

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

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The Honourable George Hickes
Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
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.
BRICK, Marilyn	St. Norbert	N.D.P.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
IRVIN-ROSS, Kerri	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.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon	Riel	N.D.P.
VACANT	Minto	
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa	Seine River	N.D.P.
PENNER, Jack	Emerson	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
VACANT	Turtle Mountain	
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 9, 2004

The House met at 10 a.m.

PRAYERS

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I am just wondering, just to get more time on the bills from committee, is there agreement of the House to have the committee reports from Legislative Affairs and Social and Economic Development, so that we can move to report stage or third reading and concurrence, as appropriate.

Mr. Speaker: Is there agreement of the House?

Hon. Jon Gerrard (River Heights): There was some noise in the Chamber, and I did not fully hear what the Minister of Justice (Mr. Mackintosh) was asking for. Could you make sure?

Mr. Speaker: Okay, honourable Government House Leader, would you mind repeating that?

Mr. Mackintosh: At 1:30 p.m. we have the committee reports from Legislative Affairs and Social and Economic Development. Just to get an early start and have more time on those bills from committee, I wonder if there is leave to have those reports presented and then move to consideration of those bills at report stage or third reading and concurrence at whatever stage is appropriate.

Mr. Speaker: Is there agreement? [*Agreed*]

COMMITTEE REPORTS

**Standing Committee on Legislative Affairs
Fifth Report**

Mr. Daryl Reid (Chairperson of the Standing Committee on Legislative Affairs): Mr. Speaker, I wish to present the fifth report of the Standing Committee on Legislative Affairs.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Legislative Affairs presents the following as its fifth report—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on Legislative Affairs presents the following as its Fifth Report.

Meetings:

Your committee met on Monday, June 7, 2004, at 6:30 p.m. in Room 255 of the Legislative Building.

Matters under Consideration:

Bill 19—The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques

Bill 25—The Amusements Amendment Act; Loi modifiant la Loi sur les divertissements

Bill 27—The Agricultural Societies Act; Loi sur les sociétés agricoles

Bill 30—The Safe Schools Charter (Various Acts Amended); Charte de la sécurité dans les écoles (modification de diverses dispositions législatives)

Bill 32—The Provincial Railways Amendment Act; Loi modifiant la Loi sur les chemins de fer provinciaux

Bill 36—The Highway Traffic Amendment Act; Loi modifiant le Code de la route

Bill 37—The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail

Committee Membership:

Substitutions received prior to commencement of meeting:

*Hon. Ms. Wowchuk for Mr. Nevakshonoff
Hon. Mr. Bjornson for Hon. Mr. Selinger
Mrs. Taillieu for Mr. Faurshou*

Substitutions made, by leave, during committee proceedings:

*Hon. Ms. Allan for Hon. Ms. Wowchuk
Mr. Schuler for Mr. Cummings*

Public Presentations:

Your committee heard one presentation on Bill 19—The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, from the following organization:

Brian Ardern, Manitoba Teachers Society

Your committee heard three presentations on Bill 25—The Amusements Amendment Act; Loi modifiant la Loi sur les divertissements, from the following individuals:

*Maureen Wilson, Private Citizen
Marianne Cerilli, Private Citizen
Bev Ridd, Private Citizen*

Your committee heard one presentation on Bill 27—The Agricultural Societies Act; Loi sur les sociétés agricoles, from the following organization:

Lynda Witty, Manitoba Association of Agricultural Societies

Your committee heard two presentations on Bill 30—The Safe Schools Charter (Various Acts Amended); Charte de la sécurité dans les écoles (modification de diverses dispositions législatives), from the following individual and organization:

*Roland Pokorny, Private Citizen
Edward Lipsett, Manitoba Association for Rights and Liberties*

Written Submissions:

Your committee received two written submissions on Bill 19—The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, from the following organizations:

*Lori Johnson, Winnipeg School Division
Wilfred Mackay, Rolling River First Nation*

Your committee received one written submission on Bill 25—The Amusements Amendment Act; Loi

modifiant la Loi sur les divertissements, from the following organization:

Lanny McInnes, Retail Council of Canada

Bills Considered and Reported:

Bill 19—The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques

Your committee agreed to report this bill without amendment.

Bill 25—The Amusements Amendment Act; Loi modifiant la Loi sur les divertissements

Your committee agreed to report this bill without amendment.

Bill 27—The Agricultural Societies Act; Loi sur les sociétés agricoles

Your committee agreed to report this bill, with the following amendments:

THAT Clause 7 of the Bill be amended

- (a) by renumbering it as Clause 7(1);*
- (b) by striking out “100” and substituting “50”; and*
- (c) by adding the following as Clause 7(2)*

Minister’s approval for headquarters within 50 km
7(2)Despite subsection (1), the minister may, on request from the persons who wish to organize a society, permit the society’s headquarters to be closer than 50 km to the headquarters of another society

THAT Clause 33(2) of the Bill be amended by striking out “classes of societies” and substituting “associations.”

Bill 30—The Safe Schools Charter (Various Acts Amended); Charte de la sécurité dans les écoles (modification de diverses dispositions législatives)

Your committee agreed to report this bill, with the following amendments:

THAT the proposed subclause 47.1(2)(b)(ii), as set out in Clause 1(3) of the Bill, be amended by adding “unreasonably” after “discriminating.”

Bill 32—The Provincial Railways Amendment Act; Loi modifiant la Loi sur les chemins de fer provinciaux

Your committee agreed to report this bill without amendment.

Bill 36—The Highway Traffic Amendment Act; Loi modifiant le Code de la route

Your committee agreed to report this bill without amendment.

Bill 3—The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail

Your committee agreed to report this bill without amendment, on a counted vote of yeas 6, nays 4.

Mr. Reid: Mr. Speaker, I move, seconded by the honourable Member for Fort Garry (Ms. Irvin-Ross), that the report of the committee be received.

Mr. Speaker: It has been moved by the honourable Member for Transcona (Mr. Reid), seconded by the honourable—would the honourable Member for Fort Garry take her seat, please.

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

**Standing Committee on Social
and Economic Development
Fourth Report**

Ms. Marilyn Brick (Chairperson of the Standing Committee on Social and Economic Development): Mr. Speaker, I wish to present the fourth report of the Standing Committee on Social and Economic Development.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Social and Economic Development presents the following as its fourth report—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on Social and Economic Development presents the following as its Fourth Report.

Meetings:

Your committee met on Monday, June 7, 2004, at 6:30 p.m. in Room 254 of the Legislative Building.

Matters Under Consideration:

Bill 10—The Gaming Control Amendment Act; Loi modifiant la Loi sur la Commission de régie du jeu

Bill 23—The Red River Floodway Act; Loi sur le canal de dérivation de la rivière Rouge

Bill 31—The Floodway Authority Act; Loi sur la Commission du canal de dérivation

Bill 33—The Public Servants Insurance Amendment Act; Loi modifiant la Loi sur l'assurance des employés du gouvernement

Bill 34—The University of Winnipeg Amendment Act; Loi modifiant la Loi sur l'Université de Winnipeg

Bill 35—The Credit Unions and Caisses Populaires Amendment Act; Loi modifiant la Loi sur les caisses populaires et les credit unions

Bill 38—The Fisheries Amendment Act; Loi modifiant la Loi sur la pêche

Membership Resignations / Elections:

Substitutions received prior to commencement of meeting:

Mrs. Mitchelson for Mrs. Driedger

Mr. Goertzen for Mr. Loewen

Mr. Faurschou for Mrs. Rowat

Hon. Mr. Sale for Hon. Mr. Rondeau

Hon. Mr. Ashton for Mr. Santos

Hon. Ms. McGifford for Mr. Schellenberg

Hon. Mr. Selinger for Hon. Mr. Struthers

Public Presentations:

Your committee heard 1 presentation on Bill 10—The Gaming Control Amendment Act; Loi modifiant la Loi sur la Commission de régie du jeu, from the following organization:

Elizabeth Fleming and Valinda Morris, Provincial Council of Women of Manitoba

(a) in the section heading, by adding "decisions and" before "orders"; and

Your committee heard 8 presentations on Bill 23 - The Red River Floodway Act; Loi sur le canal de dérivation de la rivière Rouge, from the following individuals and/or organizations:

(b) in the part before clause (a), by striking out "An order" and substituting "A decision or order."

*Dr. James Shapiro, Private Citizen
Jack Jonasson, Coalition for Flood Protection North of the Floodway
Jim Stinson, Private Citizen
Robert Duerksen, 768 Association Inc.
Ian Wishart, Keystone Agricultural Producers
Maxine Clifton, Private Citizen
Paul Clifton, Private Citizen
Doug Chorney, Private Citizen*

Bill 23—The Red River Floodway Act; Loi sur le canal de dérivation de la rivière Rouge

Your committee agreed to report this bill with the following amendment:

THAT Clause 5(2) of the Bill be replaced with the following:

Written Submissions:

Appeal to Court of Appeal

5(2) A decision of the Disaster Assistance Appeal Board under subsection (1) may be appealed upon a question of law to The Court of Appeal with leave granted by a judge of that court.

Your committee received 1 written submission for Bill 23—The Red River Floodway Act; Loi sur le canal de dérivation de la rivière Rouge, from the following individual:

Application for leave to appeal

5(3) An application for leave to appeal must

Gerry Bristow, Private Citizen

(a) state the grounds of the appeal; and

Your committee received 1 written submission for Bill 35—The Credit Unions and Caisses Populaires Amendment Act; Loi modifiant la Loi sur les caisses populaires et les credit unions, from the following organization:

(b) be made within 30 days after the date of the decision sought to be appealed, or within such further time as the judge under special circumstances allows.

Bob Lafond, Credit Union Central of Manitoba

Notice of the application must be served on the government in accordance with section 11 of The Proceedings Against the Crown Act.

Bills Considered and Reported:

Bill 31—The Floodway Authority Act; Loi sur la Commission du canal de dérivation

Bill 10—The Gaming Control Amendment Act; Loi modifiant la Loi sur la Commission de régie du jeu

Your committee agreed to report this bill without amendment.

Your committee agreed to report this bill with the following amendments.

Bill 33—The Public Servants Insurance Amendment Act; Loi modifiant la Loi sur l'assurance des employés du gouvernement

THAT the proposed clause 57.5, as set out in Clause 24 of the Bill, be amended by striking out "or" at the end of clause (b), adding "or" at the end of clause (c) and adding the following after clause (c):

Your committee agreed to report this bill without amendment.

(d) rescinding an order in council that specifies a licensing authority.

Bill 34—The University of Winnipeg Amendment Act; Loi modifiant la Loi sur l'Université de Winnipeg

THAT the proposed clause 66.1, as set out in Clause 27 of the Bill, be amended

Your committee agreed to report this bill without amendment.

Bill 35—The Credit Unions and Caisses Populaires Amendment Act; Loi modifiant la Loi sur les caisses populaires et les credit unions

Your committee agreed to report this bill with the following amendment:

THAT Clause 3(2)(b) of the Bill be replaced with the following:

(b) by striking out “French-speaking residents of Manitoba” and substituting “French-speaking individuals who, except as otherwise permitted by this Act, are resident in Manitoba.”

Bill 38—The Fisheries Amendment Act; Loi modifiant la Loi sur la pêche

Your committee agreed to report this bill without amendment.

Ms. Brick: I move, seconded by the honourable Member for Radisson (Mr. Jha), that the report of the committee be received.

Motion agreed to.

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, it would be our intention to have the Committee of Supply meet in 255 to consider concurrence. If you would call the bills reported from the committees in the House this morning, and I understand that arrangements are being made to distribute lists of those bills so that members will know the order of the legislation.

Mr. Speaker: In accordance with our Rule 23(5), the Committee of Supply will meet in Room 254. Mr. Deputy Speaker (Mr. Santos), please take the Chair in Room 254.

The Committee of Supply will meet in Room 254.

Point of Order

Mr. Speaker: The honourable Member for Inkster, on a point of order.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, on a point of order. We are just going to just express

some concern that there should have been some sort of a listing on the Order Paper, we believe, in regard to the third reading, but I understand that the Government House Leader is going to provide us a list prior to us getting underway on the debate.

We just want to emphasize that we do believe it should have been put onto the Order Paper.

* (10:10)

Mr. Speaker: On the honourable member's point of order, for the House, the report of the committee was just received this morning, so it is impossible to list the bills on the Order Paper, because we just had the reports from the committee.

Mr. Mackintosh: Just in answer, the report of the committee is being distributed to members, Mr. Speaker, noting the bills that are before the House along with their description. I think we will just spend a few minutes, because it is important that that list be distributed before we even begin debate.

Mr. Mackintosh: Mr. Speaker, would you please call bills in the following order. These are the bills from Legislative Affairs, 19, 25, 27, 30, 32, 36, 37 and then would you call, as time allows, from Social and Economic Development 10, 23, 31, 33, 34, 35 and 38. As members have received notice there are report stages on Bills 23 and 31.

* (10:20)

CONCURRENCE AND THIRD READINGS

Bill 19—The Public Schools Amendment Act

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 19, The Public Schools Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mrs. Heather Stefanson (Tuxedo): This bill is essentially an omnibus bill that amends several

sections of The Public Schools Act codifying rules regarding eligibility of candidates for school trustee, creating new wards for reserves within existing school districts, defining the form of teachers contracts, allowing electronic school board meetings, and creating the Frontier Collegiate Institute Advisory Committee.

