

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

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authority of  
The Honourable George Hickes  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 15, 2011

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

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

### MATTER OF PRIVILEGE

**Mrs. Mavis Taillieu (Official Opposition House Leader):** Yes, Mr. Speaker, on a matter of privilege.

Mr. Speaker, a matter of privilege is a very serious matter. Breach of privilege infringes upon and limits our ability as members of this House and as Her Majesty's official opposition and as elected representative our constituencies to perform our duties and functions.

And there are two conditions that must be met to satisfy a prima facie case of privilege. Firstly, the matter must be raised at the earliest opportunity, Mr. Speaker. This was brought to my attention last evening, so I submit to you this is the first opportunity I've had to raise this in the House. Secondly, is there sufficient evidence that the privileges of the House have been breached? I submit there is significant and sufficient evidence, and I will outline that to the House.

Mr. Speaker, on June 17th, 2010, the NDP passed Bill 39, The Child and Family Services Amendment Act (Children's Advocate Reporting), requiring that the Children's Advocate be called to a Standing Committee on Legislative Affairs within 60 days of tabling her annual report. The Children's Advocate's 2008-2009 and 2009-2010 annual reports were tabled on April 13th, 2011. As of June 13th, 2011, the NDP have not called the Standing Committee on Legislative Affairs to consider that report.

On June 15, 2010, during second reading, the Minister of Family Services (Mr. Mackintosh) said: The bill is designed to enhance reporting and transparency with regard to the activities of the

office of the Children's Advocate. This work is very important to Manitobans, as it helps to advocate on behalf of our most vulnerable children and families. The duties, of course, of these independent officers are designated by the Legislature, so by reporting publicly and having a dialogue with the office of the Children's Advocate, there's an opportunity to—provided to ensure for accountability and to have the perspective of the office heard by the Legislature directly. It's always important that accountability and openness be pursued to get a fuller picture of the types of concerns that are brought to that office, as the office is designated, of course, to hear from youth and families when there are concerns, sometimes very serious in nature. End quote.

Mr. Speaker, this government has deliberately broken its own law. Last year, the Children's Advocate appeared before a committee of the House and described the child welfare system as a system in chaos. Following this, the government brought in legislation requiring the Children's Advocate to come before a committee within 60 days of tabling the annual report, and, as I said, the report was tabled on April 13th. No such committee has been called. It's the government's duty to call that committee. They haven't called the committee. They've broken their own legislation.

They've deliberately withheld information of members—they've deliberately withheld information from members of this House by doing so. How are we to know if the situation has improved or worsened in the child welfare system? Perhaps it is a deliberate attempt to withhold information which would cast this government in a bad light in an election year, Mr. Speaker. Why have they refused to call this committee? By not calling the committee within the legislated time, the government has denied the opportunity for the opposition to ask questions in question period.

*Beauchesne's* citation 24 defines parliamentary privilege as the sum of the peculiar rights of each House collectively, and by members of each House individually, without which they could not discharge their functions. The privileges of parliaments are rights which are absolutely necessary for the due execution of its powers.

Marleau and Montpetit, in the House of Commons practice and procedure, chapter 3, lists the individual privileges of members as, among other things, the freedom from obstruction, interference, intimidation and molestation.

Mr. Speaker, this has resulted in interference and obstruction of our duties. The ability of members to perform their duties and responsibilities is founded on information which is timely and accurate. A deliberate attempt to withhold information impedes these duties. This impedes our ability to hold the government to account, to be able to question the Children's Advocate and determine the present state of the child welfare system, and then to hold this government to account with questions in question period and to raise the issues to the public.

Contrary to statements made by the Minister of Family Services (Mr. Mackintosh), this is not open nor is it accountable or transparent government. This is a deliberate withholding of information, which not only impacts on our abilities to perform our duties and functions as opposition, but it's withholding information from the public, Mr. Speaker.

The child welfare system under this NDP government has been described many times as a system in chaos, as was described by the Children's Advocate last year. This year they refused to call this committee. I'm wondering why they are doing that, Mr. Speaker. What are they hiding?

Mr. Speaker, on April 24th, 2011, I received an email which referenced the desire of the Children's Advocate to also bring the Deputy Children's Advocate to the committee meeting. This email was also sent to the NDP government. Although no dates were stated in it, it should have been a reminder to the government. They were reminded of the necessity to call that committee and still they did not call that committee. This proves that the NDP deliberately withheld information from this Legislature, and they broke their own law in doing so.

Therefore, I move, seconded by the member for River East (Mrs. Mitchelson), that this House find the government in contempt for breaking their own law by not calling the Children's Advocate before the Standing Committee on Legislative Affairs within the legislated time period, therefore obstructing the opposition from asking questions in question period and deliberately withholding information from the members of this House and the public, Mr. Speaker.

\* (13:40)

**Hon. Jennifer Howard (Government House Leader):** I regret that this is the first time the Official Opposition House Leader has raised this issue. We have had a tradition in this House, and her and I have had a very good working relationship, and we've held many committees throughout the session where we will work on dates ahead of time. We will talk about when members from the opposition are available who are interested in the subject matter, when members of the government side are available, when the officials who are being called in available, and set a time that is agreeable to everyone.

So I regret—[interjection]

**Mr. Speaker:** Order. Points of orders and matters of privilege are very serious matters. I will have to make a decision after I hear from the House leaders, so I'm asking the co-operation of members. I need to be able to hear every word that is spoken.

**Ms. Howard:** So I regret that she didn't take advantage of the many, many, many opportunities she's had to talk to me, to meet with me—we talk daily—and let me know that they are interested in this committee. I regret that she's instead chosen to take this opportunity to try to make this into a political issue.

I will take responsibility for not having raised it with her. That's probably what I should've done and told her that we were working to find a date when the Children's Advocate was available. She's not currently available.

She's also new to the job. She's recently been hired, and I had thought that we had some agreement that it'd be good to give her some time to work within the office before calling her to committee.

But, that being said, I will take responsibility for not having raised it with the Opposition House Leader sooner, and I want her to know and members of this House to know that, certainly, we have every intention of calling that committee for as soon as possible when the Children's Advocate is available.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to speak to this matter of privilege.

First of all, I think it's absolutely shocking, the behaviour of the NDP government in this regard. These are the children of our province. This is a child and family service system which the Children's Advocate had said was in chaos, and we should have

had this committee meeting in 60 days as required by law. This is totally unacceptable.

It is the responsibility, very clearly, of the government to call the committee. It is not the responsibility of the opposition parties, and there is no way that the government can escape that responsibility.

I want to say as the House leader for the Liberal Party, I was never approached by the NDP House leader with respect to calling this committee. Shame on the NDP House leader. Shame on the NDP government. This is shocking behaviour and very disrespectful of the people, and the children particularly, of this province.

I believe that this motion should pass and that it should proceed to be dealt with in an effective way. Thank you, Mr. Speaker.

**Mr. Speaker:** I thank the members for their contribution.

I'm going to take this matter under advisement to allow the House leaders, hopefully, to get together and discuss this further and come up with a resolution that will—that should be agreeable to the House. I'll give that first opportunity first for the House leaders to discuss it, so I'll be taking it under advisement at this moment.

## ROUTINE PROCEEDINGS

### PETITIONS

#### PTH 16 and PTH 5 North—Traffic Signals

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

And these are the reasons for this petition:

The junction of PTH 16 and PTH 5 north is an increasingly busy intersection which is used by motorists and pedestrians alike.

The Town of Neepawa has raised concerns with the Highway Traffic Board about safety levels at this intersection.

The Town of Neepawa has also passed a resolution requesting that Manitoba Infrastructure and Transportation install traffic lights at this intersection in order to increase safety.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Infrastructure and Transportation to consider making the installation of traffic lights at the intersection of PTH 16 and PTH 5 north a priority project in order to help protect the safety of the motorists and pedestrians who use it.

This petition is signed by S. Andrew, C. Flood, A. Bates and many, many other fine Manitobans.

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

#### Auto Theft—Court Order Breaches

**Mr. Kelvin Goertzen (Steinbach):** Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

On December 11th, 2009, in Winnipeg, Zdzislaw Andrzejczak was killed when the car that he was driving collided with a stolen vehicle.

The death of Mr. Andrzejczak, a husband and a father, along with too many other deaths and injuries involving stolen vehicles, was a preventable tragedy.

Many of those accused in fatalities involving stolen vehicles were previously known to police and identified as chronic and high-risk car thieves who had court orders against them.

Chronic car thieves pose a risk to the safety of all Manitobans.

We petition the Legislative Assembly as follows:

To request the Minister of Justice to consider ensuring that all court orders for car thieves are vigorously monitored and enforced.

To request the Minister of Justice to consider ensuring that all breaches of court orders on car thieves are reported to police and vigorously prosecuted.

Mr. Speaker, this petition is signed by F. Kilpatrick, S. Lay, C. Alexander and thousands of other concerned Manitobans.

#### Bipole III—Cost to Manitoba Families

**Mr. Blaine Pedersen (Carman):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

And the background to this petition is as follows:

Manitoba Hydro has been directed by the provincial government to construct its next high voltage direct transmission line, Bipole III, down the west side of Manitoba.

This will cost each family of four in Manitoba \$11,748 more than an east-side route, which is also shorter and more reliable.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to build the Bipole III transmission line on the shorter and more reliable east side of Lake Winnipeg in order to save each Manitoba family of four \$11,748.

This petition is signed by G. Lapointe, S. Lapointe, Y. Lapointe and many, many more fine Manitobans.

#### **Oak Lake–Flood Protection Measures**

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

And the background for this petition is as follows:

Already affected by high spring moisture levels in 2011, Oak Lake has also been inundated by record flooding from the Pipestone Creek.

Flood protection measures for homes, cottages and the shoreline around Oak Lake had to be reinforced this spring as a result of water being held back.

The Oak Lake dike and dam system was breached this spring.

We petition the Legislative Assembly as follows:

To urge the provincial government to consider reconstructing the entire Oak Lake dam and dike system.

To urge the provincial government to consider a compensation program that supports the costs homeowners at Oak Lake beach have endured due to this spring's flooding.

To request the provincial government to consider creating a task force comprised of governmental officials and local persons to examine

future flood protection strategies for the area and how to address them.

And, Mr. Speaker, this petition is signed by S. Gray, B. Larkin, P. Larkin and many, many others.

### **COMMITTEE REPORTS**

#### **Standing Committee on Social and Economic Development Sixth Report**

**Mr. Tom Nevakshonoff (Chairperson):** Mr. Speaker, I wish to present the Sixth Report on the Standing Committee on Social and Economic Development.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Social and Economic Development—

**Mr. Speaker:** Dispense?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

*Your Standing Committee on SOCIAL AND ECONOMIC DEVELOPMENT presents the following as its Sixth Report.*

#### **Meetings**

*Your Committee met on the following occasions:*

- June 13, 2011
- June 14, 2011

#### **Matters under Consideration**

- **Bill (No. 46) – The Save Lake Winnipeg Act/Loi sur la protection du lac Winnipeg**

#### **Committee Membership**

*Committee Membership for the June 13, 2011 meeting:*

- Hon. Mr. BLAIKIE
- Hon. Mr. CHOMIAK
- Mr. CULLEN
- Mr. GRAYDON
- Mr. MAGUIRE
- Hon. Ms. MELNICK
- Mr. NEVAKSHONOFF
- Mr. REID
- Hon. Mr. RONDEAU
- Mr. SCHULER
- Hon. Mr. STRUTHERS

Your Committee elected Mr. REID as the Chairperson at the June 13, 2011 meeting.

Your Committee elected Mr. NEVAKSHONOFF as the Vice-Chairperson at the June 13, 2011 meeting.

Substitutions received during committee proceedings at the June 13, 2011 meeting:

- Mr. WIEBE for Hon. Mr. CHOMIAK

Committee Membership for the June 14, 2011 meeting:

- Hon. Mr. BLAIKIE
- Mr. CULLEN
- Mr. GRAYDON
- Mr. MAGUIRE
- Hon. Ms. MELNICK
- Mr. NEVAKSHONOFF
- Mr. REID
- Mr. SCHULER
- Hon. Mr. STRUTHERS
- Hon. Ms. WOWCHUK
- Mr. WIEBE

Your Committee elected Mr. NEVAKSHONOFF as the Chairperson at the June 14, 2011 meeting.

Your Committee elected Mr. REID as the Vice-Chairperson at the June 14, 2011 meeting.

Substitutions received during committee proceedings at the June 14, 2011 meeting:

- Ms. BRAUN for Mr. WIEBE

#### **Public Presentations**

Your Committee heard the following 27 presentations on **Bill (No. 46) – The Save Lake Winnipeg Act/Loi sur la protection du lac Winnipeg**:

#### **June 13, 2011 meeting:**

Doug Chorney, Keystone Agricultural Producers  
 Peter Marykuca, Private Citizen  
 Cam Dahl, Manitoba Beef Producers  
 Weldon Newton, Private Citizen  
 Greg Bruce, Ducks Unlimited Canada  
 Robert T. Kristjanson, Private Citizen  
 Lois Wales, Manitoba Government Employees Union  
 Kristian Stephens, Canadian Fertilizer Institute  
 Allan Kristofferson, Lake Winnipeg Research Consortium  
 Cheryl Kennedy Courcelles, Private Citizen  
 Dr. Eva Pip, Private Citizen  
 Vicki Burns, Private Citizen  
 Josh Brandon, Green Action Centre

Kevin Rebeck, Manitoba Federation of Labour  
 Don Flaton, Professor, Chair of the National Centre for Livestock and the Environment at the University of Manitoba

Scott Fielding, City Councillor, City of Winnipeg  
 James Beddome, Leader, Green Party of Manitoba  
 Caitlin McIntyre, Private Citizen  
 Gaile Whelan-Enns, Manitoba Wildlands  
 David Mackay, Private Citizen  
 Greg McIvor, Private Citizen  
 Ross Eadie, Private Citizen

#### **June 14, 2011 meeting:**

Karl Kynoch (by leave), Manitoba Pork Council  
 Bill McDonald, CEO, Winnipeg Humane Society  
 Eugennie Mercredi, Private Citizen  
 Mike Sutherland, Peguis First Nation  
 Morris Swan Shannacappo, Grand Chief, SCO - Southern Chiefs Organization

#### **Written Submissions**

Your Committee received nine written submissions on **Bill (No. 46) – The Save Lake Winnipeg Act/Loi sur la protection du lac Winnipeg**, from:

Donald Cobb, Lake Winnipeg Foundation  
 F. Phillip Abrary, Ostara Nutrient Recovery Technologies  
 Gail Kreutzer, Private Citizen  
 John Fefchak, Private Citizen  
 Henry David Venema, International Institute for Sustainable Development  
 Karl Kynoch, Manitoba Pork Council  
 Roger Ritsema, Private Citizen  
 Joe Leschychyn, Private Citizen  
 Ruth Pryzner, Private Citizen

#### **Bills Considered and Reported**

- **Bill (No. 46) – The Save Lake Winnipeg Act/Loi sur la protection du lac Winnipeg**

Your Committee agreed to report this Bill without amendment.

**Mr. Nevakshonoff:** Mr. Speaker, I move, seconded by the honourable member for Transcona (Mr. Reid), that the report of the committee be received.

#### **Motion agreed to.**

#### **Standing Committee on Private Bills First Report**

**Mr. Gregory Dewar (Chairperson):** I wish to present the First Report of the Standing Committee on Private Bills.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Private Bills presents the following—

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

Your Standing Committee on PRIVATE BILLS presents the following as its First Report.

### Meetings

Your Committee met on June 14, 2011.

### Matters under Consideration

- **Bill (No. 204)** – *The Consumer Rights Day Act/Loi sur la journée des Droits du consommateur*
- **Bill (No. 205)** – *The Regional Health Authorities Amendment Act (Mammography Accreditation)/Loi modifiant la Loi sur les offices régionaux de la santé (homologation des mammographes)*
- **Bill (No. 217)** – *The Residential Tenancies Amendment Act (Expanded Grounds for Early Termination)/Loi modifiant la Loi sur la location à usage d'habitation (nouveaux motifs de résiliation par anticipation)*
- **Bill (No. 220)** – *The Justice for Victims of Child Pornography Act/Loi sur l'indemnisation des victimes de pornographie juvénile*
- **Bill (No. 222)** – *The Sexual Assault Awareness Month Act/Loi sur le Mois de la sensibilisation aux agressions sexuelles*
- **Bill (No. 300)** – *The Winnipeg Foundation Amendment Act/Loi modifiant la Loi sur la fondation dénommée « The Winnipeg Foundation »*
- **Bill (No. 301)** – *The Providence College and Theological Seminary Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le « Providence College and Theological Seminary »*

### Committee Membership

- Ms. BLADY
- Ms. BRAUN
- Ms. BRICK
- Mr. DEWAR
- Mrs. DRIEDGER
- Mr. GOERTZEN
- Mr. MARTINDALE

- Mr. PEDERSEN
- Mr. SARAN
- Mr. SCHULER
- Hon. Mr. SWAN

Your Committee elected Mr. DEWAR as the Chairperson.

