fraudulent documents or using legitimate documents unlawfully.

The Manitoba Public Insurance Corporation is also taking steps to ensure personal information is protected when it will begin issuing a new driver's licence, and I'm sure there'll be some further comment on that later.

What do consumers do if they become victims of identity theft? Consumers who are victims of identity theft should contact local law enforcement to report the crime, cancel all the cards or accounts that may have been affected and contact credit-reporting agencies, TransUnion and Equifax.

The Office of the Privacy Commissioner of Canada offers the following advice on how to fight identity theft. Notify creditors immediately if your identification or credit cards are lost or stolen. Access your credit report from a credit-reporting agency once a year to ensure it's accurate and doesn't include debts or activities you haven't authorized or incurred. Ask that your accounts require passwords before any inquiries or changes can be made whenever possible and also find out if your cardholder agreement offers protection from credit card fraud. You may be able to avoid taking on the identity thief's debts. Be careful what you throw out. Burn or shred personal financial information such as statements, credit card offers, receipts, insurance forms, et cetera. Insist that businesses you deal with do the same.

With those brief comments, Mr. Speaker, I'd like to thank you for the opportunity to speak.

Mrs. Leanne Rowat (Minnedosa): I want to congratulate the Member for Morris (Mrs. Taillieu) for bringing in a resolution on privacy protection in Manitoba. I think that the Member for Morris has taken a leadership role in ensuring that this issue remains on the forefront. She has worked very hard at making sure that the government is aware that this piece of legislation is recognized and has kept the government accountable to its promises, or lack thereof, on the issue of a privacy commissioner, Mr. Speaker.

It should be noted that the Premier (Mr. Doer) in the '99 election campaign promised a privacy commissioner and had again confirmed that promise again in November of '06. It seems to be consistent with this Premier and this government, Mr. Speaker, to have promises made but not kept. It's unfortunate

that an issue as serious as a privacy commissioner and the need for that role within government is being ignored by this government and needs to be brought up through a resolution by the Member for Morris to see if we can get the ball rolling on this government's inability to keep promises and work in the best interests of Manitobans. This privacy commissioner role is critical, especially with the government's inability to respond to issues that relate to privacy.

The FIPPA aspect is something that needs to be looked at very seriously. Other provinces have taken this issue very seriously and have actually implemented privacy commissioners within their province. So what we're saying as a caucus and what the Member for Morris (Mrs. Taillieu) has done in her leadership role is push the government to establish an office of the privacy commissioner to ensure stronger public access to information and protection of privacy is upheld.

We know that games have been played by the government in providing information or keeping information from Manitobans, and I think that if they would move forward on this act, it would show that in good faith they do believe in the importance of the FIPPA and the importance of a commissioner to provide an office with the power to enforce the importance of this legislation.

The Premier (Mr. Doer) has indicated that he would install a privacy commissioner. Oh, I'm sorry. He indicated that he was going to instate a privacy commissioner, but, again, his actions speak louder than words. By not instilling this commissioner into office, Mr. Speaker, we're going to continue to see responses by government denied, complaints increase and the general public becoming more and more disillusioned by this government. We'll continue to see that this government continues to be a government of secrets. They're not forthcoming. They talk around the issues and do not take this issue very seriously.

So I encourage the minister and the Premier to pay heed to the resolution put forward by the Member for Morris. I encourage the Premier to stand by his commitment from '99, and that is going on 10 years now, Mr. Speaker, to follow through in a promise that he's made. It would be in the best interests of all Manitobans to see this government take some leadership on this as other provinces have, and I encourage all members within the House to support this resolution. Thank you.

Mr. Jim Maloway (Elmwood): I must begin, Mr. Speaker, by stating at the outset that this resolution is really redundant because in November of '06 our government committed to establishing a privacy commissioner, included in legislation that's going to be brought forward in due course. The member should just be patient a little bit longer. I think we'd rather get the legislation right, do the job right the first time rather than trying to do it piecemeal.

Mr. Speaker, I guess the question is how much access to information is necessary. Historically, the oppositions in Legislatures want it all. They want all pieces of information, and, of course, governments historically have tried to limit the amount of information that they provide. But we must also be mindful that a balance must be struck between giving access to information and protecting the privacy of individuals and third parties, and we're committed to balanced access in accordance with the laws.

Other provisions the legislation will address are commitments made in 2006 to adding opinion polls paid for by the government to the list of information that may not be withheld as advice, putting into law the practice that already exists in this government. Members who have been around here for a while will remember that back in the Filmon days, there was extensive use of polling done by the Filmon government before any action was taken by them in this Legislature. There were enormous amounts of polling that was done, and when we asked for polling results, we were routinely denied that information by the Filmon government. So this is a change that the member should acknowledge that this government made partly because of their inability to provide this information.

* (11:50)

The Premier (Mr. Doer) issued a memo to all ministers and deputy ministers on April 26, '05, in which he stated that reasonable access and sound protection-of-information privacy are fundamental to a democratic society. The responsiveness of your department is critical to making sure Manitoba remains open, accessible and accountable to our citizens.

As a matter of fact, the Minister of Finance (Mr. Selinger), in his speech on this resolution, indicated that on May 29, 2005, the results of a national survey by the Canadian Newspaper Association looked at how free and accessible government information is, and they declared, Mr. Speaker, that Manitoba was the second best in Canada with a disclosure rate of

88 percent. Manitoba was only beat by Alberta which was No. 1 with a rate of 93 percent.

So there you have it, Mr. Speaker. We have had the Canadian Newspaper Association test the governments and declared Manitoba second best in the entire country as recent as two years ago, 2005. In fact, journalists from across Canada asked all governments for the same information and Manitoba came through on all three requests. That was written up in the *Winnipeg Free Press* of September 22, '07.