Mr. Speaker, just a couple of brief concerns which I have mentioned before certainly in committee, but I will just for the record indicate what those are just one more time. Certainly, although it is commendable that rules regarding disqualification of school trustees be codified in legislation with standards similar to municipal and provincial candidates, the decision to bar candidates convicted of criminal offences for a period of four years after their sentence expires could be unconstitutional and goes beyond the guidelines laid out by The Elections Act, The Legislative Assembly Act and The Local Authorities Election Act. So I just, at this time, would like to caution the minister that this section could be challenged and could be found unconstitutional.

Another section is that the bill also enables the minister to make regulations prescribing the form content and use of teacher agreements. We certainly saw at the committee stage where the presentations were made from MTS, and there was also a presentation, a written presentation, submitted by the Winnipeg School Division. I think when it comes to these regulations, when they come forward, I just want to encourage the minister to consult with all stakeholders with respect to this area with teachers' contracts.

I think certainly there could be significant costs associated with this. I think the school divisions deserve to be consulted when it comes to this. Certainly, the Winnipeg School Division in its presentation indicated that if this is within their jurisdiction, the local school division's jurisdiction, there will be costs incurred that those school divisions will have to incur. So I caution the minister to listen to the school divisions, to some of the costs that will be incurred as a result of changing of some of the forms with respect to teachers' contracts. I hope when he is looking at bringing forward these regulations and establishing these regulations that he will take those into consideration.

Having said that, I believe that would conclude my remarks on this particular bill. Thank you very much, Mr. Speaker.

Mr. Kevin Lamoureux (Inkster): I do not need to speak long on Bill 19. I was there for the committee and heard comments from representatives of the teachers, as has been pointed out from the member from Tuxedo in regard to the form and also in regard to just the general way in which workers or teachers, in particular substitutes, are classified and there is some concern in that area.

The bill itself also deals with prescribed wards for school divisions and other issues of that nature. In general, I think it is a bill that we can be supportive of. Thank you, Mr. Speaker.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 19, The Public Schools Amendment Act.

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

Bill 25—The Amusements Amendment Act

Hon. Steve Ashton (Deputy Government House Leader): As Deputy House Leader here, I would like to move, seconded by the Minister of Finance, (Mr. Selinger), that Bill 25, The Amusements Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Kelvin Goertzen (Steinbach): It is a pleasure to put just a few words on third record on the bill that we are debating here today. I know there has been opportunity to hear comments on the bill in committee, and our critic, the Member for Morris (Mrs. Taillieu) has put some comments on the record at second reading regarding the particular piece of legislation. I had a similar opportunity.

Clearly, we have, I think, found some common ground on this particular piece of legislation as it relates to the concern of ensuring that some mechanism, some additional tool for parents to ensure that they have some indication of the type of game that is being engaged in, the type of game that

children may be playing with, and from that perspective, we find this bill to be acceptable.

Having said that, we have raised some concerns regarding how exactly the bill will be enforced, the enforcement mechanism, to the extent that there will be enforcement, and also some of the concerns that have come from retailers in the industry regarding whether or not there will be an additional fee that would be placed because of this particular piece of legislation.

So, while we have agreement with the intention of the legislation, I think that there have been some very valid concerns that have been placed on the record by our critic on this particular issue, but the general intention of the legislation has found, I think, acceptance here in the Legislature and with the public. Thank you very much.

* (10:30)

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, very quickly, I did get a chance to speak on it during the second reading and also address it a bit in committee. There were a couple of areas in which we felt the government could have given at least some consideration or some comment on. One is in regard to the whole arcade issue. This is something that was raised by a committee, a presenter at committee. The issue of the Internet was another issue that I had raised at the committee level. There is no doubt we cannot prevent people from downloading stuff off the Internet, but maybe there is something that government can do in terms of circulation once things have been downloaded.

I think that this is a start, but it is important that we acknowledge it as that, as a start, and there are no doubt other things that we are going to be able to do. One of the presenters, Ms. Cerilli, actually did, I thought, an admirable job in her comments, as did other presenters. There are ideas such as after a number of violations a retailer could lose its right to potentially rent and sell.

So, if we have someone that has a problem in terms of consistently distributing, and it is proven to be that, to minors, that there is some sort of a penalty, which brings in the issue of enforcement. I think that this is an area in which we need to have more discussion, more debate, and, hopefully, sometime in the future we will see additional

legislation or regulation that will address some of the other concerns that were raised. Thank you.

Mrs. Mavis Taillieu (Morris): I would just like to as well put a few words on the record in regard to Bill 25, The Amusements Amendment Act. I think it is long overdue that this act be brought forward. I know that there was a report done in 1999 from the Manitoba Film Classification Board suggesting that there was a need to look at rating these video games.

I know that the member from Lord Roberts, who was in opposition at the time, spoke out quite strongly on this issue. Then, when the report came across in 1999 and they formed government, they did nothing with that report and did not actually bring this legislation forward until now, five years later. Of course, we would have to wonder what took so long for them to bring forward this legislation when they were so opposed to it while in opposition.

We certainly agree that this issue of violent video games is one which needs to be addressed. These games have escalated in their nature, in their violent nature, in their sexually explicit nature, and they are an interactive game, not like watching something on a screen, where you are just actually watching something, but these are participatory games in which the person playing the game actually causes the action to occur, which I think could cause some aggression stimulation. These aggressions, I think there is a potential danger here that they could spill over into the daily lives of schoolchildren or people in the workplace or in family situations.

So I think there is a need to look at that. I think there is also a need to have balance here. I think this legislation in no way should pre-empt parents from doing their job and policing, I suppose, if that is the term I can use, what their children view in their homes.

We certainly know that, of course, children could get these games in a number of other places, but parents do have a role to play here in educating their children and educating themselves, I think, as to the nature of these games and watching what their children are doing. So in no way should the legislation be seen to pre-empt or take over what is the role and responsibility of the parents.

There were some concerns with this bill brought up in committee. We thank the presenters, who did a

good job of bringing these issues forward. One of the issues brought forward in the written proposal was, hopefully, that this legislation will not result in increased fees for licencing for video game distributors and retailers. That this would be fairly cost-prohibitive, I think, is maybe the fear here.

As well, the segregation of these games, if there is segregation for these games, they should be put on a separate shelf behind a screen or be under a counter or whatever, but if the segregation anticipated here would be that they would have to be housed in a separate area or room of the video game retailer or distributor, I think that would cause undue hardship for some of the businesses that distribute and rent these games.

Also, another thing, with the technology, how it is evolving at such an exponential speed, I think that we can expect to see some of these video games being downloaded right from the Internet onto your cell phone and being played off the cell phone video screen. I think that this is something that needs to be looked at as well. Are we going to be looking at regulating all cell phone retailers as potential video game retailers?

Certainly, in the media there have been conflicting ideas. Certainly, there have been concerns raised by groups that these games need to be regulated and monitored; and secondly, though, there are people who say, "We have the right to choose what we look at and should not be done through legislation." I think, though, that in cases like this, where there are chances that some children will fall through the cracks and be able to get these types of games and play them, to err on the side of caution is always a good thing. As I said before, in no way should parents be thinking that, because there is legislation here, they do not have to worry about it anymore. I think that would be a very big mistake. I think that education of parents and education of children and the nature of these games has to be addressed. Hopefully, this can be done through educational processes rather than through heavy-handed legislation and "heavy-handed" is a word that has been used in some cases in this legislation.

However, having said that, I think that this is legislation that we can support. Certainly, when it comes to protecting the educational processes of young children, we do want to be cautious here and I

will look forward to passing this bill. Thank you very much, Mr. Speaker.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 25, The Amusements Amendment Act.

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

Bill 27—The Agricultural Societies Act

Hon. Steve Ashton (Deputy Government House Leader): I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 27, The Agricultural Societies Act, as amended and reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for the third time and passed.

Motion presented.

* (10:40)

Mr. Ralph Eichler (Lakeside): I would like to rise to put a few comments on regarding Bill 27. As we all know, especially in rural Manitoba, I think a lot of people from the city of Winnipeg and Brandon do have the opportunity to come to rural Manitoba and enjoy the ag society fairs and so forth that take place throughout the province. I understand the other night in committee there was an amendment put forward to amend the act the way it came forward. That was to allow the existing ag societies to make changes if they had to be changed or a name changed, and that amendment I think makes the bill quite easy, and it is ready to go ahead and go into third and final reading. But I know in our constituency of Lakeside we had a situation in the town of Stonewall where the ag society had to be moved due to area, and they had to dissolve that particular ag society and start up a new one. So I am sure the way the Minister of Agriculture (Ms. Wowchuk) made these changes, and we are glad that she did it on our recommendation from this side of the House, that it will allow those ag societies to go ahead and continue and keep in existence.

I know the concern that I had with the act, Mr. Speaker, was quite clear, that being so important to

rural Manitoba with the ag societies, I would not want to see the limitation on any ag society, especially the existing ones, as it is a dying breed, and I know the Legionnaires are one of the other groups that are having membership problems. We do not want to see limits of 50 kilometres to be put on, especially the existing ones. These forefathers of ours saw the wisdom to keep ag societies alive, and we want to make sure that each little country fair keeps its own niche.

So, having said that, I think we would like to see the bill move on forward to committee and third and final reading and with that, thank you for your comments.

Mr. Jack Penner (Emerson): I just want to make note of the fact that we noticed in the act, as it was originally drafted, that it was government's intent to provide a hundred-kilometre limit for ag societies to be organized within the province. That the limitation would prevent any community or community organization that wanted to set up an ag society to promote agriculture, to promote the advancement and technology in agriculture, to promote the varietal changes in cropping procedures, they would not be able to set up an office within a hundred kilometres of each other. We thought that was extremely unfortunate.

We lobbied pretty hard to put forward an amendment to the bill, and we are very pleased that the government saw fit to amend the act to replace the old provision that indicated limitation on office spacing within rural Manitoba. However, we also note that the minister conceded to be able to be allowed to give ministerial approval even if the distances were less than 30 kilometres. We want to thank the minister for having given that consideration to the changes that we had requested.

Once again, I want to thank the minister. I want to say that we are in support of this bill as it currently is written. We believe it is an attempt to modernize the act to allow for a smoother flow of funds to the ag societies, as well as allow for the significant changes in transition that are currently happening in rural Manitoba, and the disappearance of many of our population in rural Manitoba, which is the saddest part about the comment to make on this bill. Rural Manitoba is changing dramatically as we speak. Many of the young people are leaving this province that were born and raised in rural Manitoba.

It is unfortunate that this government had not seen fit to take meaningful action to stem the flow of young people off the farms into the urban centres, and indeed other provinces to seek their livelihoods there. Thank you very much.

Mr. Kevin Lamoureux (Inkster): I, too, just want to put a few words on the record indicating the tremendous value that the ag societies contribute to our rural communities—it is virtually immeasurable. I want to pay special tribute to Lynda Witty and the Manitoba Association of Agricultural Societies.

I think that credit is probably warranted in that area because that is the umbrella group, if you like, that really did the work necessary in order to make sure that this would, in fact, be a good piece of legislation. My understanding is that they actually did considerable consulting with the 62 different ag societies, and I would just commend them on their efforts in ensuring that we have this legislation which will be given third reading vote shortly. Thank you.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 27, The Agricultural Societies Act.

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

Bill 30—The Safe Schools Charter (Various Acts Amended)

Hon. Steve Ashton (Deputy Government House Leader): I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 30, The Safe Schools Charter, as amended and reported by the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mrs. Heather Stefanson (Tuxedo): Just a few comments with respect to this Bill 30. Certainly, as a mother of two young children who will be entering our school system in the next number of years, the safety of our children in our schools is of utmost

importance to me and to my peers and to a number of parents, certainly, in our province. I believe that children's safety in our schools should be a right and not a privilege.

I know the previous member from Fort Garry, the previous Education critic, had spent a great deal of time with respect to bullying in schools and consulting a number of stakeholders in the community. We have been asking the government to come forward with legislation to deal with this for quite some time now, so we are pleased that it has finally come to fruition.

However, there are some concerns we do have with the legislation as it does stand and that is because in some of the local communities the school boards have already done, and some schools have done, a great deal of work with respect to setting out guidelines to deal with some of the concerns associated with bullying in school. I have mentioned this before but I will mention again, that we hope the minister will, in coming forward with regulations, consult the school divisions and the schools, particularly those that have put a great deal of time, effort and money into establishing their own criteria when it comes to how to deal with these circumstances in the schools.

Again, I encourage the minister to consult on this and do an extensive consultation process to move forward but, certainly, I am pleased that where we even have the opportunity to debate this in the House, Mr. Speaker, and I believe probably the members on both sides agree, that any kind of bullying or anything of that nature that takes place in our schools is very, very serious. Certainly, we take it very seriously on this side of the House. We want to ensure the safety of our children in schools.

Having said that, Mr. Speaker, we are prepared to move this on.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 30, The Safe Schools Charter (Various Acts Amended).

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

Bill 32—The Provincial Railways Amendment Act

Hon. Steve Ashton (Deputy Government House Leader): I move, seconded by the Minister of Justice (Mr. Mackintosh), that Bill 32, The Provincial Railways Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

* (10:50)

Mr. Larry Maguire (Arthur-Virden): I would like to just concur that we will be moving this bill on to third reading, but I just wanted to say that there are a couple of issues that I had asked for in committee. I know when we were discussing this bill on dealing with The Provincial Railways Amendment Act, Bill 32, that raised some conditions that we were asking for around regulations in this bill.