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

### Motions

Your Committee agreed to the following motions:

- That this committee recommends that the fees paid with respect to Bill (No. 300) – *The Winnipeg Foundation Amendment Act/Loi modifiant la Loi sur la fondation dénommée « The Winnipeg Foundation », be refunded, less the cost of printing.*
- That this committee recommends that the fees paid with respect to Bill (No. 301) – *The Providence College and Theological Seminary Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le « Providence College and Theological Seminary », be refunded, less the cost of printing.*

### Public Presentations

Your Committee heard the following presentation on **Bill (No. 204)** – *The Consumer Rights Day Act/Loi sur la journée des Droits du consommateur*:

Gloria Desorcy, Consumers Association of Canada - Manitoba Branch

Your Committee heard the following presentation on **Bill (No. 217)** – *The Residential Tenancies Amendment Act (Expanded Grounds for Early Termination)/Loi modifiant la Loi sur la location à usage d'habitation (nouveaux motifs de résiliation par anticipation)*:

Major Heather Collins, Department of National Defence

Your Committee heard the following presentation on **Bill (No. 301)** – *The Providence College and Theological Seminary Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le « Providence College and Theological Seminary »*:

Gus Kunkel, Providence College & Seminary



**Written Submissions**

Your Committee received the following written submission on **Bill (No. 217) – The Residential Tenancies Amendment Act (Expanded Grounds for Early Termination)/Loi modifiant la Loi sur la location à usage d'habitation (nouveaux motifs de résiliation par anticipation)**:

Kim Storeshaw, NorWest Co-op Community Health

**Bills Considered and Reported**

- **Bill (No. 204) – The Consumer Rights Day Act/Loi sur la journée des Droits du consommateur**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 205) – The Regional Health Authorities Amendment Act (Mammography Accreditation)/Loi modifiant la Loi sur les offices régionaux de la santé (homologation des mammographes)**

Your Committee agreed to report this Bill, with the following amendments:

THAT the proposed section 28.1, as set out in Clause 2 of the Bill, be amended by striking out "must ensure that a mammography unit is not used in its health region unless" and substituting ", health corporation or health care organization must ensure that a mammography unit is not used in any facility owned or operated by the regional health authority, health corporation or health care organization unless".

THAT Clause 4 of the Bill be replaced with the following:

**Coming into force**

**4** This Act comes into force on March 31, 2012.

- **Bill (No. 217) – The Residential Tenancies Amendment Act (Expanded Grounds for Early Termination)/Loi modifiant la Loi sur la location à usage d'habitation (nouveaux motifs de résiliation par anticipation)**

Your Committee agreed to report this Bill, with the following amendments:

THAT Clause 2 of the Bill be amended

(a) by replacing the proposed section 92.1 with the following:

**Interpretation: Canadian Forces member or member of the armed forces of another country**

**92.1(1)** For the purposes of this section, a person is

(a) a Canadian Forces member if he or she is a member of

(i) the regular or a special force of the Canadian Forces, or

(ii) the reserve force of the Canadian Forces on or proceeding on full-time training or service or on active service; and

(b) a member of the armed forces of a country other than Canada if he or she is

(i) assigned to military duties with the Canadian Forces, or

(ii) attending a training course in Manitoba provided by the Canadian Forces.

**Termination re Canadian Forces members and members of the armed forces of another country**

**92.1(2)** A tenant of a rental unit may terminate the tenancy by giving notice in accordance with subsection (3) if the tenant is

(a) a Canadian Forces member as described in clause (1)(a) who is posted to a location that is at least 50 kilometres from the rental unit after the tenancy agreement is entered into;

(b) a member of the armed forces of a country other than Canada as described in clause (1)(b) who has ceased to be assigned to military duties with the Canadian Forces or whose training course has ended; or

(c) a person who resides with a member described in clauses (a) or (b), if

(i) the person is the spouse or common-law partner of the member, and

(ii) the member is named as an occupant in the tenancy agreement.

**Notice and certificate from official required**

**92.1(3)** To terminate a tenancy under subsection (2), the tenant must give the landlord

(a) a notice of termination that is not less than the prescribed period of notice; and

(b) a certificate in the form approved by the director from an official with the Canadian Forces confirming that the tenant or the spouse or common-law partner of the tenant, as the case may be, is

(i) a Canadian Forces member as described in clause (1)(a) who has been posted to a location that is at least 50 kilometres from the tenant's rental unit, or

(ii) a member of the armed forces of a country other than Canada as described in clause (1)(b) who has ceased to be assigned to military duties with the Canadian Forces or whose training course has ended.

(b) in the English version, by replacing the proposed clause 92.7(a) with the following:

(a) section 92.1 (termination re Canadian Forces members and members of the armed forces of another country);

THAT Clause 6 of the Bill be replaced with the following:

**Coming into force: royal assent**

6(1) Subject to subsection (2), this Act comes into force on the day it receives royal assent.

**Coming into force: proclamation**

6(2) The following provisions of **The Residential Tenancies Act** come into force on a day to be fixed by proclamation:

(a) section 92.1 and clause 92.7(a), as enacted by section 2 of this Act;

(b) clause 194(1)(j.5), as enacted by section 5 of this Act.

- **Bill (No. 220)** – *The Justice for Victims of Child Pornography Act/Loi sur l'indemnisation des victimes de pornographie juvénile*

Your Committee agreed to report this Bill, with the following amendments:

THAT Clause 2 of the Bill be replaced with the following:

**Application on behalf of victim**

2 If a resident of Manitoba was involved in conduct that would constitute a child pornography offence — whether or not he or she has been convicted of the offence — the minister may apply to the court for an order requiring the person to pay damages for injuries and other losses suffered by a child who is depicted in the child pornography in question, whether or not that child has been identified.

THAT the following be added after Clause 5 of the Bill:

**Limitation of Actions Act**

5.1 Despite The Limitation of Actions Act, no limitation period applies with respect to bringing an application under section 2.

THAT Clause 8(2)(a) of the Bill be amended by striking out "who is" and substituting "who is known or is".

- **Bill (No. 222)** – *The Sexual Assault Awareness Month Act/Loi sur le Mois de la sensibilisation aux agressions sexuelles*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 300)** – *The Winnipeg Foundation Amendment Act/Loi modifiant la Loi sur la fondation dénommée « The Winnipeg Foundation »*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 301)** – *The Providence College and Theological Seminary Incorporation Amendment Act/Loi modifiant la Loi constituant en corporation le « Providence College and Theological Seminary »*

Your Committee agreed to report this Bill without amendment.

**Mr. Dewar:** I move, seconded by the honourable member for The Maples (Mr. Saran), that the report of the committee be received.

**Motion agreed to.**

\* (13:50)

**TABLING OF REPORTS**

**Mr. Speaker:** I'm pleased to table, in accordance with section 28(1) of The Auditor General Act, the Report of the Auditor General to the Legislative Assembly on Manitoba's Participation in Canada's Economic Action Plan.

**Hon. Bill Blaikie (Minister of Conservation):** I'm pleased to present the following reports: the 23rd Annual Report of the Manitoba Hazardous Waste Management Corporation and the Annual Report for 2010-2011 of the Manitoba Clean Environment Commission.

## MINISTERIAL STATEMENTS

### Flooding and Ice Jams Update

**Hon. Steve Ashton (Minister responsible for Emergency Measures):** Mr. Speaker, I rise to give the House a brief update on the current flood situation.

There has been significant rainfall throughout much of western and south-central Manitoba since Sunday. Rains are expected for the rest of the week with approximately 35 millimetres of rain expected in western and central Manitoba over the next 48 hours.

We anticipate another weather system is going to move into Manitoba on the weekend which will bring additional showers. The weather system is volatile and could produce heavy localized rain in a very short period of time.

Water levels on the Assiniboine and Souris rivers are going to rise slightly as a result of the current rain in the system. We continue to quickly assess the effects of the rain as it falls and incorporate it into flood forecasts as rapidly as possible.

Departmental staff are currently working hard to ensure the Assiniboine and Portage Diversion dikes are in good shape to take an additional flow of water in the event of major changes in the forecast. Yesterday, the Province provided technical assistance to the Town of Souris that will help them with a plan to shore up their existing diking system. We've also completed emergency repairs on the Wawanesa Dam.

Yesterday, the Canadian Wheat Board indicated that this year will be—could be the second largest loss of cropland across the Prairies in history due to the excessive soil moisture—in fact, the worst in 50 years—with the potential of six to eight million acres going unseeded across the Prairies.

I can assure producers throughout Manitoba that we will be watching closely as crop insurance deadlines approach and that we will be there with the support they need.

Yesterday, the Premier (Mr. Selinger) and various ministers met with residents from in and around Lake Manitoba to discuss ways in which the Province could provide additional assistance to address some of the issues they face in this very difficult time.

And in closing, I want to tell Manitobans that we understand how stressful the current situation is for those who are dealing with this extraordinary situation and that we will do everything in our power to get people back on their feet as quickly as possible.

**Mr. Stuart Briese (Ste. Rose):** I thank the minister for the latest update.

My colleagues and I continue to receive daily updates from Manitobans about the tremendous impact of flooding and the excess moisture conditions.

I spoke to a woman from the Vogar area just prior to question period. She shared with me the efforts being undertaken to try and protect properties in that area.

Protective efforts are also continuing in earnest in communities such as Souris, around Dauphin Lake, Ralls Island and along the shores of Lake Manitoba, to name just a few of the impacted areas. Hundreds of Manitobans are evacuated and we have no idea how many more will be subject to mandatory or voluntary evacuations in the days and weeks ahead. We recognize this is extremely stressful for those affected. We continue to be thankful for all those working so tirelessly to lessen the considerable burden flood victims are shouldering at this time.

What happens with the weather in the days and weeks ahead is a wild card. The rain that falls runs off immediately due to saturation, creating added problems in some regions.

We look forward to continued updates on the flooding and efforts being undertaken to help Manitobans cope with it. Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I ask leave to speak to the minister's statement.

**Mr. Speaker:** Does the honourable member have leave? *[Agreed]*

**Mr. Gerrard:** I thank the minister for his statement.

Clearly, we're all—have concern over the continuing wet weather. The situation with the 'unseeded'—seeded acres is certainly a very grave one in terms of the agricultural community, and I would urge the minister to be very clear about announcements. I know that in '97, for example, I think that there was a greenfeed announcement, and I think that this may be something that could be looked at again, and the minister might look at that in

terms of, you know, what could be seeded potentially after the deadline and how that would be treated.

I have spoken out frequently about the need where there are properties which have survived the initial onslaught on Lake Manitoba—the same would be true elsewhere on other lakes—to make sure that those are protected. And, of course, we have a particularly challenging situation where in a number of communities people are not being allowed back in to protect those very properties which have been saved, and I think it needs some provincial leadership working with the municipalities and individuals to make sure that that effort can be made, and I would recommend and urge the minister to look at this issue because I think that it's paramount that whatever can be done, be done, to save properties which didn't get damaged and drowned out in the first wave of terrible onslaught on Lake Manitoba.

I think it's important that we continue to pay attention to the First Nations communities, particularly around Lake St. Martin and Fairford, because they continue to be in difficulty, and the peak crest there is not predicted for some time. Thank you.

#### **Kenneth Paul**

**Hon. Eric Robinson (Minister of Aboriginal and Northern Affairs):** Yes, Mr. Speaker, I have a statement for the House.

Mr. Speaker, the people of Lake Manitoba First Nation, like many other Manitobans, are facing challenges during this year's flood, and it is important during these difficult times to acknowledge moments of uncommon bravery. It is with great pride that I rise today to acknowledge a humble hero from that community, whose quick thinking and level-headedness during a highway collision protected a bus full of teenage passengers.

Mr. Kenneth Paul is in the Chamber with his family today behind me. On May 26th, his actions protected 18 students from being seriously injured while driving them from school in Lundar to their homes on the Lake Manitoba First Nation.

Kenny, the members of this Chamber and I are incredibly proud of you. Mr. Speaker, author G.K. Chesterton said: Brave men have their softness on the surface and their toughness in the middle.

And I have spent time with Kenny Paul, and I can tell you he is a brave man and a gentleman. I am proud to be a part of a government that understands the many challenges Manitobans are facing during this flood and proud that we're working with First Nations people to protect their homes and families.

Kenny, through your dedication and hard work, you have ensured that Lake Manitoba First Nation students continue to have access to education during these difficult times, and for that we'd like to thank you. Congratulations on your noble act of courage and best wishes to you and your family. I commend you for your brave actions and for protecting our youth.

At this time, I would like to offer my condolences to the loved ones and the occupants in the other vehicle involved in the collision. Carl Pruden, 46, died in the highway crash. The crash also took the lives of Carl's fiancée, Meredith Chaske, age 40, their three-month-old daughter Allison Chaske and his 53-year-old cousin Vivian Traverse Williams.

Carl and Meredith were supposed to get married this month. So, to their loved ones, I would like to borrow the words of Chief Dan George, who once said, May the stars carry your sadness away. May the flowers fill your heart with beauty and may hope forever wipe away your tears.

Ekosani, miigwech, thank you, Mr. Speaker.

\* (14:00)

**Mr. Ralph Eichler (Lakeside):** Mr. Speaker, I want to thank the minister for his statement. My colleagues and I join him in recognizing Kenneth Paul's act of heroism and bravery.

This quick-thinking school bus driver ensured that all of his young passengers arrived home safely. He truly is an everyday Manitoba hero, someone who woke up in the morning to do his job he does every day, who jumped to the action when danger was imminent.

We put the lives of our children in the hands of school bus drivers every day. Manitoba's extreme weather ensures that bus drivers are no strangers to tough conditions, but they take it all in stride as they always make decisions with the safety of our children as their main priority.

On May the 26th, Kenneth Paul reacted to make sure that the high school students on his school bus escaped this accident unharmed when he was taking them from school in Lundar to their homes in Lake Manitoba First Nation.

In fact, RCMP Sergeant Line Karpish said his actions probably saved the lives or very serious injuries to the children that were on that school bus that day. Mr. Paul adeptly slowed this bus towards the shoulder of the highway when he saw the car approaching.

Our deepest condolences go out to the loved ones of the four individuals who did not survive the crash, including a three-month-old baby girl.

Our thoughts and prayers also go out to the students who were on Mr. Paul's bus. While they are extremely lucky to have escaped the accident without significant injuries, it is a traumatic experience for anyone to endure. We hope they are coping well and receiving any support they may need to deal with this tragedy.

Again, Mr. Speaker, our gratitude goes out to Mr. Paul and we hope he, too, is coping well in the aftermath of this accident. Thank you.

**Hon. Jon Gerrard (River Heights):** I ask leave to speak to the minister's statement.

**Mr. Speaker:** Does the honourable member have leave? *[Agreed]*

**Mr. Gerrard:** Mr. Speaker, I want to pay tribute to the incredible effort of Ken Paul in saving the lives and making sure of the well-being of the students that he had in his school bus travelling from Lundar to Lake Manitoba Narrows.

Certainly that part of the highway, along Highway 6, as we all know, is a highway of major concern when it comes to traffic accidents and, indeed, deaths, and it is very sad that there were four people, Carl Pruden, Meredith Chaske, Allison Chaske and Vivian Traverse Williams, who perished, and I certainly extend condolences to the friends and family.

It was a sad time but it could've been a lot worse if it wasn't for the efforts of Kenny Paul, so I thank Mr. Paul and recognize your important and incredible achievement.

Thank you. Miiigwech.

### Introduction of Guests

**Mr. Speaker:** Prior to oral questions, I'd like to draw the attention of honourable members to the Speaker's Gallery where we have with us today, we have my son George Hickey Jr.

And also in the Speaker's Gallery, we have with us Debbie Chomiak and Jackie O'Brien, who are the wife and mother-in-law of the honourable Minister of Innovation, Energy and Mines (Mr. Chomiak).

And also in the Speaker's Gallery, we have with us, we have Binx Remnant, who is the former Clerk of the Legislative Assembly, and Marilyn McLennan.

And also in the Speaker's Gallery, we have councillors Elmer Maytwayashing, Gary McLean, D. Paul and Florence McLean.

And in the public gallery, we have with us today, we have Chief Barry Swan from Lake Manitoba First Nation, Mr. Kenneth Paul and his wife Elaine and their sons Justin and Dustin who are the guests of the honourable Minister of Aboriginal and Northern Affairs (Mr. Robinson).

And also in the public gallery, we have with us today from the organizing committee of the upcoming River East Collegiate 50th anniversary, we have Theckla Brown, Diane Coulter and Moira Honey, who are the guests of the honourable member for Rossmere (Ms. Braun).

And also in the public gallery, we have from Collège Louis-Riel, we have 70 grade 7 students under the direction of Mr. Robert Daigneault, Mr. Michel Bédard and Marcel Matte. This school is located in the constituency of the honourable First Minister (Mr. Selinger).

And also in the public gallery, we have from Morden Collegiate, we have 17 grade 9 students under the direction of Ms. Cheryl Campbell. This school is located in the constituency of the honourable member for Pembina (Mr. Dyck).

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

### ORAL QUESTIONS

#### Shellmouth Dam

#### Gate Construction Project Status

**Mr. Hugh McFadyen (Leader of the Official Opposition):** At the outset, I would like to also just acknowledge Kenny Paul and his family. You

certainly know, Kenny, that your family and your community at Lake Manitoba First Nation are proud of you, and you should know, as well, that all members of this Chamber and all Manitobans are proud of you for your bravery as well.

I'd like to also, Mr. Speaker, thank the members for Rupertsland, River Heights and Lakeside for their gracious comments.

Mr. Speaker, as has been alluded to already today, many Manitobans throughout the province are dealing with significant damage, destruction and heartache as a result of the flooding throughout the province. That includes First Nations, includes farmers. It includes homeowners and property owners around Lake Manitoba, Lake Dauphin and other places.

Mr. Speaker, the Premier and the government have been saying since the flood events began that they didn't see the flood coming and that they had no time to prepare. It turns out that they had eight years to prepare, and, in fact, we've just been made aware of an agreement that was signed in January of 2003 that the provincial government was going to build gates in the Shellmouth Dam which would protect Manitobans from Assiniboine River flooding downstream.

And I want to ask the Premier why his government, eight years later, has failed to follow through on that commitment.

**Hon. Greg Selinger (Premier):** Let me simply add my voice to the congratulations to Kenny Paul and the Chaske, Williams and Pruden families for their losses and our condolences and to all the members here in the gallery today.

And on the question of the Shellmouth Dam, the work has been proceeding on that. There's \$2 million allocated to engineering studies. The environmental review is about to proceed. This is a joint project between the federal and provincial governments which is moving forward to do all the proper reviews necessary. It's a complex project because it has impacts on Saskatchewan and Manitoba, as well as downstream landowners who have concerns that they wish to have addressed before the project proceeds.