Orders-in-Council, Mr. Speaker, for the first time ever are available on-line as we committed to do in September 2006. Also, for the first time, our government will be making ministers' individual expenses available and we'll be tabling them annually starting in the fall of '07. As a matter of fact, November 7, for the first time ever in Manitoba, we tabled ministers' expenses in the House.

So members can see that a lot has been done in the last eight years to open up the information flow, things that were not done while they were in government for all those years.

Our access-to-information legislation is more comprehensive than the federal legislation, as it also covers Crown corporations. In April 2000, we extended FIPPA to all public bodies, to more than 350 government, municipal, educational, school divisions and universities and health-care bodies, the RHAs.

In 2002, our government introduced free on-line access to all government statutes and legislation. The Minister of Finance (Mr. Selinger) pointed out that prior to that time we had to pay for that information, and, of course, you would have to appear in person to get it.

The Ombudsman's office created by NDP Premier Ed Schreyer in 1970—and I remember that very well—provides an opportunity for applicants to file complaints. We want to work with the Ombudsman who already uses mediation and finds resolution in over 90 percent of cases. I know I routinely refer people to the Ombudsman's office for questions that remain unresolved when it relates to Autopac and Workers Compensation and other areas of the government, but prior to Premier Schreyer bringing in this legislation, complaints were not being resolved as they are today.

Now, let's take a look at the Conservative record on FIPPA. In June of 1999, Mr. Hugh McFadyen, the Member for Fort Whyte, was the chief of staff to the

Tories when they denied a FIPPA request for the number of people on surgical waiting lists, stating that the information did not exist. So now, of course, they stand up and pretend, do a whitewash here and pretend that this never happened, that they were very pure when they were in government and they provided information that was required in a quick fashion. Well, Mr. Speaker, that never did happen. We don't want them rewriting history or attempting to rewrite history and whitewash their sorry record in this regard.

Now, what is Manitoba doing to address identity theft? In November '06, the Minister of Finance (Mr. Selinger) introduced The Personal Investigations Amendment Act (Identity Protection) which gives people who are concerned that their identity is being used by someone else the ability to place a security alert on their credit report.

In March 28, '06, the government launched the theft prevention Web site. The new Web site provides tips about protecting against identity theft and what to do if that should happen. Through the Web site, Manitobans are encouraged to be cautious about giving out personal information, to give it out only if it's imperative. Businesses are also reminded they're responsible to protect customer personal information under PIPEDA.

I can tell you that in the Member for Morris's (Mrs. Taillieu) speech introducing the resolution, she'd indicated that while seven out of 10 people in Canada are concerned about privacy legislation—and I believe that's true, that seven out of 10 are—that's probably a much higher figure than it was years ago when we used to post voters lists on telephone poles and people didn't have shredding machines at home. They just threw stuff out in the garbage. Well, we see a big improvement there. People have shredding machines; they're being much more careful.

But if all of this is the case, then why are people freely giving up all their personal information to people with come-ons for draws and so on, at conventions? You have people who know very well they should be shredding information. They have a shredder sitting at home. They're worried about identity theft. They go to the Convention Centre, to the Home Show or the Boat Show, and they're filling out all their information for free draws, which are really just come-ons where the companies will phone them and try to sell them something.

In many respects, we're all our own worst enemy at times, because we're in favour of privacy when it

benefits us, right? But we give out our information very readily to get involved in a boat show draw.

Mr. Speaker, I'd like to know, I'd like a show of hands here, on how many people have checked with the credit rating agencies to see whether they have any charges on their credit ratings. You should be phoning Equifax once a year. As a matter of fact, I just happen to have the number here if anybody wants to do it.

But I imagine that there's one person in the entire Legislature who's actually phoned Equifax in the last year, the Member for Inkster (Mr. Lamoureux), I think, indicates that he has. No, the Member for Inkster is waiting for the number. I know my light's blinking here, and I will have to give it to him as soon as I've finished the speech.

But one thing you'll find when you phone Equifax is that you will get your credit rating. That's what you should be doing. I haven't done it for a number of years, so I admit I should be doing it more often, but I have done it a couple of times now just to see how the system works. I would daresay that probably, other than one or two people in this 57-person Legislature, probably nobody has done it. But you all should try because you do have to give advice to your constituents when they ask you for advice about this topic. Thank you very much, Mr. Speaker.

Mr. Daryl Reid (Transcona): It's my pleasure to rise to speak to this particular resolution, the Privacy Protection in Manitoba, Mr. Speaker. It's obviously an important issue to many Manitobans and we must always be mindful of the responsibility that we all have, collectively, as legislators in the province of Manitoba, but not only the provincial government but all levels of government whether that be school boards or regional health authorities or other municipal councils. All levels of government and, indeed, private businesses have to be responsible and accountable to the public for the information that they keep. Everyone, I think, understands that government and private businesses keep all kinds of personal information in their data banks and in their company records and in their government records that's used about and for the benefit of Canadians. So we'll have to be cognizant of that particular fact.

We can think back, Mr. Speaker, to the various agencies that we all interact with on a regular and ongoing basis, whether it be Revenue Canada

Taxation Branch when we file our income taxes every year, as I hope all members do; Canada Pension Plan, because we have contributions; Vital Statistics for our birth certificates, marriage and death certificates that we would use that information from time to time; and, of course, our Crown corporations, of which we are proud of in Manitoba for the role that they play. But also we have to be

cognizant of the fact that they also gather, contain and protect information on behalf of Manitobans.

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Transcona will have eight minutes remaining.

The hour being 12 noon, we will recess and reconvene at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 8, 2007

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