Mr. Speaker, I just want to put it on the record again that the minister has not brought forward the regulations that would be outlining the proportions of a expense that would be incurred by individuals, the part of the various parties in this bill, but I have been assured by the minister, however, that the rates for installation devices, for new installation devices which were 80 percent by the federal government, 12.5 by the road authority and 7.5 for the short-line under the federal Transport Canada jurisdictions, would be honoured by this government in relation to the short-lines legislation in Manitoba. Of course, they need this legislation to be able to deal with the short-lines in regard to the expenses that they are dealing with because that was not part of the previous bill that they had when these lines were taken over by the Province. So the 80% federal share would become the 80% provincial share, and if the Province was also the road authority, then their share would go up to 92.5 percent leaving 7.5 percent for the short-line.

I feel comfortable that the short-line railroads that we have in Manitoba, from speaking with them, would indicate and have indicated to me that they are prepared to bear that portion of the cost because there are not that many and, of course, it would be somewhat to their benefit if they are obviously are trying to seek that service.

There is also an agreement, or an understanding, that I had in committee, Mr. Speaker, with this bill in that the costs of maintenance on a line is 50-50, a split between the road authority and the short-line, and that road authority could be the municipality or the Province, whichever the line runs through.

The concern that I had with this bill, Mr. Speaker, and I voiced it in second reading, I believe, and in committee, was that there are a number of existing outstanding agreements that need to be settled on costs in regard to crossings that are presently in Manitoba and some of that arises out of the fact that they have been there for so long that with this legislation coming in now, it is very difficult to determine who was there first in some cases, the road or the roadbed or the rail line.

Of course, I think that I would urge the minister to try to look at a separate body or internally, I guess, we do not need a separate body just look internally within the department, to try to settle as many of these with the short-lines as they could. Of course, that would then very much, I think, encourage the development of our short-line industries wherever we can in the province and provide them with an opportunity to move more freight and more product in the province in the areas where they can.

There are some of those, obviously, that are very beneficial to the citizens in some remote areas and even areas where there is such a short distance involved, even within the city of Winnipeg, that the major railroads, or national railways, today do not really want to be bothered with carrying that particular product. So, therefore, there is a really opportunity here, not to compete with those national railroads because they do not want the business anyway in some way shape or form. I would never say that those railroads do not like the business, they do. But there are some products that they would be able to partner with the short-lines to be able to move that product. We need to encourage the development of that where we can. I think settling some of these existing outstanding crossing costs and fees with those persons would be just a very good thing to do on behalf of the government, to move forward in Manitoba.

With those few words, I would say that this bill will pass. We would encourage the government to bring this bill forward to a vote and move a bit ahead in the province. I am just delaying, Mr. Speaker,

because I am looking at when this bill comes into force and of course it is on a day to be fixed by proclamation. I think I have voiced my concern there earlier, in second reading, that we need not delay this much further. If we know what the proportions are under the old Transportation Act, I really feel that there is not much point in delaying it unless the government has some hidden agenda in regard to this. I do not think they do in regard to this particular bill. I think that they have indicated to me, and I will take them at their word, that they have set out the percentages that would be looked at in this bill.

So, Mr. Speaker, I would encourage that this bill be moved on to final assent.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, just to put a few words on the record in regard to Bill 32, prior to its passing.

It is interesting, the minister in committee, I believe it was the minister and others, talked about the problems with railway crossings and the need to look at improvements. It is amazing to the degree in which people unfortunately, at times, attempt to try their luck on railroad crossings to the degree where you will see a vehicle pull up and be caught in between the railroad crossings as the oncoming trains are coming to racing trains. There is a need for us to give special attention.

You know, most drivers, and when I say most, we are talking absolute majority of 90 percent-plus that respect these intersections of sorts. In fact, I would suggest to you that it is a very, very small percentage that do put themselves and quite often others in a position of danger by not following closely the rules of the road in regard to railroad crossings.

There is an importance for us to recognize the value of maintaining those intersections, or those crossways. This is in essence what this bill is going to be doing. We want those railroad crossings to be safe in themselves. What we find is that over time there is a need for us to ensure that they are properly being maintained.

We look at this bill as one that is enabling for the legislation, which will help in the constructing and maintaining and improving, if you like, a railroad crossing that crosses our highways. The key there is the formulas. We look forward to seeing the

formulas being brought forward in such a fashion that we will see the act soon be proclaimed, relatively soon after its passage and third reading. With those few words, we are prepared to see it go. Thank you.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 32, The Provincial Railways Amendment Act.

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

Bill 36—The Highway Traffic Amendment Act

Hon. Steve Ashton (Deputy Government House Leader): I move, seconded by the honourable Minister of Advanced Education (Ms. McGifford), that Bill 36, The Highway Traffic Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Kevin Lamoureux (Inkster): As has been pointed out in the committee in regard to this bill, it is applaudable in the sense that we see the bill in its present form. The concern is that we trust that the motivations in terms of the increased fines should not be there to increase general revenues. I have not really had the opportunity to debate the bill in second reading, but I do not see any real need to add more words than what I have just stated, Mr. Speaker. The concern is the motivation with regard to this bill. All in all, it is a relatively positive bill. Thank you.

Mr. Larry Maguire (Arthur-Virden): I was appreciative of the opportunity to put some words on Bill 36, The Highway Traffic Amendment Act, in third reading. I was just wondering, as we were speaking to Bill 32, if the member from Inkster was really talking about 32 or 36 there for a minute when he had cars stopping on the railroad track, because that is part of Bill 36, and I—

An Honourable Member: Well, that is why I did not have to say as much on 36.

* (11:00)

Mr. Maguire: I know that is why he kept his comments short on 36, he says. I know that there is a new category here, this new category of vehicle, the power-assisted bicycles.

This is a bill that is supported by many sectors of the industry, particularly in our police forces and firefighters. I am sure the same comments would come from the ambulance and emergency personnel in the province of Manitoba as well, because this is a very, I think, just common-sense bill in regard to something that we would all like to see in relation to the actions in the bill that allow us to do things like stay off of railroad crossings with any part of your vehicle, have a separate category for a power-assisted bicycle, wear helmets and all the regular rules of the road that pertain to riding a bicycle or pertinent to this new category. Of course, you do not want a type of vehicle out there that is not covered by the laws in that regard. While we do not want to be inhibiting the development of any particular sector, I think we want to make sure that we are in compliance with those areas.

A concern that I have had, and I have spoken to this before, is that this government is using this as an opportunity to take more taxes out of citizens by the increased level of fines that they have got.

Mr. Harry Schellenberg, Acting Speaker, in the Chair

We know what really needs to be done there, and that is in regard to these funds being in parallel with Bill 12, the Trucking Productivity Improvement Fund bill. That is a circumstance that allows these fines to go into individual levels of pockets of roads around the province of Manitoba so that they can in fact be used for purposes of repairs on those roads. I have just come from concurrence with the Minister of Transportation (Mr. Lemieux), where he has outlined to me the new style that the government is trying to record the maintenance and capital costs in regard to transportation.

So it is very clear from these bills, this type of bill, that they are doing everything they can to use some funds in those areas to replace the maintenance costs of the present capital budget in regard to highways. I am concerned about that. I am not concerned as much about the actual being able to

allow enforcement personnel to stop people for not moving over at an emergency site or on highways where there are double lanes that allow them to move over and slow down to the speed limits that are required, particularly at work sites. I note that it is only when working personnel are at those sites, actually construction workers working. Otherwise, they are the same as regular speed limits.

So I just want to say that the main concern that I have with this bill is in the whole area of the increased tax grab that this bill allows the government to work on in regard to the high, high levels of fines that they have increased. There are a few new areas in there that allow them to extend the present tax grab that they are putting on citizens of Manitoba in relation to this bill. While the areas of enforcement are somewhat common sense, I think we will be watching very closely to see what kind of levels they go to on this.

We know that this government is struggling to keep its books balanced and in fact has not been able to for the last four years. So I just encourage them to take a close look. The example that really comes out in my mind is the fine for running a red light, and of course we do not want people to do that. It is not only dangerous for their own lives but the others in the intersection when they are walking or driving. It has gone up five times in January. Of course the government did not need a bill to do that. They have done it already. This bill is just another area that allows for more fines to be levied and extends the kind of dollars that can be grabbed by the New Democratic government in the province of Manitoba. It is to try and help out their own funding.

So fines like \$5 a kilometre and fines for speeding offences occurring in identified construction zones, once you get to a certain level that is over and above the regular ones, there are many that are much higher than that; \$12 a kilogram over some of those areas of weights are also a concern.

I think that rather than go through the seven areas that I did in second reading and in committee that I will leave it at that. As I said earlier, we will be recommending that this bill be passed, Mr. Acting Speaker, that it move on, because we believe that as I said the areas that are outlined are common sense in regards to the types of situations that we are faced with. We too are on the side of the emergency

personnel in this area, and we want to make sure that we protect those citizens that are out there looking after policing, ambulance and emergency services and those areas, and our firefighters as well.

So, with those few words, I would move that this, recommend at least, that this bill move on to being accepted later in the session. Thank you.

The Acting Speaker (Mr. Schellenberg): Any further speakers?

Is the House ready for the question?

An Honourable Member: Question.

The Acting Speaker (Schellenberg): The question before the House is concurrence and third reading of Bill 36, The Highway Traffic Amendment Act.

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

Bill 37—The Labour Relations Amendment Act

Hon. Greg Selinger (Minister of Finance): Mr. Acting Speaker, I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 37, The Labour Relations Amendment Act; la Loi modifiant la Loi sur les relations du travail, reporting from the Standing Committee on Legislative Affairs, be concurred in and now be read for a third time and passed.

The Acting Speaker (Mr. Schellenberg): Moved by the Minister of Finance, seconded by the Minister of Advanced Education, that Bill 37, The Labour Relations Amendment Act, be reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

* (11:10)

Mr. Ron Schuler (Springfield): Mr. Acting Speaker, I want to put a few comments on the record in regard to Bill 37, a bill that we believe is an attempt to try to make a bad situation look a little bit better.

If you watch a lot of the TV shows that are out now, you have these extreme makeovers for homes where contractors go in and repair and rebuild old

homes. If Bill 44 was one of these homes, unlike on these TV shows where they rip out rotten wood, where they take down walls and do serious repairs, what Bill 37 does for Bill 44, the previous labour bill, is it just wallpapers over all the glaring errors and mistakes of Bill 44.

I would like to point out to the government, like I did on previous occasions, that not just did Bill 44 usher in the dark Doer government days of 1999 where we have had strife, where we have had union pitted against employers unlike seen ever before in the history of this province. Bill 44 was poorly thought out. It was poorly written. It is anti-democratic, anti-worker, anti-business.

We sat in this House until almost the end of August, debating a bill which damaged the reputation of the province, which damaged our ability for business to move forward. We pointed out to the government, we pointed out to the minister at that time, that this was poorly written and that forever in time the government would be coming back and would be, once again, trying to paper over the glaring mistakes that were in that particular piece of legislation.

Thus, we have today in front of us Bill 37. Bill 44 is sort of the first chapter of the dark Doer government days of labour relations in Manitoba. We have seen come out of that the floodway fiasco where we have seen an enormous kickback, I mean I would almost say of federal Liberal proportions, taking place here in Manitoba by the Doer government and the NDP. We are seeing labour management relations deteriorating, and, again unprecedented, where we see labour and management, where we see our business community and labour groups fighting it out in the media, duking it out in our newspapers. Unparalleled, unheard of before in the history of this province, and it started with the dark days of Bill 44.

I think I have mentioned the example, and I will mention it again and again. A really good case in point was made to me where someone said Bill 37 is an attempt to fix the rust on the *Titanic* after it sank. Bill 37 is a bill that tries to make a little bit of good out of an awful lot of bad, and we believe it does not succeed. We believe, if the government would have had the courage to do the right thing, if the government would have had the courage to do the proper thing, what would have been in the best

interests of all Manitobans, for all working men and women, for the business community, for democracy and fairness, they would have brought forward a bill that would have amended the mistakes of Bill 44 and would have given the democratic vote back to the workers instead of what we are seeing right now with the floodway, forcing men and women under the heavy boot of government to pay fees for something they do not ask for, something they do not want, something they do not desire. It is just a typical dark-days Doer government, heavy fist going after the working men and women of this province, and that is very unfortunate for Manitoba.

Bill 37, which is under the shadow of Bill 44, which has shown us how poor this government is at managing labour management relations, Mr. Acting Speaker, is not a bill that is to be supported. We will wait for the day when government comes back to its senses and corrects those terrible, terrible mistakes that were made. Again, of the more than 700 letters that were sent out by myself as the critic, the responses we got back, what does Bill 37 do? It divides labour and business. Maybe that was the entire intent of the dark-days Doer government. Maybe that was the intent all along, that they would divide those groups and pit them against each other because dividing Manitobans, producing bad environments for our workers and businesses to work under, that seems to benefit the dark Doer government in its governing of the province, and that is very unfortunate.

We have seen throughout the province the cynical 60 days and then it goes to binding arbitration. I remember the minister used to sit here on the end where now the Member for Thompson (Mr. Ashton) sits. She and I would have the opportunity to discourse periodically, and she never understood her own legislation. She never got it straight. She went out in front of the media and they said, "So, in other words, this says after 60 days one or the other party can go to binding arbitration." "Oh, no," she said, in her very wise manner that she had a way of saying, "that would be unfair." Exactly the point we were trying to make all the way along. She did not have her legislation right and waffled and flipped-flopped and embarrassed the government and just created that disharmony, just created an environment where there is unease.

We said to the government at that time, business does not stand on the Manitoba-Saskatchewan border

or Ontario and Manitoba border, U.S. and Manitoba border and have a huge 80-piece band with big drums and everything heralding the fact that they are taking their businesses and jobs out of the province. No, Mr. Acting Speaker, that is not the way they do it. Very slyly, very quietly, very still, the jobs leave our province. Good-paying jobs. Good working men and women leave the province because the dark days of Doer government brought in labour legislation that punishes the very workers, the backbone of our economy, the backbone of our province. That is what is so unfortunate.