But it is in our budget and it is one of the more important projects that we want to do to improve the Assiniboine, because the Shellmouth Dam, this year, was lowered to the lowest level it has ever been reduced to historically, down to about two feet, just enough to keep the fish alive, so that there would be

extra capacity with the predicted spring events this year, and that has prevented another 6,000 cubic feet a second from flowing through the Portage la Prairie Diversion.

**Mr. McFadyen:** The Premier has correctly referred to the federal role. There was—there were two components to the agreement signed in January of 2003: \$4 million that the federal government use—would use to acquire land and to compensate landowners, and \$4 million that the provincial government would use to build gates on the Shellmouth Dam.

Mr. Speaker, the federal government lived up to its side of the agreement. Eight years later, this provincial government has yet to take the steps required to protect Manitobans.

Will the Premier acknowledge today, Mr. Speaker, more than eight years after the agreement was signed, that, in part, the suffering of Manitobans today is because of he—of him and his government's failure to act eight years after the initial agreement?

\* (14:10)

**Mr. Selinger:** Mr. Speaker, again the member opposite likes to add a note of partisanship to a process where the federal and provincial government agreed to proceed on a project.

The first steps in the project included land acquisition. The federal and provincial governments worked on that together. They have commissioned engineering studies. They are aware of the need for environmental licensing both at the federal and provincial level, as well as the possibility of having to have environmental licensing in Saskatchewan. And they are moving ahead on this project, for which \$8 million has been set aside.

It has played a very important role this year. All the immediate measures necessary and possible were taken this spring to lower it to the lowest level it's ever been lowered to allow as much water to be retained behind the dam as possible, which had resulted in about five to six thousand cubic feet a second not being put through the Portage Diversion.

These measures were taken early. They were taken with a sense of the potential for a very negative flooding this spring, and now we will proceed to permanent improvements to the Shellmouth Dam.

**Mr. McFadyen:** Mr. Speaker, the Premier says that public consultations are upcoming, environmental

studies are under way. It's now June of 2011, in the midst of a severe flood.

Let me just share with the House what his government said. On December the 22nd, 2003, eight years and six months ago, he and his government said, and I quote: "Public consultations are under way regarding environment-related issues and preliminary engineering studies are just beginning." That was what his government said eight years and six months ago.

How can he still be spitting the same tired rhetoric now that we're in the middle of a flood? Why not just do the right thing, Mr. Speaker, and apologize to Manitobans and accept responsibility for the fact that they made a promise and they didn't follow through on it.

**Mr. Selinger:** Not only did the federal and provincial governments make a commitment to proceed with this project, but they moved on it in terms of land acquisition. They moved on it in terms of recognizing that at least three jurisdictions had to sign off on it. They heard from people in the downstream communities that they were concerned about this additional capacity causing them problems at certain times of the year, and they are moving ahead on this project.

It will be a big improvement. But, as the project was proceeding to improve the gates, they lowered the Shellmouth Dam to the lowest level it has ever been lowered—down to about two feet, just enough to keep the fish life alive behind the dam—and held extra capacity back this spring, which provided very significant protection not only for Brandon, but reduced the flow through the Portage Diversion of up to 6,000 cubic feet a second.

So our officials and the government did everything they could to use the instrument of the Shellmouth Dam to provide maximum protection at a historic level of flooding in the valley this year, a level of flooding that has never been seen before in 350 years in Manitoba.

**Mr. Speaker:** The honourable Leader of the Official Opposition, on a new question.

**Mr. McFadyen:** On a new question, Mr. Speaker.

This morning, Professor Jay Doering said that the gates have not been built, and I would point out that had the gates been built, they would likely have been the difference between having to make the cut at Hoop and Holler and not having to make the cut.

He said had the gates been built, they could have held back about 2,500 cubic feet per second of water running over a span of two weeks.

Mr. Speaker, in part, the suffering of Manitobans today is as a result of their failure to follow through on the commitment that was made eight years and six months ago. And the commitment wasn't just made in January of 2003 when they signed the agreement. It was repeated in December of 2003 when they put out a news release saying exactly what he's saying today. It was repeated again in August of 2010, six years later. They put out a news release issued by this Premier and he said, we're going to put the addition of gates on the Shellmouth Dam spillway.

That was a promise he made six years after the initial announcement, and then he put out another news release and another photo op—No. 21 out of the 23 photo ops that he held this spring—saying, we're going to put gates on the Shellmouth Dam.

Why not just acknowledge today, Mr. Speaker, that his words mean nothing?

**Mr. Selinger:** Mr. Speaker, the commitment to improve the Shellmouth Dam was agreed to by the federal and provincial governments, and the proper steps were taken to proceed to not only acquire the necessary land to do it, not only to do the proper engineering studies, not only to do the proper consultations, but to move forward on that. And the member opposite knows that this government made that commitment to do that, along with the federal government.

There's only one group in this Legislature that did not support that project. They voted against it in the budget. Now they claim that it should've been done when they refused to provide the necessary resources for the project.

Against their resistance, we put the money in the budget; we have proceeded on the work, and, as the project was proceeding, we used the existing dam to reduce the amount of moisture in it and water in it to the historic low levels to provide as much protection possible this spring when it was critically needed.

**Mr. McFadyen:** Mr. Speaker, you know, people are getting used to it. This Premier tries to spread the blame to anybody else but himself for the failures of his government. They've been in power for almost 12 years. They have failed at every step along the way to take action to prepare for the situation we're in now.

They signed an agreement in January of 2003. They issued a news release later in 2003. They issued another news release six years later. They issued another news release in May of this year. In fact, they—he just finished saying that public consultations will get under way this fall. The news release from eight-and-a-half years ago says public consultations are under way. That was eight and a half years ago.

I wonder when this Premier is going to start to accept responsibility for the total failure of his government to follow through. Will he stop trying to blame others and will he show some leadership and expect his total failure and accept the fact that he has totally failed to keep a promise he made more than eight years ago?

**Mr. Selinger:** Mr. Speaker, this is just another example how the Leader of the Opposition completely overkills when it comes to relating to the flood this year.

The reality is every single year we have been in office, we have made investments in improving flood protection in Manitoba. There have been investments in the floodway. There have been investments in improved diking in Brandon. There have been investments along the Assiniboine River. There have been investments not only to north of Winnipeg, but throughout the entire province.

And that billion dollars of investment over the last decade, the members say that they support those investments now, but the record shows they voted against those investments every single year. And, as early as this spring, they said that there was too much being done to prepare for this spring's flood.

We know that everything that has been done, every asset that has been required, every plan that has been prepared has been totally necessary, and we will continue to work shoulder to shoulder with Manitobans to protect them, while members opposite, after the votes have occurred, now pretend to support all the investments we've made.

**Mr. McFadyen:** Mr. Speaker, you know, the party of Duff Roblin supports governments and budgets that actually follow through on their commitments. We do that today; we will do that going forward.

This is a Premier who talks the talk. Twenty-three photo ops, Mr. Speaker, and a flood.

Duff Roblin got it done. They talk about getting it done and they fail.

And what—let's look at what has actually happened over the past period of time. When he wanted to, he could dig a hole in the ground at the University of Manitoba without tenders at record speed. When he wanted to, he could stand up and protect ministerial salaries, which was their top priority last session. When he wanted to, they could put through legislation giving their party \$250,000 annual grants at the expense of Manitoba taxpayers.

The thing they left out of the budget was flood protection for Manitobans. Will he accept responsibility for that today? Will he apologize and will he acknowledge that he's a failure?

\*(14:20)

**Mr. Selinger:** The member's sins of omission continue to grow every day. We invested very promptly in improving diking in Brandon. We invested very promptly in building up the dikes along the Assiniboine River. When the members opposite were arguing that this was overkill and unnecessary, we expanded the floodway to one-in-700-year protection in this province at a time when the members opposite voted against it. And we have made very significant investments in improving flood protection in this province, and we will continue to do that. Both in the short term, both in the long term, we will do that.

And the members opposite will perform their usual act of hypocrisy by saying on the one hand we ought to do more and on the other hand voting against all the resources necessary to do it.

We will make those investments. We will take responsibility for getting them done, and those investments will continue to make an enormous difference in our capacity to protect Manitobans every single day in this province.

#### **Lake Manitoba Flooding Minister's Remarks**

**Mr. Ralph Eichler (Lakeside):** Mr. Speaker, on Tuesday the member from Interlake attended a flood meeting. Global's news covered the meeting including the member's comments in their meeting coverage. The member from Interlake stated publicly in the meeting and I quote: I'm sorry that everyone is



being inconvenienced, but this Mother Nature has her worst; it could be worse. End of quote.

To say the flood victims at the meeting were shocked would be a gross understatement. I'd like to table that article for the House.

Mr. Speaker, I'd like to ask the Minister of Water Stewardship how she feels when her fellow member of caucus is so cold-hearted towards the flood victims here in this province.

**Hon. Christine Melnick (Minister of Water Stewardship):** Mr. Speaker, members on this side of the House have made very clear we feel compassion and empathy for every Manitoban who is experiencing the difficulties of this spring. We have been on the ground and touring. We have met with Manitobans throughout this province. We have put money on the table to help in future situations. We have an unprecedented compensation package.

All of this means that we are working with each and every Manitoban. We feel very badly for the difficulties that Manitobans have experienced and we will continue to work with them, Mr. Speaker. We understand families and communities are experiencing very grave difficulties, and we are with them.

**Mr. Eichler:** I'd request that the minister read the article so she can actually respond to it.

Mr. Speaker, when someone loses something that they and their family have worked so hard to obtain, be it their home, their cottage, their business or their farm, and they lose it because of flooding that was caused by this NDP government, it really hurts.

It is outstanding—it is astounding that the member for Interlake (Mr. Nevakshonoff) would tell a meeting of the flood victims in Lundar their situation could be worse. How could the member be so callous? I cannot believe anyone can mean that and be so cold-hearted. Apparently, I was wrong. There is such a person in this House and it's the member from Interlake.

Mr. Speaker, I'd like to ask the Premier: Does he condone the insensitive behaviour demonstrated by the member for Interlake when it comes to victims of this devastating flood? This is a very serious issue.

**Hon. Greg Selinger (Premier):** Mr. Speaker, I thank the member for the question. The member from the Interlake immediately apologized and took full responsibility for the comments and any negative

impact they may have had on anybody in that region where he was at the meeting with them, and he did that promptly and he did that thoroughly, and he has put his apology in writing, and I commend him for doing that. I commend him for taking the full responsibility for his comments and the hurtful nature of them and the insensitivity of them to people in the area.

But I also commend him for his tireless work to work with people in that area and to continue to work with them in that area and to do everything possible to help people deal with this very stressful situation. I know he will continue to labour day and night seven days a week with the people in the area. So I commend him on his acceptance of responsibility and his further work to support the people in that area.

**Mr. Eichler:** Mr. Speaker, when I was growing up, I was taught that if someone had suffered a loss, we should show some compassion. The flood victims in Lundar yesterday didn't think they were getting compassionate hearing from the member from Interlake, who has apparently passed things off as the Premier's right-hand man. We know that when flood victims and support to others have been so important—their memories, their livelihoods—they should be treated with respect and that should be carried by all members of this House.

Mr. Speaker, I'd like to ask the First Minister: Will he go back to these people in Lundar and apologize to them on this member's behalf, and will the member for Interlake (Mr. Nevakshonoff) stand up in this House today and apologize to every member of this House for those callous remarks?

**Mr. Selinger:** Mr. Speaker, I did have the opportunity to meet with the emergency operations committee and the councillors for the Rural Municipality of Coldwell yesterday. They have done a tremendous job. They know that we a hundred per cent support them.

The member for the Interlake has put his apologies in writing to Reeve Sigfusson and the council of Coldwell. We completely support the member's apologies. I, myself, believe that he has done the right thing and I commend him for doing that.

And I think it also is important to recognize that the member for the Interlake has worked tirelessly with all the affected citizens in that area to do everything possible to protect themselves from this

damage, and he will continue to do that, and he will continue to do that in a respectful action. He will ensure that his actions show the ultimate respect for the people in that area by continuing to work tirelessly with them.

He has done a good job, and when he has made an error, he has accepted full responsibility for that, and I commend him on accepting that responsibility and correcting it as soon as possible.

### **Shellmouth Dam Capacity Level Utilization**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, the mismanagement of this government of the Shellmouth Dam and the Assiniboine water basin has left many people under hardship in and around the Shellmouth, below the Shellmouth and right through the province along the Assiniboine and into Lake Manitoba.

Last year, Water Stewardship ran the Shellmouth Dam over the spillway for the entire summer. This year the water flows being much higher, the water flows at the dam now, Mr. Speaker, are still continuing to be increased over the inflows.

The Assiniboine River is significantly lower this week than it was a week ago, yet the Portage Diversion continues to run at maximum capacity, pouring massive amounts of water into Lake Manitoba, artificially flooding landowners, homeowners, First Nations people, farmers and ranchers.

I want to ask the Minister of Water Stewardship if he—if she can explain why homeowners, ranchers, First Nations people around Lake Manitoba are being forced to suffer in view of the fact that there is existing unused capacity at the Shellmouth Dam and in the Assiniboine River.

**Hon. Christine Melnick (Minister of Water Stewardship):** Mr. Speaker, we have worked with the people around the Shellmouth area, both upstream and downstream. We were the first government to ever compensate the Assiniboine Valley producers.

We brought in the Shellmouth act, Mr. Speaker. They were part of that as we worked through the act, and the member from Russell was in committee when we reviewed that, and he agreed with the act as well.

We have also drawn Shellmouth down to lower levels.

First of all, we have the Leader of the Opposition (Mr. McFadyen) saying don't care about people downstream or upstream; just go ahead with a massive project. Then we have the member of Russell getting up and saying that no work has been done in the area with the local community.

We're looking at all people from the border of Saskatchewan out into Lake Winnipeg, as well as north of the 49th parallel, Mr. Speaker.

We're working with and for all Manitobans. We don't cherry-pick one issue today and try to pit one group of people against each other the next.

**Mr. Derkach:** Mr. Speaker, I'm going to ask the minister to listen to the question and perhaps then she can respond to the question.

Mr. Speaker, capacity at the Shellmouth Dam is being underutilized. The dam—the water in the dam is far below the spillway. Water can be retained behind the Shellmouth Dam in order to help the people along Lake Manitoba who are suffering because of the enormous amount of water going down the Diversion.

Mr. Speaker, I want to ask the minister why she and her department are not imposing that there be use of the capacity at Shellmouth Dam to alleviate the flooding that the people along Lake Manitoba are suffering as a result of the artificial mismanagement of the Shellmouth Dam.

\* (14:30)

**Ms. Melnick:** Mr. Speaker, I'm going to ask the member from Russell, as well as his colleagues, to listen to the answer.

There are upstream concerns; there are downstream concerns. We have been utilizing the Shellmouth Dam to hold back water so that there is not a tremendous overflow along the Assiniboine River past Holland where the Souris River empties into the Assiniboine River and causes a big inflow.

We have been working to manipulate the levels of the Shellmouth Dam, and it is not far below, Mr. Speaker. It was naturally overtopping as late as last week. It is maybe a foot below.

We know we've had major rain in south—six inch—we have had major rainfall in the southwest Manitoba area even over these last few days. There's another rain coming, and it can be a major rainfall.

We are, again, trying to balance from Saskatchewan to Lake Winnipeg. We have a broad

perspective here. We know there is a lot of water to manage, and we are managing it with every piece of equipment that we can.

**Mr. Derkach:** Mr. Speaker, the mismanagement of the Assiniboine watershed by this government and this minister has caused agony and suffering for many Manitobans, especially around Lake Manitoba.

The inappropriate actions, Mr. Speaker, and the photo ops by this Premier have done nothing to help Manitobans who are facing hardship and, in some cases, financial ruin.

Last fall, I raised a number of questions regarding lowering some of the lakes in western Manitoba. All of this fell on deaf ears.

The Premier owes Manitobans a huge apology and has a responsibility to deal with his Minister of Water Stewardship (Ms. Melnick). Will he do the honourable thing, publicly apologize to Manitobans, especially those who have paid an enormous price for the mismanagement of his Minister of Water Stewardship and his government.

**Hon. Greg Selinger (Premier):** The member likes to be an armchair quarterback and believes, like the Leader of the Opposition (Mr. McFadyen), they know better than everybody else about how things should be done when they don't have any responsibility to do anything.

The reality is the Minister of Water Stewardship gave a very clear answer. She gave a very clear answer, that the Shellmouth Dam was operated to minimize impacts both upstream and downstream and that, also, there were very serious weather forecasts in the Souris Valley area which are adding a lot of additional moisture into the Assiniboine River, which—a portion of which was being diverted through the Portage Diversion.

The entire area is seeing moisture at a one-in-350-year level, and all the assets we have in the area, from the Shellmouth Dam to the dikes to the Diversion, are all being operated to minimize damage as much as possible for as many people as possible, for as much property as possible. That is how the system is being operated.

And if the member thinks he knows better, let him stand up and explain what he would do differently.

### **Assiniboine River Flooding Compensation Information for Residents**

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, on May 24th the government announced that residents of the Hoop and Holler dike breach area would be compensated 100 per cent for any damage to their properties. The 100 per cent was to cover any flooding damages, any mitigation work, any reparations and any lost income.

People like Russ Damskov and Shea Doherty are now finding out that what the government said and what they actually mean are two different things. They are now being told there are restrictions in the compensation packages that mean 100 per cent of costs won't be covered.

Mr. Speaker, will the minister clear up this controversy today: Tell the people in the Hoop and Holler area whether they are to receive 100 per cent compensation or not.

**Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives):** Yes, they will, Mr. Speaker, just as we said on May 24th when we brought the compensation package forward.

They're not—*[interjection]* It doesn't sound like they're very interested, does it, Mr. Speaker? They asked a question. I gave a straightforward answer. The answer is yes. We said 100 per cent and we're following through on that.