Bill 37 is trying to address the problem that has been occurring within the legislation of Bill 44. We understand, grudgingly, both sides had to agree to some kind of change because Bill 44 was so poorly written it was such a problem for both sides that some amendments had to come forward.

We in the opposition, we in this House have called for and will continue to call for that the government sees to it Bill 44 be corrected, that it be rectified. Bill 44 brought us picket line violence. Imagine that, a government, now we have seen what they do with the floodway, it is no surprise, condoning picket line violence. A government would actually go that far. If that is not one of the most appalling things you have heard.

Of course, the forced unionization of the floodway is absolutely the epitome of how deep, to what depths a government would go to give kickbacks to not just friends of theirs but in the result, to their own party. This is an attempt by the dark, Doer government days to see to it that a kickback of millions of dollars ends up in NDP coffers. It will be flowed through the unions to the NDP party where we will see these kinds of funds coming forward to help them fight the next election.

Unfortunately, this government has brought forward draconian, dark-day Doer government kind of legislation. What they try to do, and they have their trained seals on the back benches who clap at absolutely anything, buy into the spin that somehow this is middle of the road. They should stand outside on the street and see the disharmony they have created. They should go out on the street and find out what this actually does to the men and women who put a lot at stake for their communities, who employ people, who meet a payroll, who actually pay the

taxes so the dark Doer government days can go on their spending binge.

This is a government that would get a golden goose that produces all kinds of gold, and they cut its head off so they can have goose dinner. That is the kind of government we have right now. They are attacking men and women, stripping them of their democracy, attacking working men and women who want to create a business environment, stripping them of their rights.

Clearly, they have condoned picket-line violence. Clearly, they have gone down that dark-Doer-day road of producing bad harmony labour relations. Bill 37 does nothing but paper over the mistakes, paper over the hardship this dark, Doer government has produced in Manitoba. It sits in that shadow of Bill 44 as does the whole forced unionization of the floodway. It all sits in the shadow of Bill 44.

* (11:20)

We knew, at that time, for those of us who live day in, day out where we sat at committee till 5 or 5:15 in the morning and heard individuals begging us, please do not proceed with this. When we heard individuals like Art DeFehr indicating to this House and indicating to the Premier they came here with nothing and were not going to let the dark, Doer-day government strip all that away from them with their poorly thought out, poorly written legislation. We on this side of the House and we do not have the votes to reverse Bill 44, but we will make sure the government understands their mistakes.

They have come to their senses, and 37 is one. Mr. Acting Speaker, not that I can see into the future, but I can assure you Bill 37 will be followed by another bill, will be followed by another bill that will continue to try to correct the mistakes of Bill 44. Our comment to the government is why do you not just do the right thing. Take Bill 37 off the table. Let us go back and let us correct the wrongs of Bill 44. But can you imagine a party that has democratic in the middle of its name would strip workers of their democratic rights? Have you ever heard of anything more ludicrous? This is a party that has democratic in the middle of its name as a party and is forcing, forcing people to be part of a union and pay union dues. Well, they pulled one part of it out, but it is all

still the same thing. It is all papering over exactly what they are trying to do.

Mr. Acting Speaker, this is a party, where, you know, it reminds you of those tinpot, Third World countries that used to put democratic in because they were not. This government should just call themselves the new party and take democratic out, because what they have done in the last five years is so far away from democratic that they would strip working men and women of their democratic rights. What a shame on this government. What a blemish on this government. We know the day will come when men and women in this province, and it is going to come soon, that they will see this government for what it is. It is a draconian, dark-Doer-day government. They are looking at this government, and they will say enough. We have had enough. Just like we are seeing on the federal scene, we are going to see that happen as well.

We cannot support Bill 37, and we will not support Bill 37, because it is wrongheaded. It is wrong for Manitoba. It is anti-democratic what they did with Bill 44. Bill 37 is the equivalent of papering over, trying to gloss over all the mistakes and what was bad with Bill 44. Like that individual said to me, it is no different than trying to fix and repair the rust on the *Titanic* after it sank. This bill should be pulled, and Bill 44 should be properly looked at and should be amended to give back the workers their democratic freedoms. Thank you for the opportunity to put some comments on the record.

Hon. Jon Gerrard (River Heights): Mr. Acting Speaker, quite frankly, I think that the Member for Springfield was badly mistaken when he called this party on the other side the new party. Clearly they are the same, old party up to their same old tricks.

What we have seen during the course of the last four and a half years, with taking away democratic voters rights and in the last few days taking away democracy in this Legislature by forcing us to sit no more than 59 days, just odious things this government is doing.

I have received numerous letters this morning talking about the NDP government ramming through legislation without proper consultation. That is what their approach is: Do not engage in democracy, do not do things properly with due process, change the rules at the last minute, throw out the normal

democratic processes, and march in here and pretend that they are a new party. Well, nothing could be further from the truth. This is the same old party and the same old anti-democratic approach that we have seen.

We recognize, as the Conservatives do, that Bill 44 was very seriously flawed. What is interesting is that this bill recognizes that the NDP see that Bill 44 was seriously flawed. This bill is an acknowledgment that Bill 44 was seriously flawed. This bill is an acknowledgment that the NDP made a major mistake when they brought in Bill 44 with the conditions and clauses that are in it.

This bill clearly shows to everybody in Manitoba the recognition that the NDP goofed with Bill 44. It is a recognition, but unlike the Conservatives we are actually going to support this bill because it is a recognition of that goof.

It is a tiny little change compared to the real change that is needed. But we will respect it, and we will support this because it is a recognition of the goof that was in Bill 44, and a recognition that there need to be better processes in place when it comes to labour negotiation and the labour act, and that these need to be fairer for both people, both sides of the table.

So we will support this legislation. But I did want to put on the record that this is really the old party, the old NDP party, and we should never forget that.

* (11:30)

The Acting Speaker (Mr. Schellenberg): Any further speakers?

Is the House ready for the question?

An Honourable Member: Question.

The Acting Speaker (Mr. Schellenberg): The question before the House is concurrence and third reading of Bill 37, The Labour Relations Amendment Act.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

The Acting Speaker (Mr. Schellenberg): All those in favour, say yea.

Some Honourable Members: Yea.

The Acting Speaker: All those opposed, say nay.

Some Honourable Members: Nay.

The Acting Speaker (Mr. Schellenberg): In my opinion, the Yeas have it.

Formal Vote

Mr. John Loewen (Deputy Official Opposition House Leader): Yeas and Nays.

The Acting Speaker (Mr. Schellenberg): A recorded vote has been requested. Please call in the members.

All sections in Chamber for formal vote

Mr. Speaker in the Chair

* (11:40)

Mr. Speaker: The question before the House is concurrence and third reading of Bill 37, The Labour Relations Amendment Act.

Division

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

Yeas

Aglugub, Allan, Altemeyer, Ashton, Bjornson, Brick, Caldwell, Chomiak, Dewar, Doer, Gerrard, Jennissen, Jha, Korzeniowski, Lamoureux, Lathlin, Lemieux, Mackintosh, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Smith, Struthers, Wowchuk.

Nays

Cummings, Derkach, Driedger, Dyck, Eichler, Faurshou, Goertzen, Hawranik, Loewen, Maguire, Mitchelson, Murray, Penner, Reimer, Rocan, Rowat, Schuler, Stefanson, Taillieu.

Madam Clerk (Patricia Chaychuk): Yeas 32, Nays 19.

Mr. Speaker: I declare the motion carried.

REPORT STAGE—AMENDMENT**Bill 23—The Red River Floodway Act**

Mr. Speaker: Now call report stage on Bill 23, The Red River Floodway Act.

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, I have an amendment on report stage, and I move, seconded by the Minister of Aboriginal and Northern Affairs (Mr. Lathlin),

THAT clause 7 of the Bill be replaced with the following:

No duplication of compensation claims and proceedings

7 A person may do either of the following, but not both:

(a) claim compensation under this Part for property damage or economic loss; or

(b) commence court proceedings in respect of property damage or economic loss caused by artificial flooding, to be determined in accordance with generally applicable legal principles.

Motion presented.

Mr. Kelvin Goertzen (Steinbach): I am pleased to rise to speak on the amendment that has been put forward by the Minister of Water Stewardship (Mr. Ashton).

I think it is worth reviewing what happened in committee a couple of nights ago regarding this particular piece of legislation. We heard from many, many Manitobans, very impassioned Manitobans, about what effect this particular piece of legislation, Bill 23, might have on them in the future. I do not think it is overstating the fact to say they were very, very emotional presentations and, I think, very clearly directed in terms of their concerns and their fears about how Bill 23 has come forward.

There were a number of concerns raised about the artificial flooding definition that is contained within the bill, or the lack of definition, how the

definition is going to be applied in the future. Many concerns were raised about that. But there were also a lot of concerns regarding, and I think this is where this amendment is aimed at, the inability for individuals who have applied for compensation to have an appeal mechanism through the court. That was clearly stated, I believe, in every presentation that was made before the committee hearing on Monday night on this particular bill. Every presenter mentioned their concerns about the lack of a judicial appeal on compensation.

At the committee hearing, the Minister of Water Stewardship brought forward an amendment at that time that would have allowed an appeal after the legislated scheme was used, but only on a matter of law. Certainly, we raised the concern at the committee that that ability to appeal was very narrow, to not be able to appeal on the substantive issue of compensation or the eligibility of compensation, but only to allow an appeal from Disaster Financial Assistance Appeal Board on a matter of law was very, very restrictive and, I daresay, would probably never have been used had that amendment been stayed with.

* (11:50)

So we raised those concerns, and certainly, I think, from my discussions with those who made presentations that night at committee, and from others since then, they also echoed the concerns that we raised, that it was not really a substantive amendment, that it was something to do, more of a smokescreen by the minister to alleviate some of the concerns that have been raised publicly by members of the opposition and, certainly, by members of the public regarding the ability to launch a court action on appeal.

So I think the minister thought it was kind of a cute political sleight of hand by bringing in an amendment that said, well, we will allow an appeal from the internal scheme but only where it deals with a matter of law, a very restrictive form of appeal. So it really was no appeal at all, because, as I mentioned at committee and I mentioned here in the House today, this bill is intended to be about compensation. Those are the issues that Manitobans who will rely on this legislation in years in the future will be looking for appeal from generally, I would suggest, that it will be issues surrounding compensation.

I think the Minister of Water Stewardship (Mr. Ashton) was somewhat sheepish at the committee

hearing. I think he realized that he had made a mistake by going down the road that he had. In fact, his amendment at the committee hearing was a little too cute by half, and it was recognized as that by those that were presenting.

I guess it has been recognized again here at report stage, where we have a new amendment that has been brought forward by the Minister of Water Stewardship, but, again, we do not seem to have gone the full measure of what people are looking for.

It is worth noting that we as an opposition brought forward a subamendment at the committee hearing on Monday that would have allowed those who were not happy with how the scheme had been applied or how their compensation hearing had resulted in terms of the amount of compensation the right to appeal to the Court of Queen's Bench to appeal that particular aspect of compensation.

I think, as a matter of democracy, the vast majority of Manitobans would say, well, that seems to make sense, because you then have an appeal mechanism from an independent third party, an independent third party who was not involved with causing the harm that individuals are seeking compensation and relief from. Clearly, the government, in its operation of the floodway, will be directly the participant who is causing harm to the individual claimants who will be seeking relief under this particular compensation scheme.

The inability to have that appeal to a neutral third party, a party apart from the one that has caused the harm in question seemed to be, and the word has been used in this House already this morning, undemocratic. It was clearly seen as undemocratic and unreasonable in many cases, Mr. Speaker, from those presenters, from those individuals who would truly rely on this legislation in the future.

So now the minister has brought forward an amendment here today that still has restrictions in place that just do not seem to be reasonable to me. I do not think they will be reasonable to those who will be asked to rely on the compensation. I know that the Member for Selkirk (Mr. Dewar) has brought out a bit of fanfare in apparently making this announcement on behalf of the government yesterday, and it was reported in Winnipeg media today. I do not think that he will receive the kind of accolades that perhaps he is hoping to receive,

whether it is in his local newspaper or whether it is by the constituents he speaks to on a one-to-one basis.

The reason for that, Mr. Speaker, is that the amendment, as I understand it, in speaking with the minister, will limit the amount of choice that individuals have in terms of where they can appeal from and where they can appeal to. Essentially, what will happen is those who have been flooded by artificial flooding will now have to make a choice about whether or not they go through the court scheme or whether or not they go through the internal scheme for applying for compensation.

To make that kind of fork-in-the-road choice, a bit of a pariah's choice, I would suggest, at a difficult time when they have already received flooding and now they are forced with the bills and different things and they have to make that choice at that time, the fork in the road, where the government puts its flag in and says, now make a decision, which way are you going to go, then that is the way you are going to be limited into.

A much clearer amendment, I think, would have been simply to allow individuals to move through the internal process of Bill 23 in terms of applying for compensation but allow the final appeal to be to the courts. I think that would have alleviated many of the concerns that residents had in terms of whether or not there was true independence within the internal compensation scheme. We know that members on the appeal board will be appointed by Orders-in-Council, will be appointed by the government, will serve at the pleasure, at the will of the minister, at the pleasure of the minister, and certainly people have a concern about that.

So the minister, on the one hand, says, "Well, we are concerned about the costs and the time frame of litigation, so we are going to move to this internal scheme," but now of course they are forced to make this decision between the potential cost of litigation or the independence of the people who are making the appeal decision.

I would suggest to you that it would not be in our jurisdiction to allow people to move through the internal scheme if they are satisfied with the compensation or the eligibility issues that were addressed internally. Then they could simply take that compensation and go on with their lives, and

those who were not, who had concerns about the independence of the appeal internally, could go to a third body, a third party, and that would be the courts. That would seem to me to address all the concerns that were raised by residents both north and south of the floodway gates in terms of concerns about costs of litigation, yes, but also the independence.

That would seem to me a very reasonable approach, Mr. Speaker, to allow those individuals to access the internal process first, but not take away, not limit their rights. Now the Minister of Water Stewardship (Mr. Ashton) in his second political sleight of hand in less than three days has put forward this amendment, and I am sure, well, I was going to say it was going to be followed by a news release, but that news release must have gone out yesterday already. He pre-empted the amendment stage.

The minister by this political sleight of hand is saying, well, okay, we will throw you into this choice. After you are flooded, you have to sign on the dotted line and determine which road you are going to go down. Are you going to go down the left road or are you going to go down the right road?

I would say, Mr. Speaker, that it is not only a disrespectful way to handle people who have had this type of difficulty in their life with artificial flooding caused by the operation of the floodway. It simply is not a democratic way to go, and I do not believe that it is the proper way to go.

So the amendment, Mr. Speaker, to the extent that it has been based on pressure from the public and pressure from the opposition, we are pleased that we have been able to get the minister kind of half way down the field, but he is a long way from getting into the end zone. It would not take much, I think, for him to be able to make that big play and to be able to answer the concerns of constituents north and south of the floodway.

Mrs. Mavis Taillieu (Morris): I would just like to speak also to this amendment. The future flood victims, should we see another flood event of 1997 or greater, and we know that a flood event of that nature of 1997 levels or greater will affect a number of people in the Red River Valley, they have been told that their flood mitigation is not adequate, that the dikes they built to the 1997 level will not hold

back a flood event of that nature and further. So these people know that they will be flooded in future. So the compensation package is very, very important to them. Some of them are still smarting from the wounds of the compensation inadequacies of 1997.

Again, one of the concerns, of course, is the level of artificial flooding. Artificial flooding is a term that no one has really yet been able to define that. Even in the hearings that have been held north and south of the floodway, artificial flooding, the term has basically meant that every flood event finds its own level, and that artificial level that was determined right at the time of flooding, may be, in fact, revised following that.

When we are talking levels of flooding, we are talking just minimums of inches that will put the water over the dikes and flood. So, when you are talking whether that is four inches higher than 1997 or whether it is four inches higher than natural levels or whether it is eight inches higher than natural levels or whether it is one inch over natural levels, that makes all the difference in the world.

Certainly, people have been concerned because there is no appeal mechanism, no judicial appeal. Of course, that does, as the member from Steinbach has pointed out, take away one's democratic right to appeal should they feel they have not been properly dealt with.

I want to applaud the member from Steinbach who, in committee the other night, was very astute in looking at the amendment brought forward by the Minister of Water Stewardship and picking up on the wording and recognizing immediately that, of course, this was just a smoke screen to try to appease the people that had come to present that night, and certainly recognized as astute. The member from Steinbach was very astute.

This new amendment proposed today that we see before us is still not there. I am not even sure if the Minister of Water Stewardship understands this amendment, because speaking with him earlier, he certainly was unclear as to whether or not this would allow people a choice.

It is still very restrictive because it still limits choice. After a flood occurs and a family is victimized by flood, now they will have to decide whether they go through the Disaster Assistance

Appeal Board or do they proceed directly to the courts. Well, we have seen that, okay, going through the Disaster Assistance Appeal Board might sound more appealing because there is less cost involved there and certainly people might be tempted or intimidated, even, into taking that route, to go that route, expecting that there will be full compensation, but having gone that route and finding that they did not get a fair and equitable compensation they would have no recourse to do anything else.

The second choice, by choosing the court or judicial system, well, we have certainly seen what has happened there over the last seven years. People in the Red River Valley who have chosen to first try compensation packages with the government and then, having not settled that, have gone through a court case still seven years later, are not settled. So they know that choosing that option, we can see how the NDP government has manipulated the courts into drawing this out over seven years, wearing people down to the point where they cannot continue to pay for litigation such as this. They cannot take the time out of their lives anymore because they are still rebuilding from the last flood. So the NDP government has worn them down. Some of them have decided to settle. Some of them are still in trying to get their full compensation, and, seeing the track record of the ones who have been settled with, they know that their settlements are probably going to range anywhere between zero and 10 percent. They feel that they have not been bargained with in good faith.

*(12:00)

The settlement talks were initiated by this government last fall and nothing happened then, but then in the spring this group of people were asked to come in and settle the compensation at the request of the government. They felt they were very unfairly dealt with because they were basically told to take this offer. That offer may have been zero percent, up to 10 percent of their original claim. They were then told, if you take it now or within two hours, we will not charge you our government legal fees and then they were told, sign this gag order and do not tell your neighbours what happened here today. Some people did that because they were simply worn down by the process. Others decided that they could still hold out.

So there is no faith, there is no trust in this government to deal fairly with flood victims in either

way in this amendment. On one hand, go to the Disaster Assistance Appeal Board and take your chances there, and if you do not like it, that is too bad. That is the choice you have made. You cannot after taking that choice, there is no more choice to go to litigation. Second choice, go directly to the court system and what we have seen here over the last seven years is that that has resulted in some people getting no compensation. So I think both amendments that have been brought forward, both the one in the committee stage which was simply a sham, simply a smoke screen, just to appease the people, the presenters that were there, I think that is an insult to the intelligence of people that presented there that night that they did not see right through this. They saw right through it immediately as one of the presenters actually spoke out in committee and had to leave the room because he was so upset with the whole process. And secondly—

An Honourable Member: And they laugh. They laugh over there.

Mrs Taillieu: The members opposite laugh at this. I think it is a very serious matter when we are talking about compensation for people that have been flooded, have lost everything. They have lost not only their homes. Some of them owned businesses. So they lost their homes, their businesses, all the money that is needed to rebuild over the last seven years. That is what the members opposite might consider their savings and it has been lost to these people. So they have been set back not only the seven years that they have been dealing with this issue, but the money that they could have saved for their retirement and for other things in the last seven years.

I am disappointed to say the least with this amendment. I think it does nothing to assure future flooding victims that there would be any reason to believe that this government is doing anything to support future flooding victims. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to talk to this amendment. The very fact that this amendment is coming forward at all is, clearly, a recognition that the bill as originally presented was not adequate, that the bill as amended in the committee stage was not adequate and there still needs to be more measures and changes to this bill in order to get the checks and balances right and to get the fairness right for people who have been flooded.

The situation for those who have been flooded in 1997, and had their lives changed dramatically by the flood event, had, as a result of major losses in terms of their property and their possessions, extraordinary changes to their lives and the impact on their lives subsequently as a result of that flood effect.

We heard at committee stage people like Jim Shapiro, Paul and Maxine Clifton, Jim Stinson and a number of others who were talking about the impact of the flood on their lives. We heard that here we are, seven years after the flood of '97, and the issues in terms of compensation for some of these individuals are still not resolved.

The issues, in terms of a definition of artificial flooding and natural levels which are central to this bill, are still not well defined, are subject to all sorts of interpretation. Let us look at this issue of a natural level.

Is a natural level what would have happened with a flood in 1826, when there was not the city of Winnipeg there in the same way it is now? The fact is that we have the city of Winnipeg there, the floodway, all sorts of dikes.

The determination of what is a natural level must start with some concept of what date we are talking about. It must have some particular framework for what "natural level" means. Here we are, we have a Minister of Water Stewardship (Mr. Ashton) who is presenting a bill with some undefined terms as central to the thrust of the bill, central to the interpretation, and the potential for somebody to get compensation, or not to get compensation.

The Minister of Water Stewardship, at the same time as he has failed to adequately define artificial flooding and natural level and so on, is setting up circumstances where, when there is a decision in terms of an application for compensation, the only judicial appeal will be one which is on a matter of law. Now what this amendment does is to set up at the front end the choice of a person to go to the courts or to seek compensation under the provisions of this bill. The problem here is that it is a front-end decision; it is a decision before we know how this bill will be interpreted, how the artificial flooding and natural levels will be defined, and before we know what the initial decision is going to be with respect to compensation.

Although it may be, in a sense, a minor improvement in that it does allow for an appeal to the courts under some fashion. It is not really the change that is needed to make this bill a more workable piece of legislation in the way that it works once it is passed. Clearly, the last seven years have demonstrated the complexities of the issues around compensation and flooding. Clearly, the last seven years, and some people who have claims which are still not resolved, have demonstrated that these matters are not simple to deal with.

Under this circumstance, in order to achieve fairness, clearly there must be some fair appeal mechanism to the courts or to some process which is independent enough from government that the citizen can be assured that there is going to be fairness. The tragedies of people who have been involved in the flood and lost much of what they owned and their livelihoods, the tragedies in the past have been compounded, we saw in 1997, by the failure to achieve fairness in the approach to compensation. All too often we have seen a government, first under the Conservatives and for the last four and a half years under the NDP, a government which has not really attempted to be as fair as it could be, but a government which is tempted to use a heavy hand, if government, to push through compensation approaches which are not really, when one sees the light of day, and most of them are not seeing the light of day because of clauses that are attached to them, that these are not as fair as they should be to people whose lives have been so disrupted, and who have lost so much. One must recognize that those of us who live in the city of Winnipeg, those of us who work, as we all do, in the city of Winnipeg at the Legislature are the beneficiaries—[interjection] We work outside. Oh, well, I sure work outside as well. But some of our working time is spent here.

* (12:10)

What is important to recognize is that those who use, in one fashion or another, the city of Winnipeg, to live in or to work in, are the beneficiaries of the approaches that were taken to protect Winnipeg, and that we need to be sympathetic to those who were badly affected by the approaches that were taken to save Winnipeg and people in Winnipeg, and protect people in Winnipeg. We need to recognize that the people who are badly affected because of the measures that we are taking to protect people in

Winnipeg need to have a compensation mechanism which is more appropriate and more fair than we have been given.

So, although we have some positive feelings in that the Minister of Water Stewardship has brought forward some changes, we do not see these as adequate to the situation which is involved. We do not see that this recognizes the level of fairness in complex issues which surround flooding issues. I believe that if this passes and we have a major flood event, we are going to continue to see problems in the way compensation is allocated because of the lack of clarity, the lack of definition and the continued problems with this legislation. Thank you.

Mr. Ashton: Mr. Speaker, I was wondering if I might make some explanatory comments. I neglected to make them in the introduction and I think it might be appropriate to ask for leave at this point in time since I will have to make closing remarks.

Mr. Speaker: Does the honourable minister have leave to speak to the amendment? [Agreed]

Mr. Ashton: Thank you, Mr. Speaker, and I will not engage in debate. There are other opportunities to debate various issues that were raised.

I wanted to just indicate that we, in addition to the normal process, Mr. Speaker, with the legislation we have before us, including public hearings the other night, I took the initiative earlier this year to start a process of consultations with Manitobans when we were drafting the act and, in fact, was very pleased with the number of responses we received. In fact, there were a number of presenters at committee that actually have written to myself, as minister, and appeared at the committee as a follow-up to the earlier consultation. Certainly, we reflected some of the feedback that we received at the committee with an amendment that was made. Following that, as is the practice in this House, we considered the various comments that were made and this is where this amendment is coming from.

I would like to point out, Mr. Speaker, that the intent of the bill, and I am providing the Disaster Assistance Appeal Board as a mechanism for dealing with appeals in regards to this legislation, was clearly to provide the access to a body that is well established, that does not require access to the court, that has benefits, obviously, for the taxpayers, but

more particularly for claimants who feel that they have not received compensation under this act. I point out that you might find similar parallels, for example, with MPIC where there are provisions in that act that impact in terms of what is often called "no fault" and in that case restricted access to a tort.

One of the key issues that members of the public, I think, raised, which was well taken, was the fact that while providing a non-judicial option is certainly something that should be available, which this act did in its original draft form, one of the concerns that was expressed, and it was expressed at committee again, was the concern that as an appointed government board there might be some lack of objectivity. People felt that, as a matter of principle, they should have the ability to go to a court if they so chose.

That is what this particular amendment does. It goes beyond the kind of situation we have with "no fault," which is brought in by the previous government, but received general support in terms of the principle of that particular case, but recognized that with automobile insurance you are not dealing with compensation that is actually coming from the government, from the Crown itself. That was raised in committee, and that is what this amendment does.

I know, certainly, the Member for Selkirk (Mr. Dewar) and others raised that concern. Whether members feel this is the perfect amendment—I think members of the opposition raised similar concerns at committee—this provides a non-judicial option, the original draft that is in place. It also provides the judicial option for those who feel that the non-judicial option would not provide an objective body.

Mr. Speaker, I think that as is the practice in this House, the unique practice of having public hearings, once again, we were listening in terms of that and I want to just point out that the compensation that is provided under this act is new. It is statutory. It goes above and beyond damage from natural flooding and it deals with artificial flooding, which has been a significant concern for many years of people both upstream and downstream. It goes far beyond the coverage that is in place under Disaster Financial Assistance. It, particularly, deals with economic losses. I noticed in committee there were presentations particularly from KAP and others, and I want to reinforce that that is the case.

The intent in this case is to provide choice, and regardless of whether members of the legislature are from different parties, have consensus in terms that, I think, clearly members of the public expected us to provide that choice and that is the intent of this amendment.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is amendment to Bill 23.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Bill 31—The Floodway Authority Act

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, I move, seconded by the Minister of Aboriginal and Northern Affairs (Mr. Lathlin),

THAT Bill 31 be amended in the English version of Clause 21(b) by striking out "Manitoba Floodway Expansion Inc." and substituting "Manitoba Floodway Expansion Authority Inc."