Mr. Speaker, not only are we not—not only are we following through with that, but in the case of one of the people that the member brought forward just now, we made a cash advance to that person on the basis that we are working towards meeting all the needs of Mr. Doherty in this case.

We said we're going to have a swift and fair and comprehensive package and that's exactly what we're doing.

**Mr. Briese:** Mr. Speaker, we have the NDP saying 100 per cent compensation for those affected. We have the compensation packages saying there are restrictions to that compensation. We then have the Premier saying the government will pay a lot more than minimum wages when it is warranted. We have government officials telling people everything will be taken care of. We have the Minister of Agriculture saying the government wants to be fair to everyone.

We are getting multiple stories from this NDP government. Which story should Manitobans believe? Are any of the compensation packages worth the paper they're written on?

**Mr. Struthers:** Mr. Speaker, they're worth a lot more than what the member for Ste. Rose is admitting to today.

First of all, the exact examples that he brought forward—I want him to understand what an advance is. An advance is money that is swiftly put out to people who do need the money quickly. We will work with those same people to make sure that we provide the money from the amount of the advance right through to the amount of money that those folks qualify for through this program.

We got the terms and conditions out very quickly because people wanted to know what this program was about. So we did that.

Now I can tell the members opposite that our officials have been working face to face with people like Mr. Doherty to make sure he maximizes his compensation package because, Mr. Speaker, these are people who are up against the wall and we want to help them.

**Mr. Briese:** Mr. Speaker, yesterday, I raised the plight of Darrel and Dee Dee Armstrong. They rent their pasture land to other producers. They were told they are not eligible for compensation on that pasture land that has now been flooded by Lake Manitoba.

The Minister of Agriculture said yesterday they can appeal, which simply lengthens the process and creates more stress for already stressed-out residents of Manitoba who believed the NDP when they said they would compensate them.

Compensation programs need to be clear, they need to be understandable and they need to be user-friendly. When loopholes and cracks in programs are found out, they need quick remediation.

Mr. Speaker, why is this happening? Why are we getting more and more reports of failures and inconsistencies with the compensation packages?

**Mr. Struthers:** Well, Mr. Speaker, we've been very clear. As we move through in implementing the compensation package program, we have been clear that we will make adjustments as we go along if we find there are gaps in the programming that we've put forward.

We came forward very quickly with the terms and conditions, very clearly, very quickly for people so that they knew what they could expect when these programs come out, and the Premier (Mr. Selinger) and I and others on this side of the House have been very clear; if there are improvements that we could make to these packages, we're open to doing that, Mr. Speaker, and that's why we put in place a commissioner yesterday who can take a look at these programs and give us advice in terms of how to make them better, because we want them to work for the people of Manitoba.

### **Agriculture Industry**

#### **Flooding Financial Compensation Information**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, it would appear that they're making policy on the fly and it's not working very well.

Mr. Speaker, the flooding and excess moisture is taking a heavy toll on the livestock and grain producers around Manitoba. The area around Lake Manitoba and the Shoal lakes has been especially hard hit by this government's misguided water management plan.

The warning signs were there. The NDP government didn't heed the red flags raised by the Lakeside MLA Harry Enns in 2001 about the Shoal lakes. It didn't act on the 2003 study on Lake Manitoba and it didn't listen to the constant voices of producers around the lake that disaster was imminent.

Thousands of cattle have had to be evacuated. Producers are concerned their pasture and hayland will be out of production for one, two years, and longer.

Mr. Speaker, can the minister outline his government's long-term strategy for producers around the lake whose operations could be out of production for one or two or three, or even longer, years? Thank you.

**Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives):** Well, Mr. Speaker, the member for Emerson could go ahead and pretend like he can predict water levels, pretend like he can predict the weather. He can pretend all that stuff, but we're going to stick with what reality is, and that is that there are producers in this province who do face some pretty enormous odds when it comes to the amount of water that is invading their farms, invading their farm sites, invading their houses.

We know that. We understand that, Mr. Speaker. That's why we put together a compensation package that is comprehensive, that is fair, that is swift and, I may say, multi-year, because part of it is about recovery. Part of the program that we announced is about helping farmers over the next number of years bounce back and be productive and contribute—so valuable to the economy of this province—like they have for generations.

\* (14:40)

**Mr. Graydon:** Mr. Speaker, it's clear that the NDP have paid no attention to the predictions that they made themselves in 2001 and 2003.

Mr. Speaker, the ranchers and cattle producers around the lakes have had extraordinary expenses because of this NDP government's inability to properly forecast the lake levels and to prepare accordingly.

Producers moved their cattle to higher ground in other parts of Manitoba. Unfortunately, in some cases that land is now flooded also, and producers have had to move their cattle again. Suitable pasture is becoming a rare commodity.

Mr. Speaker, can the Minister of Agriculture explain whether the hundred-dollar maximum payment for a cow-calf pair is expected to cover all costs associated with maintaining that pair, specifically any feed costs already incurred, the cost of pasture rental, the cost of moving the animals to new pastures and again moving them to another pasture.

**Mr. Struthers:** That's exactly why we've been in contact with the Manitoba Beef Producers and have worked well with Major Jay Fox and his staff and his council. That's why we've been working through our department directly with producers all around Lake Manitoba and elsewhere in the province. That's why we worked together with the Minister of Conservation (Mr. Blaikie) to put an emergency measure in place where we can use agriculture Crown land, land that's higher and dryer, so that we can move cattle, or we can get feed and move the feed to the cattle so that they can be fed.

Mr. Speaker, we've been clear that we're not going to leave any possibility unturned to help Manitoba producers, and I would suggest they get on board with that.

**Mr. Graydon:** Mr. Speaker, due to some extreme weather conditions and a complete mismanagement

of flood preparations by this NDP government, they have failed rural Manitoba miserably.

We're in a unique situation where there's a shortage of pasture, a shortage of forage and, of course, with the inability of farmers to plant crops, a shortage of straw. We have learned that up to 2.5 million acres could go unseeded this year as well. So not only are our livestock producers suffering but so, too, is our crop sector. Producers deserve answers about this government's short- and long-term plan.

Mr. Speaker, again I ask the minister: Do you have a plan for the livestock and crop producers devastated by flooding and excess moisture? They need to make decisions now, not months from now like you did last time.

**Mr. Struthers:** Mr. Speaker, we announced a very solid, very forward-looking plan and compensation package back on the 24th of May.

The people who are letting down the farmers and producers of Manitoba sit right across the way, when they choose to support their cousins in Ottawa in running a knife through the Wheat Board instead of standing up for the Manitoba farmer's right to vote on their future, instead of standing up for jobs for the people of Manitoba and the city of Winnipeg, instead of standing up for the Port of Churchill.

Members opposite should grow a backbone and stand up for Manitoba farmers and oppose the [*inaudible*] Wheat Board.

### Taxation

#### Personal Income Tax Exemption

**Hon. Jon Gerrard (River Heights):** My question's for the Minister of Labour and Immigration.

The NDP is proud of their record of taking money out of the pockets of small business owners and building bureaucratic largesse off the backs of the working poor in this province. It's sad that the NDP are forcing many small business owners to be among the working poor in this province by raising minimum wages without adequately raising the personal tax exemption.

Now, Mr. Speaker, I am in favour of a strong minimum wage but not without equal effort from government. Will the minister explain why—if the NDP actually cared about poor people, why doesn't her government put their money where their mouth is and adequately raise the personal income tax exemption as well?

**Hon. Jennifer Howard (Minister of Labour and Immigration):** Mr. Speaker, I want to sincerely thank the MLA for River Heights for that question.

I'm interested in his position on minimum wage, because I recall, in the last leaders' debate in the last campaign, when he was directly asked that question, he did not take a position in favour of minimum wage. In fact, there was only one leader who took a position in favour of minimum wage and that was our leader. And I'm very proud of the fact—I'm very proud of the fact—that every year we've been in office, we've raised the minimum wage.

And, Mr. Speaker, we also now have a small business tax in this province that is at zero.

**Mr. Gerrard:** I'm in favour of a strong minimum wage and, in fact, during the last campaign, on occasion I said that very clearly.

But in Saskatchewan, the personal tax exemption is now \$14,535. In Manitoba, the NDP takes money from people who make only \$9,000 a year. If the NDP actually cared about the working poor, they'd reduce or even eliminate income taxes for the working poor, as Saskatchewan has done.

Unfortunately, eliminating taxes for the working poor does nothing to help the bottom line of the NDP fat cats on Broadway.

Knowing that many small business owners have to take part-time jobs just to make ends meet, why does the NDP not eliminate income tax for the working poor, if they really cared about poor people in Manitoba?

**Ms. Howard:** Well, of course, you know, we believe that the solutions to poverty are multi-faceted. There is no one approach to it.

And that's why we have increased the personal exemption several times. That's why we have increased the minimum wage several times, without any support from the member opposite, I might add. That's why we've put in place affordable housing throughout Manitoba; we have more to work there. That's why we've put in place child-care spaces, so single moms and parents can go to work, a program that the member opposite opposed and voted against when he sat around the federal Cabinet table. That's why we've invested in post-secondary education, another program that the member opposed when he was in Ottawa and was responsible for cutting transfer payments that led to record high tuition increases.

So I will put our record on reducing poverty and being with the working poor any day over the member opposite's.

**Mr. Gerrard:** Mr. Speaker, many small business owners in Manitoba, in fact, live below the poverty line, but NDP fat cats refuse to tighten their own personal belts and stop taxing the personal income of the working poor and small business owners living in poverty.

If anyone in the NDP ever had to run a business, they'd know that business owners don't always get to collect a personal wage and often struggle to make ends meet. The working poor are taxed at a higher rate in Manitoba than anywhere west of Québec, and NDP fat cats 'repuse'—refuse to act to reduce taxes for the working poor.

Mr. Speaker, I support a strong minimum wage, but I ask the minister: Make a commitment that the NDP will adequately raise the personal tax exemption to prove they actually care about the poor in Manitoba.

**Ms. Howard:** Well, I will repeat for the member opposite that we have reduced the—we have increased the exemption, reduced those taxes, eight times, and, in fact, in the last budget, which I believe he voted against, there was a further \$1,000 increase to the basic personal exemption.

But we don't believe there's only one way to deal with helping small businesses or the working poor. That's why we have reduced the small business tax in this province to zero. I am not aware of that historic decrease happening before we were in government. That's why we have worked with small businesses to make sure that they're able to hire staff, to expand.

Things are looking good in Manitoba, Mr. Speaker. The Jets are coming back. Downtown is booming. I think the member opposite should get on board instead of sticking with the Debbie Downers there on the other side.

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

\* (14:50)

## MEMBERS' STATEMENTS

### Ste. Rose Constituency

**Mr. Stuart Briese (Ste. Rose):** I rise today with a profound sense of sadness. After October the 4th, 2011, Ste. Rose will no longer be a constituency name used in this Legislature. The constituency of Ste. Rose was created through redistribution in 1914,

97 years ago, so it is, indeed, a sad day when such a venerable part of this Legislature will no longer be here.

I've been truly honoured to represent the constituency of Ste. Rose for the past four years. I've often told colleagues in the Legislature that Ste. Rose is the most beautiful constituency in the province. The Ste. Rose constituency stretches from just south of Neepawa north to Crane River, and from Franklin to Westbourne. Ste. Rose is nestled between the Riding Mountain escarpment and Lake Manitoba and boasts a wide variety of landscape and topography.

Ste. Rose is principally an agricultural area that also boasts many other enterprises and businesses, including commercial fisheries and forestry.

Ste. Rose has a wide variety of ethnic and cultural backgrounds, including three First Nations: Ebb and Flow, O-Chi-Chak-Ko-Sipi and Sandy Bay. We are also home to several Métis communities and a large francophone population, 10 Hutterite colonies and a large European influence. More recently, we welcomed a number of Old Order Mennonites to the Plumas-Gladstone area, and a growing population of Koreans and Filipinos in the Neepawa area.

There are nine RMs and four incorporated villages in the constituency, along with many unincorporated village districts. The Ste. Rose constituency has three conservation districts represented within its boundaries: the Whitemud, the Turtle and the Alonsa. Interestingly, unlike most other conservation districts, all three of those conservation districts are responsible for water management.

Ste. Rose constituency also includes portions of three RHAs. Ste. Rose also has four school divisions represented within its boundaries.

Ste. Rose has been represented by six MLAs in its 97-year history: Joseph Hamelin, Conservative, 1914 to 1922, and then as an Independent from 1922 to 1927; Maurice Dane MacCarthy, Progressive from 1927 to 1932, Liberal Progressive from 1932 until 1953; Gildas Laurent Molgat, later Senator Molgat, Liberal Progressive from 1953 to 1970; Aimé Rawleigh (Pete) Adam, NDP, 1971 to 1986; Glen Cummings, PC, from 1986 to 2007; and, finally, myself, Stuart Briese, PC, from 2007 to 2011.

In closing, Mr. Speaker, I would ask the members of the Legislature to put their hands together and bid farewell to the venerable, proud

constituency of Ste. Rose. The 97-year-old veteran of many sessions is retiring, and in another four—in another day, the Speaker recognizing the member for Ste. Rose will no longer be heard in the Legislative Assembly of Manitoba. Thank you.

#### **River East Collegiate 50th Anniversary**

**Ms. Erna Braun (Rossmere):** Mr. Speaker, in just over a week from now, alumni and staff will come together to celebrate River East Collegiate's 50th anniversary. The reunion will provide alumni, staff and their families with an opportunity to celebrate the first 50 years of the school and the contributions it has made to each of their lives. To mark this historic occasion, members of the organizing committee have planned a fun-filled weekend of events. Former classmates, friends and alumni will have the chance to become reacquainted and to catch up with one another.

As a River East graduate, I look forward to reminiscing with my former classmates and teachers. I know the memories will include the musical and drama productions, as well as the Friday night dances with the likes of Chad Allan and The Expressions and The Guess Who.

The events begin with a Friday evening cocktail reception, followed with an open house at River East Collegiate, where memorabilia will be on display. One of the highlights will be Mr. Peniuk's resurrecting his old room where former staff and students are encouraged to stop by to reminisce.

The jazz band, who was the only one in Canada to be invited to an international jazz competition in New York City earlier this year, will also be on hand to provide free entertainment to all the open house guests. The reunion will end on Saturday evening in style, with a gala dinner and dance at the Convention Centre, featuring Ron Paley orchestra.

I would like to acknowledge the efforts of the organizing committee, including the chairperson, James Daher, as well as the three members who are in attendance in the gallery today: Diane Coulter, Moira Honey, and Theckla Brown, who was a student at River East Collegiate the first year it opened. Thanks to their hard work and enthusiasm, this reunion promises to be an exciting weekend.

Today, River East Collegiate serves over 1,100 students in grades 10 through 12, and has a staff of nearly 70 teachers, who offer 144 different courses in an effort to accommodate the wide range of interests of its students.

It also prides itself on having a student body that is actively engaged in its school and in the community. Mr. Speaker, I ask the members of this House to join me in wishing them a happy 50th anniversary and continued success in the years ahead. Thank you.

**Mark Keown and Daniel Pona**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, great principals are essential to our public education system. Great principals communicate a compelling vision, engage the communities and nurture their staff. Great principals are exceptional leaders who lay the foundation for the success of their students and the betterment of their communities.

Canada's Outstanding Principals program was developed by the Learning Partnership and is now in its seventh year. In 2011, 32 principals from every province and territory were honoured as Canada's Outstanding Principals for making a measurable difference in the lives of their students and their local communities. I would like to congratulate Mark Keown, the principal of Virden Junior High School, who was named one of Canada's Outstanding Principals. Mr. Keown was one of only two principals from Manitoba to receive this prestigious honour. I would also like to congratulate Gimli High School principal, Dan Pona, who will join Mr. Keown in an exclusive group of 187 previous award recipients in the National Academy of Canada's Outstanding Principals.

All of the 32 principals honoured were treated to a gala awards ceremony at the Courtyard by Marriott downtown Toronto on February 8th, 2011. The award winners also participated in a five-day executive leadership training program at the prestigious University of Toronto's Joseph L. Rotman School of Management where they had the opportunity to dialogue and reflect on leadership issues with other leaders from educational, social, cultural and business communities.

Mr. Keown was a very deserving recipient of the award. Earlier this year, he was also recognized by the Manitoba Band Association as the outstanding administrator. His commitment to the students, parents and staff at Virden Junior High has had significant impact on the community of Virden and the surrounding area. Mr. Keown was instrumental in securing grant money from the Breakfast for Learning program as well as volunteers and community donations so that 25 to 30 students now

receive a healthy breakfast every morning. Twice a year, the entire school enjoys a hot breakfast together.

A fellow administrator, Virden Collegiate Institute principal, Rob Tomlinson, nominated Keown for the Outstanding Principal award. His 18-page nomination form highlighted Keown's success at engaging the school community to create successful partnerships between the staff, students, parents and community.

Mr. Speaker, I would like to thank all principals in Manitoba for their dedication to our public education system, and I would like to once again congratulate Mark Keown and Dan Pona for being recognized as two of Canada's Outstanding Principals for 2011.

**Wayne Tucker Memorial Transcona Sports Weekend**

**Mr. Daryl Reid (Transcona):** Mr. Speaker, over the past four years, the Wayne Tucker Memorial Transcona Sports Weekend has become one of the premier softball-baseball tournament events of the year. This year the tournament drew close to 100 teams and over 1,000 participants from all over our province. It has become so successful that it has quickly become one of western Canada's biggest tournaments for young baseball and softball players between the ages of seven and 17.

The intent of this weekend was to bring back the spirit of the original Transcona sports weekend which began in 1987. Starting with only two dozen teams, this tournament grew to host several thousand youth from across Manitoba. Activities include baseball and soccer tournament as well as Kids of Steel triathlon. Drawing inspiration from the Transcona sports weekend, the current Wayne Tucker weekend aims to once again provide an opportunity to bring our youth together to enjoy a weekend of fun while giving them an opportunity to forge new friendships and create new memories.