Motion presented.

* (12:20)

Mr. Ashton: I am fully expecting the opposition to launch a vociferous attack on this as being some smoke screen, a sleight of hand, but honestly it was a drafting error and we are trying to correct it through this amendment.

Mr. Jack Penner (Emerson): I am somewhat remiss. I had intended to put a few words on the record on the bill, but this gives me an opportunity maybe to put a few words on the record in respect of the bill and in accordance with the amendment. I certainly respect the fact that drafters sometimes do make mistakes or oversights and those kinds of things need to be corrected.

I want to say this in respect of the floodway act: There are communities upstream of the city of Winnipeg that will be affected in a very major way, as they were in 1997, by future floods. Whether those floods will be bigger, I think, is just a matter of time. It is not if, it is just when. They will be bigger. I would hope that the same kind of attention for the safety of those communities upstream of the Winnipeg floodway, south of the Winnipeg floodway, will be as ardently pursued as we are pursuing the expansion of the floodway.

We all agree that the city of Winnipeg cannot be allowed to be flooded, but we all must agree that individuals impacted by a major event such as of the Winnipeg floodway, whether they live in the town of Ste. Agathe, whether they live in the town of Morris, or St. Pierre, or St. Jean, or Arnot, or Letellier, or Halbstadt, or Emerson, or any of the other communities or individuals who are being affected, such as Rosenort and others, by major flood events, that we must as a government, as a legislative body looking after the best interests of society, recognize that those communities and individuals living in the Red River Valley or elsewhere where there is flooding experienced, that we give them the same benefits and the same benefits of the doubt that we have given to communities such as those communities we provided diking and flood protection for, whether those dikes need to be raised or other measures taken to respect the higher levels of water that we might experience. It is important that that must be addressed by this Legislature.

I say this in respect of the fact that Letellier, the town of Letellier, which has a large water plant in it, within its boundaries, must be protected, because that water plant serves not only the community of Letellier or the communities of Halbstadt, Marais, Emerson, Dominion City, Winkler, Morden, Altona, Rosenort, Plum Coulee, all these towns are affected, will be affected if that treatment plant should go down. All the people within those communities

would simply be without water because they are all connected now to the Red River water supply.

Not only will they be, because the Morris plant as well is within the diked area of the town of Morris, but, should that water supply not be adequately protected, all the communities west and east that are connected via pipelines now to those two water systems need to be assured that the communities and individuals that are connected via those pipelines for water supply have a maintenance of that water supply.

I believe I only raised that one issue as an important issue, but that is why I say it is important that this minister, when he proposes this kind of legislation, recognize that the effects of the flooding on the Red River and other rivers, such as the Roseau River, whether it is the Pembina River, the Aux Marais or the Morris River or many of the other streams, the Rat River, all contribute and all should have the same consideration when we look at flood compensation.

The reason I raise flood compensation, because I note, Mr. Speaker, that I have received numerous phone calls lately from people that are not being adequately and properly compensated as they were in 1997 when the previous Conservative government was in power. They have been promised all sorts of things. They have had a lot of nice things said to them, but the money has not flowed, because of impediments and/or the delineations of the programs that were put in place in 1997 by the Filmon administration.

So I say to you, Mr. Speaker, that this whole matter of expanding the floodway, whether it is deepened or widened or whatever, is a matter that is much, much broader than just the construction of the floodway.

The agreements that the minister has talked about, the unionization or the non-unionization, but the unionization of the fees, the contribution of the fees to the unions, I think, simply needs to be dealt with under a human rights matter. Whether a human being has the right to say no to a fee being charged on his or her income for no benefits at all, just because somebody has made an agreement with the unions and told the unions, "You will be paid a large amount of money whether these people are unionized or not," I think, is unfortunate, that a government or

a Premier (Mr. Doer) would allow something like that to happen in this province.

We know that there are other countries and other nations that have operated that way, but people of countries have gone to war because of that, to maintain the freedom and the right of the individual to make the decision whether they want to, or not, join or contribute. Yet, with this government, there seems to be no consideration of the individual and the rights of the individual.

So, Mr. Speaker, I think it is imperative that we as legislators stand in this place and protect those individuals that cannot speak for themselves in this Chamber. It is our right and it is our responsibility to speak on their behalf.

So, Mr. Speaker, I thank you for the few minutes that you have given me, but I want to leave this on the record that I will do everything in my power, as will the people on this side of the House, the Conservative Party, to make sure that the rights of the individuals are protected in this province and the rights of the individual and the workers working on that floodway will have the rights of the freedom of the Constitution of this country.

House Business

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

Hon. Gord Mackintosh (Government House Leader): Briefly, Mr. Speaker, just in the interest of convenience for public presenters tonight, I would like to announce the following bills will be transferred from Standing Committee on Social and Economic Development to Legislative Affairs and that the Legislative Affairs Committee meet this evening at 6:30. That is Bills 42, Mines; 44, Colleges; 46, Teachers' Pensions; 49, Municipal; 50, Municipal Assessment; 53, Statutes Corrections.

Mr. Speaker: It has been announced that the following bills will be transferred from the Standing Committee on Social and Economic Development to the Standing Committee on Legislative Affairs and that the Legislative Affairs committee will meet this evening, Wednesday, June 9, at 6:30 p.m.: Bill 42, The Mines and Minerals Amendment Act; Bill 44, The Colleges Amendment Act; Bill 46, The Teachers' Pensions Amendment Act; Bill 49, The

Municipal Amendment Act; Bill 50, The Municipal Assessment Amendment Act; Bill 53, The Statutes Corrections and Minor Amendments Act, 2004.

* * *

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, on the amendment, the Minister of Water Stewardship (Mr. Ashton) suggested that, perhaps, I would rise and call this a sleight of hand or a smoke screen. In fact, I want to commend the Minister of Water Stewardship, because he admitted that he made a mistake. It is the first time that I have had as a new legislator to hear the Minister of Water Stewardship (Mr. Ashton) admit to a mistake. There are many other mistakes he has made that he has yet to go on and apologize for and I look forward to those admissions as well.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is the amendment to Bill 31, The Floodway Authority Act.

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

COMMITTEE OF SUPPLY

Concurrence Motion

Mr. Chairperson (Conrad Santos): The Committee of Supply has before it, for our consideration, a motion concurring in all Supply resolutions relating to the Estimates of Expenditure, for the fiscal year ending March 31, 2005.

On June 1, 2004, the Official Opposition House Leader tabled the list of ministers of the Crown who may be called for questioning in debate on the concurrence motion. The ministers listed are as follows: Minister of Health (Mr. Chomiak), Minister of Justice (Mr. Mackintosh), Minister of Agriculture (Ms. Wowchuk), Minister of Transportation and Government Services (Mr. Lemieux), Minister of Education, Citizenship and Youth (Mr. Bjornson), Minister of Water Stewardship (Mr. Ashton), Minister of Family Services and Housing (Ms. Melnick), Minister of Advanced Education (Ms. McGifford), Minister of Conservation (Mr. Struthers).

The floor is now open for questions.

Mr. Larry Maguire (Arthur-Virden): I appreciate the minister being back this morning. It looks like he and I are going to have a little discussion here around highways and transportation in the province. I think there are some important issues. I appreciated the time I had with the minister in Estimates when his staff were present. If I am asking something that he has not got at his fingertips, I just ask that he provide it to me later if he could, but I think most of the questions are pretty straightforward that I might have in this area.

We were discussing last night in concurrence session, Mr. Chairman, the issue of the capital budgets and that sort of thing. I will just find my place on page 117 in the supplements. I know the minister had that with him last night. He was looking at it. That was the Costs Related to Capital Assets. I had made a comment that the capital budget that he had referred to was around \$120 million in the capital budget, which is a fifth of the \$600 million that the government has indicated over a five-year plan that they would have. I incorrectly assumed that the \$119,705,500, which is the line item on page 117 in the Supplementary Estimates book for Transportation and Government Services, Infrastructure Assets—Provincial Roads and Highways, was the capital budget for Transportation, but the minister corrected me by saying that, no, that was only a portion of it, that it was the \$145,824,800. That is the total item of Costs Related to Capital Assets.

Can the minister confirm that for me?

Hon. Ron Lemieux (Minister of Transportation and Government Services): I thank the Member for Arthur-Virden for his questions and my critic for Transportation.

He correctly pointed out that the way concurrence is is not always necessarily just on point or dealing with specific numbers, because the staff is not present and that one is not always able to give a number out, whether it is a dollar figure or another number, because you want to be accurate, and our conversations are obviously on the record. So you try to be accurate.

Without trying to hedge the answers and to say, well, approximately, or use all that kind of language, you try to be accurate. I know the member opposite

will understand if I take the questions as notice if a particular dollar figure is not, if I do not have that at my fingertips or at least the papers that I have with me.

Taking a look at the budget for highway infrastructure-related expenditures for '04-05 are essentially as follows. I mention that because the Auditor General wanted us to use a different accounting system. We are trying to comply with the accepted accounting principles and trying to comply with the recommendations of the Auditor General.

The department has implemented a budgeting reporting for highways infrastructure as capital assets. As a result of that decision, the department's funding is separated essentially into two votes, as I mentioned before, Part A and Part B. The budget, the highway infrastructure-related expenditure for '04-05, are essentially as follows. There is a Part A, preservation and maintenance side, which is \$111 million; and Part B, capital, is \$78,917,000. So the total highway infrastructure-related expenditures are \$190,403,000.

This level of funding really represents about a \$12.6-million increase in the '03-04 adjusted vote level. That is slightly more than what we have been talking about, the \$10 million, but I am not going to go through the comparisons of their last four years and ours. We have gone through that, but I will endeavour to find more precise numbers for the member if he has more questions related to the financial end and specific dollar questions.

*(10:20)

Mr. Maguire: The minister has just indicated that the budget for capital construction, then, is about \$190 million.

Mr. Lemieux: It is a different system we are using this year, Mr. Chairman, and I understand that previous ministers did not use this system of accounting, because we are trying to comply with the Auditor's recommendations. So what the department has done is that they have separated them: there is Part A capital that just deals with the preservation and maintenance side and that is \$111,485,500; and the Capital Investment side, the Part B capital side, is \$78,917,000. So, when you take a look at the total highway infrastructure-related expenditures, it is \$190,403,000. So it is a different way of looking at

the funding compared to years before. When we take a look at the assets, I mean, we have made mention about the assets, the provincial assets being \$7 billion, the assets of the Province, the assets we had in bridges and roads and so on.

That is the way the Auditor has wanted us to take a look at what we have in transportation. So, it is a different way of looking at the accounting system, I guess. Maybe that is not the proper word, but it is looking at how you account for what you have in transportation now. So it is something that the Auditor General had wanted us to do. We are trying to comply with his recommendation.

Mr. Maguire: So in the capital budget, which is part of the whole highways budget of \$384 million for Government Services, the capital portion of that, I mean, in the Estimates book, or in the Estimates of Expenditures for 2004, it indicates \$119,705,500 under Infrastructure Assets.

Can the minister elaborate on that for me? There is the asset level and, of course, then, there is another number that he is talking about is completely unrelated to this, then, I assume.

Mr. Lemieux: Essentially, in the way it has been explained to me, it is certainly different than previous years. I know the member I believe was the Transportation critic in years before, but having said that, the way that is has been explained to me is essentially what you are doing is you are taking a look at the investment that you have and the value of your investment and you are also looking at what you would like to do into the future as far as capital investment, the investment you are looking into putting into the highway infrastructure system itself.

What you are doing is, essentially you are capitalizing it or amortizing it over a period of time. That is the system that is going to be used. That is something that the Auditor General wants people to do. You account for it in that way. So it is somewhat different than the previous system that has been used in years gone by.

I will give you an example, the Part A capital that we are talking about, the Part A expenditures that are often made a point of provides for the overall operation and preservation of the provincial transportation system. For example, when you are looking at—and I will try and give you some

examples of what Part A is talking about—when they talk about Part A, that \$111 million, it is talking about service repair and preventative maintenance, and also crack fill, seal coating, along with operational activities like snow and ice control, pavement markings, sign replacement, and also includes the amortization in interest expense on the Province's transportation system assets. So transportation system assets include all provincial trunk highways, all PTHs, and provincial roads, the PRs, and all bridges, structures and northern airport runways. So those are the assets that the Auditor talks about.

The Part B capital side, that \$78 million that we refer to for the 2004-2005 year, the capital investment for the Province's infrastructure asset projects include the total rehab of existing roads; the new construction, such as the twinning of the northeast Perimeter or the Highway 59 south, or the money that is being put into the No. 1 highway to the west, to the Saskatchewan border, where intersection improvements or interchanges, for example, the interchange on the northeast perimeter will cost approximately \$30 million. It is a huge expense but it is also an investment that we will be able to use in a positive way down the road. Also the federal-provincial projects like the SHIP program and the Prairie Grain Roads Program are also examples of the Part B, capital.

The way the Auditor has asked the department to look at its accounting is somewhat different. It does not change. In other words, it does not alter anything. It shows that there is a \$10-million increase compared to last year. I do not have the book with me and I am not sure what page that is on, but it shows you the difference. This year the accounting makes it look like under B capital, \$78,917,000. Last year it would have been \$68,900,000, for example. So, in other words, the capital investment is increased by the \$10 million but the way the accounting was done in years gone by it would have looked just at \$120 million and a number of things would have been put into the \$120 million that now have to be split apart.

Mr. Maguire: I appreciate the minister's elaboration in that area. So the Part A is the maintenance part; Part B is the capital. You are adding those together to get the \$190 million. If you would have added those together last year, it would have been 180; that is what the minister is saying.

Mr. Chairperson: The honourable Minister of Transportation and Government Services—the Member for Arthur-Virden.

Mr. Maguire: I mean, I am assuming that maintenance was fairly close.

Mr. Lemieux: Yes, it is the capital—

Mr. Chairperson: The honourable minister.

Mr. Lemieux: Thank you, Mr. Chairperson. Sorry. Eventually, we will be trained. I am sure that we will be. We will not just be carrying on a conversation, but I understand that for the record each person who wishes to speak has to be recognized. My apologies for that and we apologize for that.

Essentially, where it shows is on the capital side. That is what we are talking about, of increasing the capital investment by \$10 million. So it is on the capital side where you see that increase of that \$10 million. This is something where obviously we hope it is going to make a difference, the additional dollars. It is not enough.

I know yesterday I posed the question to the Member for Arthur-Virden about where he thought the money could come from, the additional dollars that we need. I know he is in agreement and many of his colleagues and many of my colleagues are in agreement that more dollars should flow. The point I have made is that more dollars should be coming from our federal government, whoever that might be, if it is the Liberal Party, the NDP or the Conservative Party. Whoever forms that federal government has to put more money out of gas tax particularly, but more monies into the transportation infrastructure system. I am not sure how he feels or where he thinks the money should come from, but I would certainly like to hear his views on that because it really is an important issue.

Mr. Maguire: Well, I appreciate the minister's query, but, as I told him yesterday, when I am in his chair and he is in mine, I will inform him on how we are going to fund those areas. Mr. Chairman, not to be facetious, I certainly understand that there is a need for funds. There is no doubt about that.

As I have said before here, there is a billion dollars requested every year. I do not get that from the minister. I get it from the industry, as well as

being the Highways critic. It is just the function. I mean, we all know the highways could all use upgrades. As much as there is work going on in some sectors of the province, there have been cutbacks on some and our major arteries are starting to see it. Those major arteries, the Yellowhead, Nos. 1, 75 and the Perimeter Highway are part of the national highways program. So we all recognize that the federal government has to come to the table in these areas.

* (10:30)

I know my colleague, Mr. Findlay, who was the Minister of Transportation before even the end of the Conservative years there, when he was in the Transport Minister's chair, found it very difficult and I guess if you want to look at it, it was one of the really hard choices to make that he knew. The town that I live in now is Virden. He knew that while we had the funds to get the base built for a few of those years, he did not want to see the kochia growing in the middle of that road any more than any member of the government today, I do not feel, wanted to see it.

When the Member for Brandon West (Mr. Smith) was Transportation Minister, you know, it always takes extra costs to go back and pretty well had to rebuild the top surface of that road even though the shoulders were there and everything was built for the 12 kilometres from Virden out to 83 north and certainly that part of the road was paved last year. There are, however, other parts of that road, and I want to bring it to the minister's attention, west of Griswold on No. 1 highway's south side, that we do get concerns about rutting in highways all over the province. I just want to bring it to the attention: No. 1 highway, the south side west of Brandon, from 21 highway you may say, right at Griswold, a little community there, 21 highway north-south on No. 1 junction, west for at least between there and Oak Lake. The rutting in that particular section of the highway has a few gentle curves in it, and that sort of thing.

I just want to bring it to the minister's attention that as I drive from Virden to Winnipeg virtually every week, sometimes twice, that that is a section of No. 1 that I find the most rutting to be prevalent in right now, and the most hydroplaning. It is a wonder there have not been accidents in that little section of the highway. It is little in the scope of the Trans-Canada, but it is big in that area. I know that the

minister looked at it before; there was some funding for the existing paving on No. 1 highway between the Saskatchewan border and Elkhorn at one time and now some of that work has been done.

There was, of course, \$5.2 million first lifted there in the, I think, 2000-2001 spring to take care of potholes in other parts of Manitoba highways in a soft spring that we had. I understand that some of that work has been done now. I just bring it to the minister's attention that when he is dealing with his federal counterparts that there needs to be, and I know he does bring it up to them on a regular basis, but whoever that minister may be in the future we need to work together to try and make sure that we get some funds in that area for maintenance, more than what we have.

I know there are always capital needs and the government is looking at that. I am appreciative of what they are doing on No. 1 highway. I think we have to look at it. Because I represent the west end of it, I am a little biased, but there is an east end of it as well, in the minister's own riding, I believe, that we need to look at as well. There are a few kilometres there, I know, that the minister is concerned about, and we need to twin those. That is where we need to make sure that we get our part done and get those twinned.

I guess I just want to bring it to the attention of the minister, because I am very worried about the hydroplaning that may take place; we may lose some vehicles. It is very cupped with the ruts on No. 1 highway in that particular area from Griswold to Oak Lake.

So I appreciate the fact, I just wanted to ask, again, the minister is looking at this capital budget then. He is saying that there is a new accounting process for it. I wonder if the minister can just indicate to me why they made the change in sort of an accounting format in that area?

Mr. Lemieux: Essentially, my understanding of the process and what has happened is because the Auditor General has really required and asked that a new system be put in place. When you are taking a look at your assets that you have province-wide within Transportation, you take a look at the bigger picture with regard to taking a look at your highway infrastructure-related expenditures.

The Auditor essentially wanted to make sure that the province was—I guess the bottom line is for us to meet our ongoing commitment to try to comply with his generally accepted accounting principles and to comply with recommendations of the Auditor General, at least in this area, that the department has implemented that budgeting and reporting for highways infrastructure as tangible capital assets. As a result of that, the department essentially and its funding, is in two votes, or two areas.

I mentioned before that Part A is preservation and maintenance. Microsurfacing and route and crack filling and seal coating and taking a look at those expenses that are on our provincial transportation system assets, and that means that that could be all provincial trunk highways, provincial roads, bridges, structures, northern airports, and runways.

The other side of it is the B side. B side capital is what we often call our capital investment side. When you start looking at the twinning of roads or intersection improvements, interchanges, big cost drivers. Those are the big items. So what we have done, essentially, is we have split it up into two votes, the Part A and Part B. The bottom line is that when you take a look at, even comparing what we had before, we are going to be putting essentially \$10 million more into the capital side this year and a further \$10 million next year.

I think for the opposition, and I know I have asked the question of the member from Arthur-Virden (Mr. Maguire) with regard to how are we going to obtain, or in his view, how does he see, or his party see us obtaining more dollars to put into the transportation infrastructure system. I know he is reluctant to comment, and I know that in eight years or in twelve years he will have his opportunity, I guess, as a possible minister. I was not saying it in a way to put him on the spot, or meant to kind of corner him in any way as to what he would do, but because members opposite know, as I do, that the system on the whole needs more money.

There are very few ways to do that, and a real concern for me, and I believe for the province of Manitoba and its citizens should be, if the feds do not come to the table and put more money on the table for us, where else is it going to come from? It is a

sincere question that I ask the minister. Where are those dollars going to come from?

We hear continually, and I hear continually, from his colleagues, the Conservative MLAs, wanting to do all kinds of roads in the province and assist. I agree with it. I do not disagree with it in principle. But where are you going to get the money to do this? The dilemma right now, as I see it, is that we have not had a federal partner.

So, when I ask the question, I am not doing it as a minister asking the opposition critic a question. Not in that sense. I am asking for his opinion, if he has any suggestions as to where those extra dollars could come from to improve Highway No. 1 west. As he said, there is a stretch there near Griswold where, when you get that rutting in the roads, it fills up with water. When vehicles go on that, there is an opportunity to hydroplane and accidents to take place. Safety is a huge concern for us, but it takes dollars. I guess what I am asking, and the point I was trying to make, and not to try to put you on the spot, was where do you see those dollars coming from. Maybe through the federal election those answers will come out. I hope that it becomes a more important federal election issue.

Mr. Maguire: I appreciate the minister's intention, and he and I can have a greater degree of discussion as to where those go. When I was talking about No. 1 and the Oak Lake-Griswold area, of course, I think I mentioned that we need to get more funds from the federal government. I agree with him on that. There needs to be that area. We need to continue to work at it. No one can let up on that.

I will come back to a few questions, but my colleague the Member for Russell has a few questions that he would just like to ask. If we could keep the questions short and the answers short, then I think we will move forward.

Mr. Leonard Derkach (Russell): I thank the minister and the critic for the opportunity to ask a couple of questions, and I will try to keep them as brief as possible. But I have a very, very serious concern.

The concern relates to a stretch of road that the minister is well aware of, between Binscarth, Manitoba, and Russell, Manitoba. This has become

such a serious issue that I have been put on notice by people in my community that there will be a death on that road this summer.

* (10:40)

This is not to try to forecast anything, except that the condition of the road has gotten to such a state that right now, the road, I would have to term, is dangerous. We are getting to the end of the crop year now, and there are just hundreds of trucks moving through that area. There are no turnoff lanes to the elevators and the shoulders have become so soft with the rains. The other thing is they have settled, and you cannot take a big rig off the pavement to let traffic by. It is just too dangerous, and if you tried that you will cause an accident of untold proportion, in my view.

I know that the department has said that they are going to pave it, but they are just going to pave it with that old Plohman standard, if I could use it, to where you have that four-foot shoulder paved. For that kind of road, it is just not acceptable. The shoulders have been built right from Binscarth to Russell, with the widened shoulders at the turnoffs. I do not care if this is an emergency kind of approach or whatever it is, and I know the tenders have been specified in that area, but I think we have to rethink this immediately.

This road is far, far too important. I do not care, I will sacrifice other areas of construction in my constituency, if that needs to be to get this stretch done. This is the second major corridor for the province, in terms of an east-west corridor. It is the second Trans-Canada. The intensity of traffic there is increasing by the month, and we just cannot afford to ignore it any longer.

I am appealing to the minister because I do not want anybody from my community being killed on that highway. Because a lot of people from Binscarth work in Russell and live in Binscarth. But it goes beyond that. That is a very busy, busy road. I just cannot underscore enough the fact that we have to collectively put aside some project somewhere else that may not be of desperate nature to get this piece of road done this year. It just has to be done.

I appeal to the minister not to do that three-foot shoulder. All you are doing is intensifying the danger, because the slower-moving traffic that has to

turn off at two elevators, then there is another turnoff that goes east of there, also the CanAmera Foods issue where there are 75 trucks moving into CanAmera on a daily basis. Then you have Pizzey's in Angusville where there are another eight or ten B-trains moving daily there. You have to live there to understand the severity of this situation there. I just do not want to be attending somebody's funeral because we did not do our job so I am appealing to the minister to give this another look. I know the bureaucracy will try to bamboozle us but I think the minister has to exert some ministerial authority here and say this is the way the project has to be done and it can be done this year.

There is no reason why it cannot be done. We have enough construction power in this province. We can put it to work. That highway can be done just as the Neepawa-to-Minnedosa stretch was done last year. I leave that to the minister's response.

Mr. Lemieux: I thank the member for the question. We have had off-the-record conversations as well as on-the-record conversations with regard to this. I appreciate his concern for his constituents, but there are a lot of other people who travel through using No. 16. In other words, it is a major route. There are tourists. There are all kinds of people as well that go through that.

The member from Russell is correct. The intention was to put the two lanes with a kind of a mini-shoulder on the sides. That was the intention but the question, and I know it is not kind of a question and answer back and forth usually in concurrence, but could I ask the member from Russell quickly. Does that mean that he is saying do not do the work from the drive-in theatre on 16 through Russell this summer? In other words, do the stretch from Binscarth to Russell correctly, in other words, do the wide shoulders. Do that portion first.

There are only so many dollars is what I am trying to say, Mr. Chairperson. I am not even sure it is feasible but I appreciate the suggestion. I am committed to raising it with my deputy minister in the department to say to take a look at it. That is what the member is saying, that possibly do the stretch from Binscarth to Russell? Do it right, if I can use that language. Do it right and then take a look at the other portion. We all know it is going to happen. The work is going to happen. Through the town of Russell, 16 is going to be fixed up.

I do not want to be too long-winded on this, Mr. Chairperson, but it is going to happen, so I guess I am just wanting some clarification from the MLA. Even though I do not live there, I am familiar with the area. I used to live there many years ago. I know how much traffic is there and it has only increased throughout the years. If I could be permitted to ask the MLA the question on his own preference.

Mr. Derkach: I am not afraid to say this because I think the most important aspect is the safety aspect. Therefore, the stretch that goes through the town of Russell, it is tight, but it is not in a condition the road between Binscarth and Russell is. That, to me, is the most serious issue. We can address the issue through Russell a year or two down the road if it requires shifting dollars.

I am going to say this. I am stepping out on a limb here because I know that maybe the town fathers of the town of Russell want this done for aesthetic purposes or whatever, as well as for safety, but I think the more serious safety issue has to be on that stretch between Binscarth and Russell. We could put slow signs up as you enter the town of Russell to slow the traffic down. We can do some things to bring that traffic to a slower pace for a year or two to give us that time, but the issue between Russell and Binscarth is not one where you can slow the traffic down. It is an issue that you cannot get off the road. The rocking of these big rigs as they are moving through that area has become a hazard. The levelness of the road cannot be maintained because it has just deteriorated too far.

In a nutshell, if the minister finds that dollars are scarce and if we have to choose our priorities, I would have to say, as an MLA, my most serious priority in my constituency is that stretch of road.

Mr. Lemieux: I know other members of the opposition want to ask questions so I will try to be brief.