Next year, the memorial sports weekend will begin—will be celebrating its fifth anniversary, which coincides with Transcona's 100th birthday. In an effort to draw even more people to participate in the tournament, organizers will be adding flag football to the schedule. It is hoped that, by doing so, they will be able to draw over 150 teams and over 2,000 participants to Transcona for that weekend.

\* (15:00)



What really makes this event so special, though, is that all organized—that it is all organized by volunteers who have strong roots in the Transcona community and have no children of their own involved in the tournament. It is truly a labour of love for both sports and the children who take part in the tournament every year. I am so proud to be part of such an active community in which events like these are supported and continue to thrive. I would ask that members of the House join me in wishing the organizing committee of the Wayne Tucker Memorial Sports Weekend every success in the future.

Mr. Speaker, I would also like to ask leave to have the names of the volunteers included with this statement in *Hansard*. Thank you.

*Wayne Tucker Memorial Transcona Sports Weekend volunteers:*

*Jason Chody, Kevin Chody, Darryl Chody, Dustin Mymko, Mike McFadden, Barry Meyer, Kris Heieie, Bob Hochkievich, Jen Hochkievich, Megan Tucker, Shane Tucker*

#### **James Zubriski**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise today to recognize an exceptional young person who has worked in the Chamber with us since August as a page at the Legislative Assembly.

James Zubriski is an outstanding and accomplished grade 12 student at Kelvin High School. He will be moving on to a promising post-secondary education career this fall.

James has been a dedicated swimmer for the past five years and can be found in the water nine times every week. That persistence has led to his success in many Manitoba-Saskatchewan 16-and-over open competitions. James has won two silver medals in the 800-metre race as well as three bronze medals in the 1,500-metre race. I want to wish James well in his future career of swimming.

I also want to congratulate him on his success, thank him for his service here in the Legislature and wish him the very best of luck this fall as he heads to the University of Manitoba with an interest in economics and in political science.

**Mr. Speaker:** Prior to recognizing the honourable member for River Heights, the honourable member

for Transcona had asked leave to include the names in his member's statement.

Is that agreeable? [*Agreed*]

### **ORDERS OF THE DAY GOVERNMENT BUSINESS**

#### **House Business**

**Mr. Speaker:** The honourable Government House Leader, on House business.

**Hon. Jennifer Howard (Government House Leader):** Mr. Speaker, would you call third reading on Bill 17, 30, 35, 36, 39, 40, 41 and 43.

### **CONCURRENCE AND THIRD READINGS**

#### **Bill 17—The Cooperatives Amendment Act**

**Mr. Speaker:** Concurrence and third reading, Bill 17, The Cooperatives Amendment Act.

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Family Services and Consumer Affairs (Mr. Mackintosh), that Bill 17, The Cooperatives Amendment Act; Loi modifiant la Loi sur les coopératives, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

#### **Point of Order**

**Mr. Speaker:** The honourable member for Portage la Prairie, on a point of order.

**Mr. David Faurshou (Portage la Prairie):** Yes, Mr. Speaker, I wonder if you could repeat the order of the bills for concurrence this afternoon, please.

**Mr. Speaker:** I would be pleased to. We'll deal with concurrence and third reading in this order: Bill 17, 30, 35, 36, 39, 40, 41, 43.

\* \* \*

**Mr. Speaker:** Do we have any speakers on Bill 17? Is the House ready for the—the honourable member for Carman.

**Mr. Blaine Pedersen (Carman):** Mr. Speaker, I was expecting the minister to say a few words, but I guess I will, in that we support this legislation, Bill 17, and the co-operatives. It makes a couple of changes in that—for multi-stakeholder co-ops. There's some changes for them and also some changes allowing for the geographics of some of our larger

co-ops now in terms of holding their annual general meetings.

So we look forward to the passage of this bill and the implementation of this bill, and our party certainly supports this piece of legislation. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to indicate support for this legislation to enable more easily the presence of multi-stakeholder co-ops and the activities that they can—and services they can provide to Manitobans. Thank you.

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

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House, concurrence, third reading of Bill 17, The Cooperatives Amendment Act.

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

#### **Bill 30—The Change of Name Amendment Act**

**Hon. Bill Blaikie (Acting Government House Leader):** I move, seconded by the honourable Minister of Child and Family Services (Mr. Mackintosh), that Bill 30, The Change of Name Amendment Act; Loi modifiant la Loi sur le changement de nom, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Blaine Pedersen (Carman):** Again, Mr. Speaker, Bill 30, the change of names bill—amendment bill, we look forward to the speedy passage of this bill.

It does provide the RCMP with some further checks and balances for people who want to change their names and who may have a criminal history. And it also—there are exemptions for those people who legitimately change their names and we'll support this bill. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to indicate support for this legislation. Thank you.

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

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is concurrence, third reading of Bill 30, The Change of Names Amendment Act.

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

#### **Bill 35—The Consumer Protection Amendment Act (Cell Phone Contracts)**

**Hon. Bill Blaikie (Acting Government House Leader):** I move, seconded by the honourable Minister of Child and Family Services (Mr. Mackintosh), that Bill 35, The Consumer Protection Amendment Act (Cell Phone Contracts); Loi modifiant la Loi sur la protection du consommateur (contrats de téléphonie cellulaire), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** Just in case I haven't made adequate note of this, I want to put on the record formally my thanks to the government of Québec for the senior officials and all of the other staff that have been working on the cellphone protection regime in that province. They have spent some considerable time, both with staff and with me, personally, and I thank them very much. It is our hope that this legislation will provide a model for other provinces in turn.

I also want to thank the consumer advocacy organizations in Québec for their insights, as well as the—all those Manitobans and organizations who provided their feedback and input into our consultation here. And, of course, I have to thank the staff in this division and the researchers in the department who are going to considerable lengths to develop both consultation papers and legislation as part of the Let's Make a Better Deal consumer protection strategy.

Thank you, Mr. Speaker.

**Mr. Blaine Pedersen (Carman):** In Bill 35, The Consumer Protection Amendment Act (Cell Phone Contracts), and I know this bill speaks to contracts and making them clearer in terms of—for consumer protection so that consumers know what they're getting into when they do sign a contract for their cellphones. And it's really quite amazing at how fast technology does change, that nowadays there are a

number of people who actually have cellphones as their one and only phone; they don't have land lines and they rely entirely on cellphones, so their importance is certainly become much more.

\* (15:10)

And for MLAs in this job, I do use my Bluetooth religiously, Mr. Speaker. I make sure that I am not speaking without it in the car, and it's made, certainly, a much easier way of catching up with constituents when we're travelling the miles in living in the rural constituency, and we make lots of miles and there's—it's a good use of time for there, and yet not affecting the safety of the other motorists who are out on the road beside me.

So this bill did make some changes in terms of specifying in terms of the length of the contract's terms, and it wanted—the purpose of the bill is to make sure that it's in very clear language, the length of term of the contract; the minimum monthly costs under the contract, so that people are aware when they sign these contracts that they know exactly what they're getting into; a description of the services, including the minimum monthly cost; the details and rates for additional use charges. Like many things we buy nowadays, there are—there's the basic model and then there's the add-ons after that, and those add-ons tend to cost additional on your monthly bill and so it—these contracts should spell that out very clearly. Also, details about optional services that you want to do and other details including costs and any one-time fee such as system activation charges and irregardless.

Also—and one of the main contentions of cellphone users these days is about how the contract may be cancelled, and if there is a cancellation fee, how these cancellation fees will be calculated, because it's a very competitive marketplace out there and competition in the marketplace is always good. It does tend to have—lessen our costs when there is competition, and so this—in the contracts here there is stipulations that these will be calculated.

Now, there is supposed to be regulations written on that as to how to adjust values, and I hope that the people who are doing these—writing these regulations as to deciding on how to adjust values do consult back with the industry. I know the Canadian Wireless Telecommunications Association had sent a written submission in to committee when this bill came through and they would certainly like to be consulted when these regulations are being written

for this bill, and so we would hope that the minister and the department take that into account when they are writing these regulations.

And many of the cellphone companies right now, and there are a great number, there's a relatively small number—there are a relatively small number of large companies and a large number of small companies involved in the cellphone business, and so the companies that we're in contact with—I believe, both the minister and myself—in regards to this bill were quite adamant that they do have a code of conduct in place right now, and there were some other facts that they were putting on the record that many of the contract costs are two to three years in average, so people do tend to change their providers quite often.

And so, with these—as these regulations are written, I just encourage the department to make sure that they consult with operations such as the Canadian Wireless Telecommunications Association.

So we look forward to the passage of this bill, Mr. Speaker. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I'd like to just place a few comments on the record with regard to this legislation dealing with cellphone contracts.

I'm certainly in support of improved cellphone contracts and protection of consumers. I think it's very important, at the same time, to remember that this is a very competitive, fast-changing, dynamic business area, and that it's important to have the right balance in terms of protecting consumers and in having competition. Because the competition itself is one of the things which can be very important in making sure that there is the best possible service at the best possible price.

Certainly, the regulations here are going to be very important, and it is going to be critical that they are crafted carefully and listening to both consumers and people on the business side of this area. Certainly, the provision of communication through cellphones, and what cellphones can now do, in terms of transmitting everything from pictures to handling data to a whole variety of innovative applications that are increasing day by day. And it's very important that the contracts are, you know, not only solid but they are reasonable to handle this dynamic and flexible marketplace which is changing quite rapidly.

So, with those comments, Mr. Speaker, I—as I said, I certainly support this legislation and just want to make sure that moving forward, that the right balance is achieved in the regulations. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 35, The Consumer Protection Amendment Act (Cell Phone Contracts).

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

**Bill 36—The Adult Abuse Registry Act and Amendments to The Vulnerable Persons Living with a Mental Disability Act**

**Hon. Bill Blaikie (Acting Government House Leader):** I move, seconded by the honourable Minister for Child and Family Services, that Bill 36, The Adult Abuse Registry Act and Amendments to The Vulnerable Persons Living with a Mental Disability Act; Loi sur le registre des mauvais traitements infligés aux adultes et modifications concernant la Loi sur les personnes vulnérables ayant une déficience mentale, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mrs. Bonnie Mitchelson (River East):** Mr. Speaker, and I just wanted to put a few comments on the record on Bill 36 and—which is establishing an adult abuse registry for those living with disabilities.

Mr. Speaker, this act was precipitated by an incident where an individual was hired by a non-profit organization that offers residential foster care respite and day services to disabled people, and was unknowingly hired after leaving very vulnerable individuals that lived at St. Amant Centre, leaving them in a van while they went into a movie. This person was let go but did not indicate, when applying at another residential facility, that they had worked at St. Amant, and therefore all of the records checks, including sexual abuse registry and the criminal history registry were passed, and that individual was hired. When it came to government's attention, there was felt that there was a need to establish an adult abuse registry. And I think it's the right way to go. No disabled person should be subject to the care from an individual when they have an abuse history.

So I'm supportive of this legislation. I know that our caucus is supportive of this legislation, and we look forward to it moving forward in a couple of phases.

\* (15:20)

The first phase is to ensure that those that are included under The Vulnerable Persons Living with a Mental Disability Act will be the first ones that will be included in the registry that may extend, at some point in time down the road, to personal care homes and other facilities. This is one step in the right direction, Mr. Speaker, and we're looking forward to seeing the implementation of this abuse registry and further developments as we move along and see how well it works in the first phase.

So, with those few comments, Mr. Speaker, we are supportive of this bill.

**Hon. Jennifer Howard (Minister responsible for Persons with Disabilities):** Mr. Speaker, I just want also put a few comments on the record with regards to this bill and thank the Minister for Family Services and Consumer Affairs (Mr. Mackintosh) for working on this issue.

It's an issue that I know has been worked on and discussed for some time, and I was able to be part of some of those discussions when I worked with the minister in my capacity as the MLA assistant on disability issues. And we had some extraordinarily good discussions with people from many departments in government, as well as the police and people from the service providers, and I think they all share the commitment to making things safer for vulnerable people and adults with mental disabilities and intellectual disabilities.

So I think this legislation is certainly going to help do that. I believe it is, if not the first in the country, I think it is quite unique in the country, and it is, I think, another good example of the kind of innovation and boldness that has characterized the minister's time in office. So I want to thank him for the work that he's done, and I also want to thank the office of—that's in my department—the disability issues office, where there's a very small staff, but they have also worked very diligently on this issue and getting it to a point where we could have this bill in front of the House.

So thank you very much, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, I rise to comment on Bill 36, The Adult

Abuse Registry Act and Amendments to The Vulnerable Persons Living with a Mental Disability Act, and certainly I'm supportive of this registry. I think it's very important that we move forward so that people who have a history of abuse are not hired again to look after people in similar circumstances.

I think it is very important that the act be applicable, not just in a narrow sense, but in a broad sense, and that we're able to protect all those adults who may be subject to abuse in one way or another. And let us hope that we can build on this and move forward in a substantive way. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 36, The Adult Abuse Registry Act and Amendments to The Vulnerable Persons Living with a Mental Disability Act.

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

#### **Bill 39—The Grieving Families Protection Act (Various Acts Amended)**

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Family Services and Consumer Affairs, that Bill 39, The Grieving Families Protection Act (Various Acts Amended); Loi sur la protection des familles en deuil (modification de diverses dispositions législatives), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** I just didn't want to be neglectful in not recognizing the tremendous work and effort of the Public Utilities Board and Mr. Gerry Gaudreau, in particular, for their efforts looking at legislation that governs prepaid funeral plans. The legislation is based in no small part, of course, on the consultations and on the work that was done by the Public Utilities Board in that regard.

And I also, of course, I must thank Susan Boulter for her tireless efforts to get this legislation into the House on time. Thank you.

**Mr. Ron Schuler (Springfield):** I do wish to put a few comments on the record in regards to Bill 39, The Grieving Families Protection Act.

Back in spring of 2011, Bill 235 was introduced by myself, and it dealt with damages in cemeteries. And how that came about, and I've mentioned this before in committee, that I was officiating at a funeral several years ago and I was approached and it was mentioned to me that the act had probably not been changed for a hundred years and that the penalties were actually amazingly minimal. In fact, I believe that it was in and around \$4 that you were charged if you were caught damaging some—whether a tombstone or anything else, defacing anything in a cemetery. It was between 4 and 40 dollars.

So we brought it to this House and brought it forward as a private member's bill, and very disappointed in the minister responsible. Mr. Speaker, he got up and referred to this issue as being pitiful, and he said that he didn't feel that the bill went far enough. He went on to say that \$1,000 wasn't nearly enough, and I am quoting from *Hansard* of June 2nd, 2010, in which he said: "I don't think a fine of \$1,000 is good enough," and he referred to the issue as pitiful, which is surprising because his legislation states exactly that, and it was very demeaning to those individuals who had come forward and had initially raised the issue.

And that's what happens as individuals across this province happen to find something that they think is outdated and not reflective of what's going on in society and it's brought forward to this House. We understand that the government does have the majority, they do have the entire public service at their disposal and they can deal with these issues. And in the case of the bill in front of us, Bill 39, it actually goes further and also deals with other issues that are very important to Manitobans.

But, insofar as damage to tombstones and to cemeteries, we felt that it was unbecoming of the minister in the way that he approached the issue. And I know that there were individuals in the House at that time who were paying attention and listening, and that was the, of course, the Minister of Family Services and Consumer Affairs who—it was probably a low point for him. It was unbecoming of him in his comments, and I don't want to mention the individuals who were in the gallery who were quite surprised at the minister's behaviour.

However, the government did come forward with a bill which mirrored the private member's bill that I had put forward. And I think I said in spring of 2011; I meant 2010. Anyway, the bill did come forward from the government, Bill 39. It does cover

it off. It's important that those fines be updated, and, Mr. Speaker, we would like to see this move on, would like to see it proclaimed.

And I know the minister mentioned Ms. Boulter, who had put a lot of work into this, and we thank her also and all the other individuals who had an input in this legislation and what—would like to see it move on. Thank you very much, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to comment briefly on Bill 39 and to indicate support for this legislation. I think it's time that this bill was overhauled and that there was better measures put in place in terms of handling of pre-arranged funeral plans, et cetera. So I'm certainly ready to support this legislation and look forward to it becoming law. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 39, The Grieving Families Protection Act (Various Acts Amended).

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

\* (15:30)

**Bill 40—The Condominium Act and Amendments Respecting Condominium Conversions (Various Acts Amended)**

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Family Services and Consumer Affairs (Mr. Mackintosh), that Bill 40, The Condominium Act and Amendments Respecting Condominium Conversions (Various Acts Amended); Loi sur les condominiums et modifications législatives en matière de conversion en condominium, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Blaine Pedersen (Carman):** Mr. Speaker, and Bill 40, The Condominium Act and Amendments Respecting Condominium Conversions (Various Acts Amended), the—our party, the Progressive Conservative Party, will support this legislation. Thank you.

**Ms. Howard:** Mr. Speaker, I want to just put a few words on the record about this bill since I think I

represent a constituency that probably has the most condominiums in it in the city. And I had the opportunity to discuss this legislation with several residents in Fort Rouge, some of whom were involved very much in the drafting of the legislation and certainly knew far more about it than I could claim to. But I think there are some important consumer protections in this legislation. I think some of those will make sure that people who are purchasing condominiums do get more information and better information about what they're buying and what some of the liabilities may be in that building so that they can make those purchases with eyes wide open.

I think there's also several amendments in this legislation that will also make sure that condominium boards are better able to serve the members of the condominium, that they're able to put in place rules and regulations that will make living more comfortable for everyone and then able to enforce those rules.

I also want to just say that another very important, I think, part of this bill is the new regulations that will allow municipalities to put in place regulations about condominium conversions when there are very low vacancy rates. I know all of us in our constituencies probably have talked to constituents who have had the experience of being renters and having to leave their home because the rental units were being converted into condominiums. And while, I think, it is important that there continue to be affordable options for people who are buying their first home, we also do need rental accommodation in this city. And some of the things that we have tried to do to improve that situation include making sure that people have more notice when there are evictions of that nature, that we've also improved the benefits that are payable to renters to help with moving costs and we've also invested in a tenants' advocate office to help tenants who believe that they have grounds for an appeal and they want to avail themselves of the rights that they have under the rentals office.

So this is another step to try to achieve the balance in accommodation and housing in this city. I think it's a positive step and I want to thank the minister for the work involved. I do note that this bill is probably the first bill that was too big for the stapler to go through in the printing room, so I don't know if I should commend or I don't know what the minister for bringing that kind of legislation forward. As the House leader, it was quite a large piece of

work for me to get my mind around, but I do want to thank him for his diligent work on this and the consultations that he underwent with condominium residents and owners and people who work in this field. I think that this will help protect those people who are buying, some buying their first home, some, perhaps, buying their last home, and I think that this will help all of those consumers know what they're buying and be able to plan for their future. Thank you very much.

**Mr. Speaker:** Before recognizing the honourable member for River Heights, I just want to make the House aware that the mover of a motion, once you move a motion, that should be the first person speaking, because, otherwise, if another member speaks and then the mover wishes to speak, we would have to require leave in order to do that. So it's just information for the House.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to put a few comments on the record in terms of Bill 40, which deals with condominiums. And, certainly, you know, improvements in legislation here have been needed and I believe that, for the most part, this is a pretty good legislation.

The one comment that I have heard from some is the concern with regard to owner occupancy of condominiums, that many who live in condominiums feel that it's very important that the condominium units be predominately owner occupied because they are, in fact, meant to be that way, rather than primarily rental units. And that it is important that in legislation like this, it is recognized, the social importance and the importance in terms of good management, of having owner occupancy. And just the representation that I've received suggests that some of the measures that could have promoted owner occupancy may not be as strong in this legislation and that this aspect needs to be watched and followed very carefully and if this does become an issue, that changes in the future can then be made.

With those few comments, Mr. Speaker, I just reiterate my support for this legislation moving forward.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 40, The Condominium Act and Amendments Respecting Condominiums Conversions (Various Acts Amended).

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

**Bill 41—The Liquor Control Amendment Act**

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister for Family Services and Consumer Affairs, that Bill 41, The Liquor Control Amendment Act; Loi modifiant la Loi sur la réglementation des alcools, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

**Motion presented.**

**Hon. Gord Mackintosh (Minister charged with the administration of The Liquor Control Act):** I just wanted to add an exclamation mark to my thanks, particularly to the relatively new CEO of the Liquor Control Commission, Mr. Ken Hildahl, for all of his work to reach out to the direct stakeholders when it came to developing the hospitality strategy which, of course, included this legislation. As well, to all of those direct stakeholders who have provided their insights and advice and clearly there are some—always some uncertainties on their behalf when changes are made to liquor legislation and we, of course, have assured them of ongoing dialogue as we develop the policies and regulations that will buttress the changes that are at hand.

I, also, of course, want to thank Manitobans for their expressions of a thumbs-up for the strategy and, Mr. Speaker, we believe that this will provide Manitobans with more hospitality options. And it is our expectation that this will also provide more entrepreneurial opportunities and a greater welcoming place here in this great welcoming province as we develop many more international attractions for those from abroad.

But first and foremost, I just, Mr. Speaker, this legislation was designed with the interests of hard-working Manitobans who deserve hospitality opportunities after a hard week's work, or a hard day's work. And it is our vision that it will strengthen the reputation of Manitoba as both a home and destination. Thank you.

\* (15:40)

**Mr. Rick Borotsik (Brandon West):** The only time, Mr. Speaker, I ever get applause from my own caucus is when I'm leaving.

Okay, and they can't—Mr. Speaker, you've been a very fair and honest individual, and I would

appreciate it if any—if there's any heckling going on with my farewell speech, that I'm sure you will call these people out of order as you normally would.

This is my opportunity to say goodbye. *[interjection]* No, trust me. There won't be any tears, Mr. Speaker, I can assure you, but there won't be any regrets either, and I have to appreciate the fact that it's been one wonderful experience, a great experience that I've had here in this House. If I could sing, which I can't, I would say so long, it's been good to know you. And it has—it's been good to know not only my colleagues but also members on the other side of the House.

And, Mr. Speaker, as you know, there are five members of our party that will no longer be here after this session is over tomorrow. We've got five of our members, and there's five members so far, on the government side. And I should say, also, there may be some people there who don't know it yet, but they not—they may not be returning after the next election either.

So I do have some advice, I guess. The one part of advice that I do have is from some personal experiences: there is life after politics. I can assure you of that, okay, so whoever is unfortunate enough to be given their pink slip by the people of their constituency, there is life after politics, believe me, Mr. Speaker, and it can be very, very good.

When I first got into federal politics, there was a little fellow, a little curly-haired guy by the name of Jean Charest, who I had the opportunity of working with, and he gave me some very sage advice. The very first caucus meeting we had, actually, he gave us some very sage advice, and I follow that advice right now. And what he said was, to our members of the caucus, he said, if there's one thing I can tell you, he said, you're not here forever. You're not in this House forever. You're not here a very long time in some cases, he said, and the only thing that you have when you leave this place is your family. Don't ever forget that, he said, because your colleagues will go other places, they'll do other things, but your family will always be the one constant that remains. So I'll pass on that little piece of advice to any other member who, well, may be leaving this august House sometime in the not—in the near future.

Mr. Speaker, I have a number of thank-yous that I would like to give, if I could, possibly, over the

next couple of minutes. The first thank you I have, obviously, is to my constituents, and we all should thank them because without them and their support, none of us would be in this place. And I've been very fortunate over my political career. I've run in nine elections and I've been elected in all nine. My constituents ranged from Brandon West, of which I am very, very proud and humbled to be able to support—or represent right now, to the city of Brandon, to Brandon-Souris. And those people put their faith in me to take their message to different places and different houses, and without them I wouldn't have had the opportunity and, certainly, the privilege to represent them in this House. So I do thank them.

And, you know, it's the constituents that are the most important. We don't get elected in this House; we get elected back in our constituencies. And I know each and every one—each and every member here has constituents that approach them on a fairly regular basis with their issues and their problems and their concerns, their inability to deal with the bureaucracy or the government of the day, and they depend on us to be able to take that message forward. And that's the important part of our job. It's been the important part of my job for almost 28 years in politics. And each one of those constituents, no matter how small their problem is, is very big in their minds. And it's we that—we have to stand there and make sure that we take that battle on behalf of them. And I do know that for the majority of the people in this House, that is a very important function of their job, and I do know that people in this House are here for the right reasons. And those reasons, Mr. Speaker, are our constituents.

Mr. Speaker, I would like to thank my constituency association. As we all know, we have people that support us in our election campaigns. And they do it, and it never ceases to amaze me—they work so hard for the ability for me and you to sit in this House. And they do it because it's a labour of love. I have people pounding in signs at 6 o'clock in the morning, as you do. I have people delivering brochures, I have people collecting money, and they do it simply because they want to succeed along with you. So I have to thank my constituency association. And, for the most part, they've been there through my whole political career and they're getting as old as I am and as tired as I am, so I think they also need that break. I don't want to put them through that again for another election.



I've met a lot of new friends here, a lot of new friends. In fact, I probably made more new friends than a lot of others because I do have the opportunity of getting some fresh air breaks. As a matter of fact, Mr. Speaker, you and I took an awful lot of those fresh air breaks in the early part of the term. We miss you, by the way. I have to admit that.

But we do—we have an awful lot of fresh air breaks, and I'd just like to mention those people who help—actually, the member from Ste. Rose and I have a tendency of perhaps not being in this House as often as we should because we do take perhaps a few too many fresh air breaks but only in the summer. I don't take them in the wintertime.

But those fresh air breaks, we have the opportunity of talking to an awful lot of very nice people who work here in the Legislature, Mr. Speaker. And I would be remiss if I didn't mention Michele, who I think you know quite well. I'd be remiss if I didn't mention Jan and Cindy and Alison, Thomas, Lonnie, Glenn. Felix is always with us and I'd like to thank Felix for being there and sharing a lot of stories and a lot of interesting talk about what's going on in government.

And we even get a chance to talk to Michael Balagus on a regular basis, which most of you probably don't. But we get to talk to Michael on a fairly regular basis and he shares, believe it or not, a lot of inside information as to what's happening with government. So that's—we're very happy about that, believe me. Now, please don't hold him to account for that, okay, because he's probably feeding us false information anyway.

We also meet on a regular basis some very nice young ladies who, by the way, are in the gallery on the most part. They're the tour guides. They're Daisy and Vanessa. And we talk to them on a fairly regular basis. And, Mr. Speaker, they do a wonderful job here in this Legislature, and I hope everybody appreciates the effort that they put in with all of the guided tours that we have here in the Legislature and the effort and the energy and, certainly, the dedication that they have.

We run into a lot of security. Not because we're doing anything untowards, but it seems the security like to chat with us when we're having our fresh air breaks. And we get to know a little bit more about the operations here in the Legislature, as well, from guys like Ed and Ben and Mike and Claude and

others. And I know they're not going to get into trouble for that either.

There's two guys here that are really—that I've met and I've had an opportunity of getting to know a little bit better while I've been here in the Legislature, and it's our maintenance guys. You ever see Eddy and Ed floating around? Okay, great guys. Work hard. I should tell you, they work very hard.

The only problem is Eddy has a bit of a problem. Like the member from Dauphin, he cheers for the Toronto Maple Leafs, Mr. Speaker. Okay, now—and he's delusional, absolutely delusional, because he thinks they're actually an NHL hockey team. Fact is, now Eddy may well want to switch those allegiance to a team here in Winnipeg because they probably have a better chance of making the playoffs in their first year than Toronto does have now.

Hansard. There's a guy over here in the corner. *[interjection]* Penalty box. Danny and Reg and Derek. They're the visible individuals and we get to talk to them. I get to sit down and talk to Danny on a fairly regular basis because they get pretty bored in this House listening to members of the government talking about their bills, so I talk to Danny to kill a bit of time. And he's the visible one. He's here and he gets to sit out here.

But I should tell you, Mr. Speaker, Hansard, if you've never been down there, go down to the Hansard, down in the bowels of this building, because there's a lot of very wonderful people there working their little fingers to the bone trying to put our words onto paper very quickly.

And I have to apologize to Hansard because there are some times that I speak a little fast, and I'm sure they have to replay that on a fairly regular basis to get my words right. And it seems after we suggested that it be transcribed exactly as said, I find that I say "gonna," "wanna" and "shoulda" an awful lot. That's not what I meant, okay; it's "going to," "want to" and "should to," okay, but they don't do that in Hansard. So I apologize firstly for speaking too fast, but Hansard should, in fact, know what it is that I'm trying to say when I say it.

\* (15:50)

The keeper of the gates. When we walk in here, into the Chamber, there's lovely ladies out there. Denise, I don't think there's one day that hasn't gone by that I've come in here that Denise hasn't said good

morning or good afternoon. There's Jeanette and there's Barbara. They're absolutely outstanding people, and how often do we miss those individuals who are so important with the work of the Legislature?

Well, what would—I have to talk about members' allowance. They've certainly made my life interesting here in the Manitoba Legislature. There are rules and there are rules; there's interpretation of rules and there's interpretation of rules. Sometimes our interpretation just doesn't match, Mr. Speaker. So I've got a fairly reasonable working relationship with Jamie and Jean and Sandra. Sometimes it's not such a good working relationship. So, if I've ever said anything to them over the last four and a half years that I shouldn't have, I apologize in public now for that. I do know that there's been a few tears. They weren't mine. But we hope that that can be corrected.

The Sergeant-at-Arms and the Deputy Sergeant-at-Arms—if I can't get anything intelligent out of Danny, I usually go over to them and try to have a conversation. Blake and Ray, thank you for the job that you do here. Every once in a while, I try to beat you in before the procession comes in, and we do thank you for the job that you do here in the Legislature.

The table officers, Patricia, Monique, Greg, Claude, and now we have the new Deputy Clerk Rick Yarish, who had the experience, and probably a very valuable experience and probably a very enjoyable experience, of being the committee's clerk for PAC. I have never been called out of order so many times in my life by a technocrat who follows the rules right to the ninth letter of the law. There should've been some flexibility. Mr. Speaker, you give me flexibility. You give us flexibility. No, the Clerk of the committees wouldn't be that flexible, so—and the worst part, not only does he give the message to the Chairperson of the Committee of PAC, who is my colleague from Russell, who calls me out of order on a regular basis. I was confused. I was confused, but I do have to say over the last number of years, PAC has, in fact, grown and it's probably one of our legacies here to be able to say that we're now operating on a much better level with the Public Accounts Committee, and I do thank Rick for that, too, because he did put an awful lot of work into trying to get us going into the right direction.

Then there's you, Mr. Speaker. You've been here as long as I can remember. You are what I would say is a man of integrity. You are certainly fair,

approachable, extremely knowledgeable. Now, I doubt very much that if—I've ever given you any reason to chastise me. I have tried to continue to be somewhat shy more, and I—you know, I've seen those steely eyes of yours looking at me and I've seen those steely eyes looking at me, and I have to admit and I will, in fact, tell you today that it was not me. The member from Emerson has the ability to throw his voice two chairs down and if anybody is going to be blamed, it should be the member from Emerson, and I tell you—and I've only got probably one day left to show you, that, in fact, I can behave myself on a regular basis.

But, Mr. Speaker, I do like to thank you for your friendship, if nothing else. As I said, we've had an opportunity over the last four years to talk on a fairly regular basis. You do your job with extreme care and caution and, as I said, you do it on a very fair basis for all of us. So I do thank you for that and I thank you for our—and, you know, I did say to you at one time, as part of my bucket list, that I would like to get to Rankin Inlet at some point, and I do know that you probably will be heading in that direction at some point. So you never know—our paths may, in fact, cross again.

Caucus staff—if they'd work, it would be a miracle. Actually, as we know—my wife was a secretary in the school and, as we know, secretaries in the school really act—really run the school. It's not the principal and it's not the teachers; it's the secretary who is able to control the students and make sure that all of everything that's necessary is in place. I got to tell you, the caucus staff, particularly in our caucus office, carries that responsibility for the Progressive Conservative Party. So I would be remiss if I didn't thank Barb Craven for everything that she's done for me, actually.

When I first got here, I used some choice words to describe her and, thankfully, my wife said that if I didn't use those words, it meant I didn't like her. So I do like her and I can't call—I can't give her those names here on the record, Mr. Speaker, but I would like to thank Barb and Sandra, particularly, in the caucus office, for helping me. Now, when I see Barb, I do get a little nervous because usually she's sending me a bill and she wants more money to be paid in some way, shape or form, but she's only got one more day to be able to charge me anything there.

Mr. Speaker, it wouldn't have been any fun at all to be here for the four-and-a-half years if it wasn't for my colleagues. And I guess the first thing was, was

when I came here as a rookie, some four-and-a-half years ago, I was embraced into the Progressive Conservative caucus. I was walked through all of the processes and how I was supposed to behave and what I was supposed to do, and I do appreciate the fact that my colleagues accepted me at that point in time and still do, for the most part, I expect. But there are a few that take special acknowledgement. We have a bank of offices, 113, actually, we've got a bank of offices and there's a number of us that are in that bank. We have the member from Russell. We have the member from Lakeside. We have the member from Arthur-Virden, and we have the member from Pembina. Where is he? Oh, the member from Pembina.

Now, we're the quiet bank of offices. You can't usually hear us in the hallway very often, until the member from Pembina starts laughing. But we can solve all of this government's problems in a lunch hour. We can solve all of this government's problems at our debriefing session after the House is adjourned at 5 o'clock. We have got more talent in that bank of offices than this whole Legislature has, I can tell you that for a fact.

The only problem is, in that bank of offices, I don't know what it was, it might have been the water, but in that bank of offices, out of the members I mentioned, out of the five, three of us are leaving: member from Pembina, myself and the member from Russell. So I don't know if it was the member from Arthur-Virden that chased us away because when he comes into my office, you've killed the day, I got to tell you. So he just—maybe it was the member from Arthur-Virden, or maybe it was the member from Lakeside, but, for some reason, we've all decided to pack our bags and leave and head into the sunset.

But I have to wish my colleagues the best of luck going forward. The member from Fort Whyte has demonstrated his ability of exemplary leadership, and I mean that sincerely. I know the colleagues that remain behind are going to do a wonderful job of not only getting re-elected but, in my opinion, forming the next government. And I know I'll get some hoots and hollers, perhaps, from across the way, but that's where we're at right now, and that's where we want to be. And I do wish them the best of luck.

Now, we've also had some discussions within our bank of offices that when there are people who become ministers eventually, they probably won't take our calls. But we will attempt to keep in touch. When they say, I'm sorry, the minister's not

available, can he return your call or she return your call at some other time, they'll never call us back, Mr. Speaker. It happens, we know that. But we're very persistent. So we'll try to come and keep that contact with my colleagues over the next little while.

The one thing that I will miss—well, there's a few things I'll miss, and certainly it's our bank of offices because we do have fun at times—but one of the things that perhaps most of the members on the government side don't really get a chance to do is to spend more time with your colleagues in a—unofficial setting. From rural people, and most of us here are rural people, so we don't go home in the evenings. We stay in Winnipeg. And on Wednesday nights, we have rib night—

\* (16:00)

**An Honourable Member:** Tuesdays.

**Mr. Borotsik:** No, well, Tuesdays or Wednesdays. Tuesday's rib night, Wednesday is rib and wing night, okay. So, if you want to have wings, you got to do the Wednesday shtick, okay. Tuesday's rib, Wednesday's rib and wing. And we have the opportunity of getting together on most—one of the Tuesdays or Wednesdays. And that's probably the one thing that I'm going to miss about this Legislature is the ability to get together with my colleagues, my compatriots—[interjection]—and Tanya—oh, well, we won't—you can't do that. But rib night certainly is something that we would like to continue, probably this evening, I suspect.

Now, last but not least, why am I leaving? Why am I no longer going to put my name forward? Well, first of all, 28 years in political office is plenty. It's enough. You live in a fishbowl for that many years; it's time to perhaps to take a little break. No, I'm—it's not a little break; this is retirement, okay? I'm not Brett Favre. I can assure you of that. This is it. I am not coming back. I'm leaving. That's it.

That decision, by the way, wasn't a single decision that I had to make; it was a joint decision. You remember the comments I made about Jean Charest? The one thing you have when you leave this place is you've got your family. Well, my wife and I decided that four-year commitment at our stage in life was too much of a commitment to make. It's a long time, and when you make that commitment, you make sure you live up with the commitment. And four years just wasn't in the cards.

We decided, not I but we decided, that it was time to work on our bucket list and that window—now, there's a lot of young people here, not so many on this side, but there's a lot of young people here. There are some young people, don't get me wrong. But when you get to be a more mature age, that window has a tendency of narrowing a little bit, so the window's a fair narrow and four years has a tendency to take a pretty good chunk out of that opportunity. So my wife, Norma, and I decided that it would be better for us to fulfill our bucket list than it would to—don't take this the wrong way—spend my time here with you wonderful people here in the Legislature.

The opportunities we have—I have a son who's getting married finally—finally. I got to send him this *Hansard*. Oh, I'm too old to be—no, I should be a grandpa.

**An Honourable Member:** How many grandchildren—

**Mr. Borotsik:** Now, see, that was coming, okay? In this bank of offices that I talked about, okay, everybody—everybody has grandchildren except who? Me. And if you don't think they don't throw that in my face on a regular basis, okay, well, I am going to throw it back at them. I can't make any promises because it's really not up to me, but my son will be getting married this summer finally. I mean, at 35 years old, don't you think it's about time, okay? So anyway, and they're talking—they're talking about perhaps starting a family. Now, he lives in Calgary; my other son lives in Victoria, and I'm sure, should things go properly, we would like to spend a little bit more time with grandchildren. Okay? So stop it, all of you. The—[interjection]—I know, I know. That's one of the reasons why Norma and I have decided that it's time to go now.

In saying that, I can also say—and people ask me the questions quite frequently. They know I'm not coming back. They know I'm retiring, and they say, well, are you leaving? Are you moving? And the answer is an unequivocal no. Brandon's home. Lots of people here know Brandon. Brandon's home, always has been home. I've had the opportunity and the—and, certainly, the wonderful experience of living in other places, living in Toronto and Calgary and Red Deer and Lethbridge. But Brandon's home and I have no intentions of leaving.

Now, in saying that, I would like to say to my colleagues, when you form government, please look at the tax rates in the province of Manitoba, okay?

There are better tax rates out there, but Brandon is home, Manitoba is home, and we're certainly going to stay here for as long as we possibly can and, obviously, be able to do more things in my own home community.

My wife and I have a bit of a standing joke. And I should thank the member from Russell, first of all, for the member's statement that he did yesterday. If you get a chance, read it in the *Hansard*, because, quite frankly, everything he said is absolutely bang on. We know that our spouses and our partners put up with a certain amount of sacrifice with us being here in this House. My wife and I have a standing joke, and when people ask us how long we've been married, I say 39 years, 19 happy ones. Thankfully, she says those 19 happy years were the years that he was home, not the years that he was away.

And it's probably close to the truth that our spouses, our partners, are asked to sacrifice so much with us being in this House, being away from home weeks at a time and not there when we should be there. As a matter of fact, I missed my wife's birthday on Monday, June 6th. I was here in this House. That's the last birthday I'm going to miss, I can promise you. I'm not going to miss any more because I'm not going to have to be anywhere that I don't have to be.

So the questions I get asked: Why are you leaving? Because it's the right thing to do. Are you staying? Sure, I'm staying in Manitoba because it's my home. It's where I belong and we hope Manitoba can certainly grow and prosper in the years to come. Am I going to miss my colleagues? Of course, I am. That's part of what we have here in the House, is a relationship.

And I guess in closing, there is no science in political science. There is none. What there is is relationships and the relationships that you can develop on both sides of the House. We're all here for the right reasons. I, for the life of me, cannot entertain or subscribe to the government's ideology and philosophies. I can't. Okay, but I learned a long time ago that people on the government side cannot entertain or subscribe to my ideology either, so that's an agreement to disagree on certain issues. But that doesn't mean that you can't respect people. And I look around and I see some of the ministers here that I've dealt with on a fairly regular basis, and I'd like to thank you for the help that you've given me in files that I've had. For your staff—your staff are there for the right reasons as well. They want to assist on the

files that I open up for my constituents. And we're all here for the right reasons, and you develop those relationships. It's not political science; it's relationships, and that's what it's all about.

And it's about respect. I don't have to believe the way you believe, but I can respect you for the way that you think and respect us for the way that we think. And when one respects one, then you earn the respect of others and that's really what I have found here in this House and in other levels of government as well.

So, Mr. Speaker, thank you for everything that you've allowed me to do, for everything that you've allowed me to do during question period, although it hasn't been that much. I thank the members opposite for allowing me to—or having you assist me in some of the files. And I thank my colleagues, particularly, for everything that they've done for me. And I'm going to miss you, but the very first thing I said, there's life after politics. Make no mistake about that. There is life after politics. I won't forget you, but our associations are probably going to become a little weaker as the years go on.

So I thank you for your help. I thank you for your friendship. I thank you for your camaraderie, and I do wish my colleagues the very, very best come October 4th. So thank you very much.

\* (16:10)

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to start by paying a tribute to the member for Brandon West and, indeed, all the other MLAs who are leaving for other—to go in other directions.

Certainly, it has been a pleasure to be able to be here with the member for Brandon West and to join him on numerous occasions for various committee meetings and events and so on. And I want to compliment the member for Brandon West on his parting comments and wish the member and his family all the best in the years ahead, and have many good birthdays with your wife, both hers and yours.

Mr. Speaker, I'd like to say a few words about this bill, this legislation which is The Liquor Control Act amendments, and I want to start, you know, in reference to some of the things that were said at the committee stage. Mr. Marling, for example, talked about Manitoba's restaurant industry, which is a substantial one, contributing 1.7 billion in sales to the province's GDP and 41,000 jobs to our workforce.

However, as Mr. Marling pointed out, restaurant sales in Manitoba are not keeping pace with the rest of Canada. Adjusted for menu inflation, real commercial food service sales in Manitoba were flat in 2010, while the rest of Canada saw a 4.1 per cent increase.

Indeed, as Mr. Marling pointed out in his presentation, Manitoba's restaurant industry is underperforming compared to the rest of the country. There are 400 fewer fast food—fewer food service establishments in Manitoba today than existed just 10 years ago.

And, Mr. Speaker, I don't believe that that's a reflection on the people in the fast food industry who are, by and large, very hard-working people who put in extraordinary long hours, who do a great deal to provide food service to all of us. Indeed, I think it is a reflection on the way this government has not supported small business in the way that it should and, indeed, as I was talking in question period today, that more can and should be done to ensure we have a very vibrant, viable, progressive restaurant industry.

Now, it is with that in mind and those discussions that I talk specifically about the elements of this legislation. Certainly, The Liquor Control Act has been out of date for quite some time and a modernization has been required. In fact, this is a pretty timid modernization and well behind what's happening in most other Canadian provinces. Indeed, there's nothing really truly innovative here. Although it provides a modest improvement in liquor laws, it's not really a true liberalization, as it were.

The push to allow beer and wine sales in stores is not precisely what most people, I believe, would expect. Manitoba Liquor Control Commission will now compete with private wine stores by allowing for the Manitoba Liquor Control Commission to open stores inside select grocery stores. Indeed, this opens things quite wide up in terms of where the Manitoba Liquor Commission can put stores which, rather than creating a flexible system for grocery stores and collecting taxes and duties from those sales, we have the Manitoba Liquor Commission in essence providing more competition with the private sector. Now, that's not necessarily all bad, but certainly there have been some concerns raised, as we've heard at the committee stage, from private wine store owners and, indeed, particularly from beer vendors.

This act doesn't deal with some of the more archaic rules of the Manitoba Liquor Control Commission. There's nothing in the bill that would mean a busy liquor store couldn't stay open past 6 o'clock on New Year's Eve, which last year fell on a Friday, for example. It doesn't deal with the archaic system of differing licences for beverage hotels, cabarets, restaurants, pubs, et cetera. Indeed, as a number of presenters pointed out, I think there's now about 12 different licences, and it would have been smart to simplify this very considerably and dramatically reduce the number of different types of licences.

This—you know, many different licences, of course, has led to inequities in the liquor system so that establishments across the street from one another, which are similar but not precisely the same, have differing hours of operation and so on. And it has meant that restaurants like Earls are occasionally shut down for a day because their ratio of food to alcohol isn't precisely what the MLCC's overly restrictive requirements require.

And, of course, it means that one of my constituents can't go to McNally Robinson at Grant Park and order a glass of wine with an appetizer or dessert, but needs to order an entree.

And so there is considerable more work to be done here and, indeed, there is more work to be done, not just in terms of the liquor laws, as I've already talked about, but individuals who presented at, including, for example, Fred Curry pointed out that other jurisdictions have looked very carefully at the geographic distribution of liquor stores in relationship to schools, daycares, churches and so on, and many other jurisdictions are moving to look at what is the appropriate geographic design of neighbourhoods and what can be done, indeed, to reduce violent crime. And places like Austin in Texas have looked at this issue and found that by making some modest changes, they can, in fact, dramatically reduce the violent crime which is often tied to consumption of liquor.

So I think those are, you know, important considerations. There are, I think, some additional items here, and although I have concerns and expressed concerns about this legislation, I'm ready to support the overall bill, believing that it is a step, as some of the presenters have said, a small step or a baby step, and I look forward to this moving forward.

Thank you, Mr. Speaker.

**Mr. Peter Dyck (Pembina):** Oscar Welles once said that, and I quote: If you want a happy ending, you need to know when to end your story.

I had always determined that I wanted to leave on my terms and I didn't want to have the general electorate make that decision for me, and so that is certainly one reason why I will not be running in the next election, as well.

Abraham Lincoln said, and I quote: "Whatever you are, be a good one." And that is exactly what I have tried to do and to exemplify over the years that I have been here and have been involved in public office.

Now, this will be one of my last opportunities to put a few comments on the record regarding my last 16 years, and there are certainly aspects of this Chamber that I will miss. However, in talking to others, who have retired or listening to the member for Brandon West (Mr. Borotsik), there will be life after politics.

That is certainly something that others have experienced and I have talked to those who have retired or to some who have, and they say, in fact, it gets better as time goes on. So I'm looking forward to a number of very good years.

Now, we get very absorbed and caught up with what is taking place here in this Chamber. However, how many Manitobans know that we're actually in session right now? I would venture to say not many know and, in fact, for those of us who come from rural Manitoba, when I've been gone for the week, they'll ask me how things were in Ottawa.

So that is something that, I think, we all experience as time goes on, and so, while we take our jobs very seriously here, we also know that there is another group of people out there who really are counting on us to make some good decisions for them but have no idea that we are actually in here working on their behalf.

\* (16:20)

When I allowed my name to stand to represent the constituency of Pembina, I had no idea that 16 years would pass so quickly and, in fact, I see the member for Steinbach (Mr. Goertzen) sitting here—that was in 1995, when I was elected, and it was like the election and a few days later we were in session, and I was asked to respond to the Throne Speech. And I know the member for Steinbach—and I have to tell you, I was a greenhorn, he was an intern. He was

rather green as well, but we both, I think, grew up and matured in our positions, but he spent the night writing my speech for me. Thank you.

**An Honourable Member:** But not this one.

**Mr. Dyck:** But not this one. You told me I was on my own here. Having been involved in public life for many years—18 years on the board of directors in the local credit union, five years as president there; 17 years in the Garden Valley School Division, 10 years as chairman; church boards, committees, and you may not believe this, but I conducted a choir for 22 years—anyway, I felt that my public service had come to an end.

However, when Bob Derksen asked me to let my name stand for the nomination for the local Progressive Conservative Party, I threw my energies in that direction with the thought of making a difference in the Pembina constituency. Well, I thought I would try this for one term, which would be four years, and four years turned into 16 years.

Mr. Speaker, I have valued your friendship. I appreciated your fairness and your determination to keep the rules of the House. I wish you all the best as you plan to change careers as well, and, as you have said, to spend more time with your family. And, I think that, as the member for Brandon West (Mr. Borotsik) said, in the final end, family is really what keeps us going. And we look forward to those days very much.

Now, I also see, up in the gallery here, and she has been mentioned as well, but Barb Craven taught me a lot of things here. She was—for many years when I was caucus Chair, she would tell me what to do. And you know what? I'm used to that. I'm used to that, so this was nothing new for me, but I do want to thank her for the input, the encouragement that she was to me and, as one of the honourable members mentioned here, for the good meals that we had at caucus meetings.

A number of MLAs have been—have made their intentions known: the member for Burrows (Mr. Martindale), Lord Roberts (Ms. McGifford), Flin Flon (Mr. Jennissen), St. Norbert (Ms. Brick) and St. James (Ms. Korzeniowski). And I wish you well as you take a break from this place and get back to a more normal way of life. And while we may have had and will continue to have some political differences, I believe that we all came here with the objective to make a difference.

And so I, too, value those friendships and will say a few more things about the class of '95. And maybe I will do at this point, but I see the member for Dauphin sitting there and the member for Flin Flon, and we are the, at this point, the only three members left from a large group that was elected in 1995. *[interjection]* Oh, the member for Lord Roberts, that's right. Right. There are four of us. But I know that the three of us won't be here, and I'm not so sure about the member for Dauphin, but I guess October the 4th will determine that. So, anyway, it's been a great time getting to know each one of you.

When I was elected in 1995, I met the member for Russell (Mr. Derkach) and over the period of 16 years have grown to respect his political insights and his ability to make impromptu speeches and, of course, as the member for Brandon West indicated, also his ability to make some real dramatic changes in Public Accounts.

Now, I would be remiss if I didn't mention that, when he was the minister and we had a public function in Winkler—in fact, we had a ribbon cutting. I was there. I was the newly elected MLA for the area and I was standing in the background, you know, where I was supposed to be standing. The minister introduced everyone at that ribbon cutting, in fact, the mayor and the council and all the other members, and I'm standing there and waiting and sort of saying, hey, me too, me too. But, no, he was preoccupied with other thoughts and so I have—and he was—on the other hand, in defence of him, though, he has apologized many times for that. But I just felt that it needed to be mentioned today.

Then I want to talk a little bit about the member for Brandon West, and, of course, he hasn't been around for 16 years. Not here, that is—he's been around. We knew all about him. In fact, when he was in Ottawa, we could hear him speaking in Manitoba, so to say that he is not outspoken and he's a very quiet gentleman would be an understatement. But, again, we've had great times, and I know you talked about the opportunities or rather the discussions we've had in Room 113, great times together.

Then there's the member for Portage la Prairie (Mr. Faurshou), and I put down in my little notes here that he's always been a stickler on detail and process in this Chamber, and I think that's something that I will remember from having you around here as well. And so I wish both of you well.

And then, of course, there's the member for Lac du Bonnet, and he didn't get that opportunity to make this speech here, but I know that he will do well, and I do wish him all the best.

We've had many good times together, and I will always remember the coffee and the lunch hours that we had in Room 113 solving the ills of the day. What a bank of offices: the member for Russell (Mr. Derkach), Lakeside (Mr. Eichler), Brandon West (Mr. Borotsik), Arthur-Virden (Mr. Maguire). I don't think it was the nosiest bank of offices in the building, but there were times where it got to be a little rowdy, and I know that the staff working there would indicate that the days that we were not in session were absolutely boring for them, and so what we tried to do was to keep them engaged and keep them occupied. And so they also knew that when we came, the quietness would disappear and the noise would certainly take over.

Now, as also was indicated—and Gary Filmon who was the Premier when I was elected indicated to me the same thing as the member from Brandon West mentioned that Jean Charest had mentioned to him, that family was very, very important and to make sure that at the end of the day you had the family to go back to.

So I want to thank my wife, Irene, for the strength and support that she has been to me over these years, our wonderful children, Pat, and I call him the farm boss who took on huge responsibilities when I came out here, and he's grown the business during my absence and done an exceptional job, and then our other children, son-in-law Rob and our daughter, Shannon, and their three children, Jady and Kurtis and Ryan, and I have—[interjection] Those are grandchildren, yes, and I know the member for Brandon West—well, okay, let me—[interjection] Yes, and I had nothing to do with this either, so take it easy.

Anyway, Jady and Kurtis and Ryan, what a bunch of guys. They're hockey players. I have enjoyed going to their hockey games, and it's been just a real source of relaxation on the weekends when we're home. And then our daughter and son-in-law who live in Georgia, and a week from today, I believe, I will be out there if all goes well, and their children, Isaiah and Troy. But, again, these are the wonderful times that we have as we get together with our children.

Now, this truly was a family affair and I want to thank each one of them for the part they had in

making my 16 years as an MLA an enjoyable and rewarding experience. Many times I could not attend their functions due to prior commitments.

Now, I do have a regret in all of this and it was the year that I was elected, and actually it was—at that time, we were in government, but it was the NDP's fault that they called a vote in the evening. It was during my—our daughter's graduation. And so I got this call from our then caucus chair, Ed Helwer, and I will not repeat the words that he used, but to make a long story short, get out here now. And so, in the middle of the graduation, I left and I drove to Winnipeg for the vote, and they waited till I got here.

So, like I say, there are some regrets that we have in life and that is one of them. I will never be able to relive that, but, again, at the end of the day, I know that things have gone well for her, and so, you know, we move on from there.

Then I need to also, and want to, thank the people who elected me, my constituency—my constituents, rather, and the support that I have received from them over the years. And, of course, the Pembina constituency, my secretary, Dianne Lambert, has been with me during these 16 years, has done an excellent job of keeping me focused and keeping me involved in the community. And, I guess, in all of that, I've always said that the day that the election is called, the next day, I'm not out door-knocking, but I'm already getting ready for the next election.

\* (16:30)

And so I know that we run our campaigns in different manners, but that was the way that I liked it and enjoy doing it. So I had a—the routine of going to coffee shops, going to businesses, meeting with people and so she kept me on track with that as well.

And then my president, Gary Gilmour; past president, Linda Mereck; Tom Wiebe; Nancy Penner; Donna Harasymec; Michael Grenier; Jack Wiebe—I will never forget the meetings that we had at 7 o'clock in the morning at the Kopper Kettle. It was, sort of, in between the Manitou and the Winkler, and so we had to do these things, not in the Winkler area or the La Riviere, but we could do it, sort of, dead centre. So that's where we had our executive meetings and it worked out very well.

I also want to thank the past and the present mayors and council members, the RMs and their CAOs, and I'll just mention a few of them. The



mayors of Winkler that I had an opportunity to work with were H.F. Wiebe, John Krahn and Martin Harder. From Morden, the mayors were Gerry Gebler, John Wiens, Doug Wilson and now Ken Wiebe. And then for Manitou, the mayors, Walter Mueller, and he was there for many, many years and I think he's in the baseball hall of champs, if I'm right, and then Jake Goertzen as well. And, then the reeves, Art Petkau, Ted Dyck, Robert McLean, Kim Taylor. It was a delight to meet with them just—we did meet on an annual basis, but we had—the doors were open and they would give me a call if they had issues and so I was able to meet with them.

Now, some of the highlights that have taken place within the last 16 years, and I always put Boundary Trails Health Centre as the, sort of, the one that I look at as having helped to lead the growth in the rural area in the province of Manitoba, and just on that I'm going to make a few comments. That site, that used to be the Bethel Hospital in Winkler, this past Sunday we opened—officially opened the Heritage Park on that site. It's a three-and-a-half acre spot. And what I like there, and I do this comparison when I made a few comments at the opening, was that on the east side of that—the park, we have the cenotaph for those veterans who've gone to war. On the west side, we have a cairn that's been erected of those who are the conscientious objectors. Now, in the centre, we have a large fountain which was brought in from New York, and it's a gorgeous fountain. If you ever have an opportunity to come out there and to see the park, it would be worth your while. But what I want to say was the fountain was one of peace and tranquility, and that's what it represents. But to have the opportunity and the privilege to put these two groups together onto the same site is remarkable, and so to me that was a very meaningful experience, to be able to do that.

But, anyway, going on as to some of the things and highlights that have taken place in the past 16 years: the four-laning between Winkler and Morden; the main street projects in the communities; new schools in the Garden Valley School Division, and there I've been able to work together with the ministers on the opposite side here to be able to make sure that we would get schools there and, as we speak, they are being built; the Pembina Valley park, the provincial park, was officially opened in the year 2000 and, again, a highlight of being able to designate an area that is beautiful for—as a provincial park. And, again, I would encourage anyone who is in the area to come and take the walking trails.

There's many, many miles of walking trails out there. The establishment of the Pembina Valley Water Co-op. This was another feat which allowed the communities to grow, and I know that the member for Russell (Mr. Derkach) had a hand in that one as well. And so it was good to be able to have that as a secure water supply for the area. And, right now, the way it's linked together, there's a number of avenues where you can get water from should one fail, and that was something that, of course, we wanted to get done. Then the affordable housing, which is being built. In fact, they just started several weeks ago in Morden. And then I put this down, sort of, in quotation marks, the potential for a new personal care home in Morden.

Now, I know the announcement isn't made and I see the minister there and I am trusting that this will take place, that—[interjection] That's right. And I had the opportunity to read a few petitions in this House as well. In fact, I think most people knew it from memory by now. But, anyway, we have that hope that it will come.

Now, when I look at the Morden-Winkler area, and that's, of course, what the new constituency will be called. I have said this for a number of years, that some day, I'm sure it will be called the twin cities of Manitoba. We have the city, which is Winkler, and we see the growth has taken place within those communities right now, that I can see this taking place. I think that could be a real reality.

Now, on the other hand, I talked about some of the highlights, I also had some of the frustrations of being within this Chamber here and, you know, the frustration of a government's lack, or appeared lack, of interest in dealing with an area that is one of the fastest growing rural areas in Manitoba. You know, we had needs, and I also found it rather interesting that when members of the government want to talk about growth that was taking place within the province, they would use the illustration of the area that I represented, the Morden-Winkler area. And that was fine, that was great. We talked about immigration. We have had a lot of immigrants coming out there who have—who moved out there, who have really contributed to those communities. And we appreciate them for coming.

And so I found it interesting that the government of the day would sort of pat themselves on the back for the fact that immigration was coming to that area, that, you know, there was rapid growth, good growth, and yet, though, to me, when there were

things like, well, the four-laning of Highway 32 or schools, which, you know, we have now—we're building some, but there's one that's promised that hasn't been started yet. Personal care homes, you know, when you have growth like that, you've got a variety of ages—age groups that you need to provide for.

And, again, when we do the demographics within the area, we have a very good average. Like, we're not weighted on the side of having a lot of seniors nor on children. It's a good average. And just on that, I need to tell you that Boundary Trails had a thousand births there last year. And, so these are all people who are going to be in the community. Now, whether they will stay or not, of course, is something that they will decide. But the growth is there, and there's no doubt about it.

Affordable housing and other amenities are there to meet the needs and to accommodate the growth within these communities. And so there was a frustration with that.

Now, another one, and I just was talking to the member for Portage la Prairie (Mr. Faurschou) about it a few minutes ago, following the 1997 flood, and as we did some of the surveys of seeing what was taking place with the water and when they came up with the commission—or the commission came up, rather, with their findings on where the water had come from, they determined that the—around the Z-dike, that probably a foot of the water there was attributed to the water coming from the Pembina River. And so I know that it had been worked on previously, but it was another opportunity to revive the notion of putting up the Pembina dam.

And I still think it needs to be done. I think it'd be wonderful. There are the drawings out there that there'd be one dam that would be just—it's about a kilometre north of the US border, and there'd be another one on the US side. And I know that through the International Joint Commission, they were working collaboratively in trying to get this done.

Now, following the '97 flood, they are—there was good work being done. That, somehow, stopped when the election was—when we lost the election in 1999, and it—then the Premier, who was Gary Doer, every time things got a little heated in here, he was off to Devils Lake, trying to pass whatever it was, but, you know, take the attention away from what was taking place. And I regret that, because I think

that we had the—we had a good working relationship with the US, with the federal government. They were all prepared, you know, this was something that needed to be done.

And just on that Pembler Dam, that would have given us an extra 400,000 acre-feet of water, which would be good potable water for the whole area and for the growth out there.

So these were things and, you know, the—my successor will be able to work on some of these issues as well.

\* (16:40)

So I just want to thank you all for having made my past 16 years enjoyable. Irene and I are opening another chapter in the book of life and taking a break from politics. I have had numerous opportunities to be involved on different boards; however, we have decided to take a break for one year, and, if we enjoy that, we may do that for another year. And then who knows where that will lead us? *[interjection]* I have a little bit of heckling from a member from Brandon West, and he had his opportunity to speak and now it's mine. So right now, we intend to travel, to spend time with our children and grandchildren.

I put down here that I will miss this place, but I also put in brackets that it'll be like a toothache, you know. No, that might be the place, but I will miss the people here. Both sides of the House, my colleagues, it's been wonderful, it's been a blast, and I will cherish these memories as long as I live. So thank you for 16 wonderful years.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is concurrence third reading, Bill 41, The Liquor Control Amendment Act.

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

#### **Bill 43—The Real Property Amendment Act**

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Health (Ms. Oswald), that Bill 43, The Real Property Amendment Act; Loi modifiant la Loi sur les biens réels, as amended and reported from the Standing Committee on Social and Economic Development,

be concurred in and be now read for a third time and passed.

***Motion presented.***

**Mr. Blaine Pedersen (Carman):** I just want to say that our party certainly supports Bill 43. The only comment I want to make on this one is that Bill 43 is an example of how committee really should work. There was a group came forward that presented at committee, that met with the minister prior to the public committee meetings, and ultimately an amendment came forward from the minister himself. And we certainly look forward to having this bill passed, but it is an example of how the public committee meetings can and should work. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I just want to briefly indicate support for this amendment, Bill 43, The Real Property Amendment Act. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 43, The Real Property Amendment Act.

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

**House Business**

**Mr. Speaker:** The honourable Government House Leader, on further House business?

**Ms. Howard:** Yes, Mr. Speaker, on further House business.

Would you call bill—third reading on bills 14, 20, 21, 38, 13 and 28.

**Mr. Speaker:** We'll deal with the bills in this order: 14, 20, 21, 38, 13 and 28.

**Bill 14—The Prescription Drugs Cost Assistance Amendment Act (Prescription Drug Monitoring and Miscellaneous Amendments)**

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Health (Ms. Oswald), that Bill 14, The Prescription Drugs Cost Assistance Amendment Act (Prescription Drug Monitoring and Miscellaneous Amendments); Loi modifiant la Loi sur l'aide à l'achat de médicaments sur ordonnance (contrôle de certains médicaments couverts et modifications diverses), reported from

the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

***Motion presented.***

**Hon. Theresa Oswald (Minister of Health):** We know the changes proposed in Bill 14 are intended to help improve the appropriateness of medication prescribing in our province. This came from very sage advice from a number of groups, including the College of Physicians and Surgeons of Manitoba, the Auditor General and an external advisory committee on Pharmacare, as well as numerous advocates.

We were very pleased to receive this advice and we believe that this is a very important step in dealing with complex drugs and the prescribing thereof in our province. Thank you.

**Mrs. Myrna Driedger (Charleswood):** We've spoken in support of this legislation. I would note that Saskatchewan passed this almost five years ago and it is something that we need out there. The groups here in Manitoba have been asking for this for a long time.

So we're pleased to see it come forward finally because it'll be an improvement in terms of addressing the issue of medication prescribing. So we're certainly in favour of it.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to indicate support for this bill.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 14, The Prescription Drugs Cost Assistance Amendment Act (Prescription Drug Monitoring and Miscellaneous Amendments).

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

**Bill 20—The Defibrillator Public Access Act**

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Health, that Bill 220, The Defibrillator Public Access Act; Loi sur l'accès du public aux défibrillateurs, reported from the Standing Committee on Human Resources, be concurred in and be now read for a third time and passed.

***Motion presented.***

**Hon. Theresa Oswald (Minister of Health):** We believe as, it is my understanding, do all members of this House that this act is going to be very important going forward to assist in saving lives, very simply put. We want to extend our heartfelt thank you to paramedics in Manitoba, to the Winnipeg Fire Paramedic Service, to the Heart and Stroke Foundation and, indeed, to individuals that have been advocates for bringing defibrillators to the public and providing public access.

We know members opposite have brought forward a private member's bill on defibrillators and that they feel passionate about this as well. We commend them for that. This particular bill, slightly more comprehensive in nature, is really going to make a big difference in the lives of Manitobans, and so we congratulate those that have been such important voices therein.

**Mrs. Myrna Driedger (Charleswood):** The Progressive Conservatives are in favour of this legislation.

**Hon. Jon Gerrard (River Heights):** I rise, Mr. Speaker, to indicate support for this bill. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 20, The Defibrillator Public Access Act.

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

**Bill 21—The Organ and Tissue Donation Awareness Day Act**

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Health, that Bill 21, The Organ and Tissue Donation Awareness Day Act; Loi sur la Journée de sensibilisation aux dons d'organes et de tissus, reported from the Standing Committee on Human Resources, be concurred in and be now read for a third time and passed.

*Motion presented.*

\* (16:50)

**Hon. Theresa Oswald (Minister of Health):** To all members of this House and beyond, sign your donor card and have that important conversation with your family.

**Mrs. Myrna Driedger (Charleswood):** We're in support of this legislation.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to just put a couple of words on the record the importance of organ donation, and my colleague, Kevin Lamoureux, who worked very hard in this area, and together we put forward a number of measures to try and make sure that there was greater awareness and support for organ donation. And certainly this is a critical, area and I want to recognize publicly Kevin Lamoureux's important role in this area.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 21, The Organ and Tissue Donation Awareness Day Act.

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

Bill 38, The Regional Health Authorities Amendment Act (Accountability and Transparency)—

**House Business**

**Ms. Howard:** Before we continue, I wonder if you could canvass the House to see if there's leave to not see the clock so we can complete the third readings. I don't expect that would take beyond 5:30.

**An Honourable Member:** No.

**Mr. Speaker:** Is there a will of the House for the Speaker to not see the clock until we conclude concurrence and third reading of the bills before us? Is there agreement?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Speaker:** No, I heard a no.

Okay, let's continue on.

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**Mr. Speaker:** Order, Bill 13, The Preparing Students for Success Act (Various Acts Amended).

**Ms. Howard:** I think we're at Bill 38.

**Bill 38—The Regional Health Authorities Amendment Act (Accountability and Transparency)**

**Mr. Speaker:** Oh, 38, The Regional Health Authorities Amendment Act (Accountability and Transparency)

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Health, that Bill 38, The Regional Health Authorities Amendment Act (Accountability and Transparency); Loi modifiant la Loi sur les offices régionaux de la santé (responsabilisation et transparence), reported from the Standing Committee on Human Resources, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Hon. Theresa Oswald (Minister of Health):** It's my privilege to put a few more comments on the record regarding this act. Bill 38, Mr. Speaker, The Regional Health Authorities Amendment Act (Accountability and Transparency), will make RHAs even more open and accountable to the patients and the communities they serve while directing resources to the front line.

We know that at the time that regional health authorities were created in the 1990s, 13 regional health authorities were created in Manitoba, including two in Winnipeg. We know that Manitobans expect their government to eliminate waste and inefficiencies in health care and direct funding to the front line, which is exactly what we've been doing since 1999. It's why we streamlined the number of RHAs from 13 to 11, made them more efficient, re-invested these savings to help us add over 3,000 more nurses and over 400 more doctors.

Bill 38 will cap and limit corporate spending in RHAs to ensure maximum resources are directed to front-line care where they're needed most. Winnipeg's RHA corporate cost will be capped at 2.99 per cent or less of their total spending. Rural and northern RHAs will have their corporate costs capped—set in regulation to reflect the differences between a large, major urban region and a small rural region. We want to ensure that all RHAs have the appropriate controls in place to support front-line care delivery and ensure fiscal responsibility and accountability.

Bill 38 also takes a number of steps to make RHAs even more open and accountable while supporting quality and patient safety: all RHAs will be required to consult with the patients and families in their regions to develop a declaration of patient values; all RHAs will be required to ensure that a process in place to resolve patient concerns; all RHAs will be mandated to be externally accredited

to support quality improvement; and all RHAs will be required by regulation to develop and publish quality and patient safety indicators.

We believe that this legislation will go a long way to enhance accountability and transparency, although much of this work is currently ongoing in most regional health authorities, by streamlining and making consistent certain policies and quality and patient safety indicators.

We believe, Mr. Speaker, that this legislation will go a long way to enhance accountability and transparency, although much of this work is currently ongoing in most regional health authorities. By streamlining and making consistent certain policies and procedures, we know that this will help with transparency and accountability in our RHAs. Thank you.

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, we know that NDP actions speak louder than last-minute bills. They failed to address these issues for 12 years; now we see a conversion on the road to an election. It may be 12 years too late, but, certainly, the legislation that's before us is something that needs to happen in Manitoba, should have happened a long time ago. Maybe not as robust as it needs to be, but, certainly, with what is there, we can support it, considering half of this legislation has come from ideas we put forward in private members' legislation.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to comment briefly on this legislation.

Most of what is in this legislation should have been brought in in 2000 or 1999, shortly after this government was elected. It's very difficult to understand how come it took 12 years to put these measures in to have, you know, appropriate strategic plans, to have limits on corporate costs, to have processes for resolving patient concerns. I mean, it's astounding that this—such basic and elementary measures, you know, were not there under this government. And that's, of course, one of the reasons why there have been many, many troubles in the health-care system as it's been run by this government.

I've got to say, and it was notable, that the NOR-MAN RHA review, which looked at major problems within the NOR-MAN RHA, came down at the end of the day, said that they couldn't adequately deal in their review team with the quality

issues and with the finance issues, and that's a pretty telling comment.

And, indeed, when you look at this legislation, one of the problems is that when it comes to the section on quality, it's a very weak section. That there may be periodic public reports about matters relating to quality, and we're not given any specific details. Certainly, the fact that the NOR-MAN Regional Health Authority review couldn't adequately assess quality means that there was a major deficiency in, you know, the ability to collect information on quality and the ability to deliver it in a way that could be adequately evaluated by a review team.

I mean, it was astounding that the very essence of what should have been looked at by the NOR-MAN Regional Health Authority, which is the quality of care, how well patients are being treated and cared for, was not adequately addressed. In fact, they said, we can't look at it, because, you know, for whatever reason, they felt that, even though they were free of what one would be generally regarded as the—some of the most eminent leaders in the RHAs in Manitoba, they were not able to look at one of the most fundamental and one of the most essential components of care and—in the RHA. And that tells you something, that there is still a long way to go, that this government, after 12 years, is really just at the starting gate.

And, when it comes to finance, I want to make a couple of quick comments. One is that I think that the way that they are approaching the corporate spending and limiting it will have lots and lots of loopholes. There are lots of areas of administrative spending which are not covered under corporate spending, and it'll be very easy for RHAs, if they so choose, to disguise administrative expenditures in all sorts of ways.

The second thing is that, as the NOR-MAN Regional Health review determined, that there's much more than just corporate spending when you're looking at accountability of spending, and we really need something that is much better than this in terms of financial accountability. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 38, The Regional Health Authorities Amendment Act (Accountability and Transparency).

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

\* \* \*

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

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Wednesday, June 15, 2011

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