I appreciate the comment from the MLA for the area, because that is also important. I know he may get different people coming and knocking on his door saying, why did you do this or why did you not do this? That is all part of it, but safety is a real concern for me, I know for the MLA for the area, who has worked very, very hard on behalf of his constituents for many years. I appreciate his counsel,

his guidance on this. I am going to pursue it with my deputy minister and see what we can do.

Dollars are tight. That is our dilemma in transportation continually. If we do that that is doubling the cost of that stretch, so something else may have to be put off for a couple of years then in the planning process. I would hope that the people from Russell would appreciate that based on safety related matters.

Mr. Derkach: Mr. Chair, I say to the minister that if that is the case, if there is a project that has to be put on hold, whether it is in my constituency or elsewhere, if the minister wants to identify it, I am not afraid to take the political hit, if you like, for delaying a project that perhaps is not as serious and is not as urgent to do as this one. I am that serious on this. I mean, we all want to do the best we can for our constituents, I know that. But, when it gets to the point where you have to address the safety issue for the general public, I have to say that that takes precedence. I am prepared to put my political sort of future on the line here to say that we are going to address the issue of safety first, and then we will do other projects.

* (10:50)

Mr. Jack Penner (Emerson): I want to pursue further the issues I raised yesterday. That is a road work that needs to be done, I believe, on an urgent basis in my constituency. Plum Coulee, which is on Highway 14 west of 75 highway, and I am sure the minister is aware of where it is, is a very busy turnoff point off of 14. The tremendous number of heavy trucks that travel 14 out of the Morden-Winkler area and west, much of that traffic, I understand, now is diverted off of No. 1 highway, comes down either No. 5 or some of the other routings onto 14 and then onto 75 to Emerson Customs ports, but the turnoff there is becoming a real danger point and has been for a number of years.

We have had some major accidents there, which the minister can look into through Autopac. There have been deaths there. I just want to ask the minister, in light of the fact that he and his department have over the last three years lapsed more than \$31 million of construction money in their highways budget, and over the last two years it has been better than \$28 million that have been lapsed, I wonder if the minister could take a hard look at some

of the very urgent matters that need to be dealt with in those communities that are large growth centres where traffic flows have increased dramatically. I know the department is constantly talking about traffic flows.

Well, I think if the traffic flows were measured on 14 highway at the turnoff at Plum Coulee, I think he would find that it is one of the higher traffic flows in the province, and the turnoffs need to be dealt with in some meaningful way to ensure the safety of that crossing. I wonder if the minister might want to comment on that.

Mr. Lemieux: I thank the member from Emerson for the question. What we are finding with regard to a number of different intersections and roads, since a lot of the rails, or grain elevators, essentially, have been or spurs have been decommissioned, the highway traffic has been unbelievable. I know the members opposite, when the honourable member from Emerson was a Cabinet minister in his time and throughout the nineties, I am sure their department started to see the traffic pick up. It is only getting worse. We are so dependent on large truck traffic. We have a number of large companies here in Winnipeg that provide a lot of money to this province in jobs and in other ways by virtue of their business. The truck traffic is just getting to be really quite something in the sense that people within my department and within the Department of Transportation are looking at all kinds of aspects related to safety and the amount of traffic that is flowing.

I am not clear whether the member is asking that something should be done necessarily to No. 14 or is he asking about the intersection? I guess I am not clear, Mr. Chairperson. That is something I would want on a point of clarification from the MLA.

Mr. Penner: I thank the minister for that response. He is absolutely right. The traffic flows have increased dramatically. We all knew that that would happen once the railways would do away with the spur lines and the increased processing would take place in many of our communities. Plum Coulee is one of those areas that has seen a very dramatic increase in the processing of specialty crops as well. There is Bison Commodities located at Plum Coulee now, on the former sugar beet site, and we often talk about why industries establish where they establish. I think we talked about that same thing on Highway

201 when Seed-Ex established on the former Letellier sugar beet unload site. Those sites were perfect for doing what these companies do. They are grain companies. They are specialty-crops companies. They had a runway custom made to carry the heavy loads right to their buildings. They built the buildings right beside and even on these runways, used them as foundations for their buildings, and were perfect for development. The accesses were all there.

However, the truck traffic that has been created has caused some major problems in getting them off the main routing, not disrupting the through traffic. Therefore, I am asking the minister today to take a hard look at the turnoffs at those intersections to provide better and safer turnoff lanes at Plum Coulee and at the Bison Commodities site that would allow the trucks and vehicles to turn off onto those sites where those commercial properties sit, where product has to be delivered on a daily basis, and the heavy truck traffic that flows through that hits the Emerson customs, and I believe there are some thousand rigs a day that cross customs at Emerson on a daily basis, and much of that traffic comes down 14 highway and through Plum Coulee, so we need a better system of turnoffs that would make it safer there for those trucks to turn off onto the bean processing facility at Plum Coulee, and also the Bison Commodities which is two miles west of Plum Coulee at that turnoff site.

Again, there are real dangers there and I am asking the minister to ask his department to take a good look at the possibility of building those turnoffs at those sites. This has been requested by the Plum Coulee council in a letter to your department, Mr. Minister, on a number of occasions. I would hope that there could some meaningful action taken in light of the fact that you have left on the table, over the last number of years, \$28 million in highway construction money that, maybe, Cabinet could be convinced to use some of that money and bring it back for the construction of turnoffs and the like to bring a safer aspect to travel on 14 highway and other highways in this province.

Mr. Lemieux: I thank the member from Emerson for the question. There are, essentially, two parts to his question and what he is raising. One, is that where you have industry that has grown throughout Manitoba, which we are certainly grateful for, they pay taxes, they contribute a lot to the GDP, they

provide jobs. We are very grateful for that in Manitoba that they settled here, worked here, developed here. There has been, over the last number of years, I believe, him going to his administration that where there have been new companies, Mr. Chairperson, is that when they develop they are asked to contribute toward turnoff lanes, lanes that actually turn off into their establishments.

I will give you an example, in my own home community there is a new Federated Co-op, a new co-op store, that is being built, a very large grocery store. There are turning lanes that are going off into that community, coming off of a highway which is a provincial highway, 207. It runs right through the town of Lorette. Again, the community is very grateful to have this company there and to be involved in the community. It is great for the community. It is a growing community. But the answer was when they requested monies for turning-off lanes and lanes to turn off into their business, we said that we are sorry, no. That is all part of doing business and you have to provide those dollars for turnoff lanes for safety reasons. There are many, many other examples in Manitoba. Now, here is an example right in the minister's own home community.

I know people become quite cynical in politics sometimes or think of politics in a cynical way, thinking, oh well, the minister will take care of his home community but here is an example where we have had to stick to a policy of saying when people develop businesses and they are having turnoffs off of provincial highways, they have to make provisions in their budgeting to budget for safety. Part of that is the turnoff lanes, to be able to turn off into your business, into your property, off a provincial highway that will not encumber or in any way impede traffic either coming behind you or coming towards you.

* (11:00)

So, essentially, that has been the policy through the department I have been advised and this is what I have received from the deputy minister because I know the member from Emerson raised these questions before and I have, essentially, been told by my officials that this has been the policy for a number of years now and that currently there is no intention to change that. Having said that, I understand the potential seriousness of having trucks,

many trucks on our highways, with increased traffic and having to turn off into their properties and slowing right down almost to zero kilometres in order to make the turn, that of course this will back traffic up. I understand that. Again, partially it comes down to dollars, but also part of it also comes down to, I guess, a responsibility on behalf of the corporations or the companies to take a look at that safety aspect, that, when they are building close to or just off or adjacent to a provincial highway and they need turnoff lanes, they should be planning that as part of their budget.

Mr. Penner: This is a turnoff lane into the town of Plum Coulee, and it is the Town of Plum Coulee that has requested the changes. It is in regard to the tremendous growth that has taken place in the town of Plum Coulee and in respect of that growth, which is largely due, as the minister has stated, to industry growth in that community, such as the bean processing plant right in that community, but they were there long before this government took power.

It is a bit disconcerting, Mr. Chairperson, that the minister talks constantly about the need for more money from Ottawa and money from private industry to help with the infrastructure, yet this minister over the last two years has left \$28 million in his budget unspent. We find that absolutely inconceivable that this government would use the excuse of not having enough money, yet when they budget, I believe, \$300 million for highways, or \$315 million, that he would leave \$14.2 million of that on the table unspent at the end of the year and now blames the federal government for not contributing or is asking the private sector to contribute in a meaningful way.

There was a time when the Conservatives were in power that the contribution was just asked for in just the reverse. We encouraged industries to build and, as an incentive, to have them establish and build, we would indicate to them that we would support the infrastructure development through a program such as REDI and others that were utilized, designed specifically to encourage those industries to build in our rural communities, to support the employment of people and to support the economic base in rural Manitoba.

Yet this government has taken the opposite view and says now those industries that pay large amounts of taxes, large amounts of money towards education,

funding education taxes, employ large amounts of people are now going to be asked to put their hands in their pockets and build entry roads and those kinds of things or improve roads into the very towns that these industries exist and thrive in. So, I find that unfortunate.

I want to ask the minister whether the bridge at Letellier on 201 is still on this NDP government's radar screen and whether he realizes that the condition over the last two years has deteriorated dramatically that bridge and the entrances onto the bridge. I wonder whether the minister is prepared to fish the bridge out of the river one of these days when it falls in before it is rebuilt on 201. I think that is the impediment to rebuilding 201 to accommodate the traffic out of eastern Manitoba, such towns as Vita and all the smaller communities that have a large livestock industry in their area that need to access the marketplace on a daily basis and be able to haul loads out of there on a daily basis. So I wonder if the minister could give me a bit an overview as to what his plans are for the future development of the bridge on 201 crossing the Red River.

Mr. Lemieux: I thank the member for the question. With regard to the specifics of the bridge on 201, I will certainly have to get back to the department. The member knows that when you get into specifics when you do not have staff at your side, it is not always possible to answer those questions, but I will certainly endeavour to talk to my deputy minister and to talk to people in my department to find out what is happening with regard to that.

I can tell you the member knows, and he knows, through when they were government, that the dollars that are put into your budget, really depend also on the weather. It depends on the weather in the spring, whether it is a wet spring, it depends whether or not what your summer is like, if you have a wet summer, if you have an early fall, it is freezing, you cannot do the paving. Also, with regard to capital what is happening up north on the winter roads. All of these aspects affect your budget essentially and whether or not you can expend those dollars.

I know the member is aware of this. He has repeated a number of times with regard to the lapsing of dollars. Their government did the same and because of those same reasons.

An Honourable Member: No. Never.

Mr. Lemieux: The member says no, but the fact of the matter is yes. They lapsed all kinds of dollars in the 1990s. We, as a government, we understand in opposition that these situations happen, and that there is weather that has a huge impact on your budgets and whether or not you spend those dollars that are budgeted for.

The fact of the matter is, though, that our government has put \$10 million more this year into the capital budget, and we are going to put another \$10 million next year into the capital budget. It is going to be an increase of \$20 million, the largest increase in many, many years that has taken place. Overall, we have spent in the last five years, compared to 1994 to 1999—we have budgeted for almost \$60 million into the highway budget compared to the previous government in their last four years in government.

Not only that, we put approximately 25 percent in the North, that also means 75 percent of all those dollars are going to southern Manitoba. So I think most Manitobans would look at that as being fair. The northern part of the province has a lot of challenges with regard to transportation. So 25 percent of the budget in the North, at least approximately, and 75 percent in the south, I think, is very reasonable. Those dollars are far more generous, I can tell you, than what the previous administration put into northern Manitoba. But, having said that, governments have to make choices. They made their choices and they chose not to support the North in transportation.

Mr. Peter Dyck (Pembina): Just a little further to what the minister has been talking about, dollars spent. It is disconcerting for those of us who have communities that are growing and need all the resources that they can get from the provincial government, and from the responsibilities that the government does have. It is accurate, as my colleague has indicated, that this government has lapsed \$28 million in two years. So, consequently, I do want to go back though, and that is the minister indicated that the previous government had done the same. Well, not to the extent of \$28 million.

We just looked at the records here. Yes, one year they lapsed \$1 million, another year they lapsed 2. But then they overspent by \$200,000. They overspent in '98-99 by \$3 million, and—

An Honourable Member: Never \$28 million.

Mr. Dyck: Never \$28 million in two years, however. That is accurate information and so I just believe that we need to have that on the record. So anyway, what I am saying is that we have overspent comparing to what this government has underspent to the commitment that they made. That to me is a concern, because the general public, who does not follow the numbers accurately, certainly would look at it and listen to what the minister is saying, and feel that that they have exceeded, in fact, in their dollars, which is not accurate.

So the question I have to the minister though is, and he is aware of the question and where I am going, but I will continue to ask this question. This is for the city of Winkler. I have asked the same question before, however, I will again ask it. I am hoping that the minister and his department have had a change in heart, but first of all it is to Highway 32, and I will reiterate the fact that the Superstore is putting up a huge building there. The traffic counts are 16 000-plus per day. That is on Highway 32. On Highway 14, Wal-Mart is putting up a huge store, and so they are needing assistance there.

Now the one area of concern, and I have expressed this numerous times, is that we need to have Highway 32 four-laned. I know that the City of Winkler is prepared to work together with the Province. However it is a provincial highway and so we do need assistance in doing that. I know that in my latest discussion, which was just a week ago with the mayor and with the council, that they were asking the last count for \$185,000. These were 25-cent dollars in order to be able to do some turnoff lanes, and I know that the minister has rejected that as well.

I guess the bottom line, it just appears, is that it is a reject, reject that they continue. The Province, the Premier, the minister continue to tout the virtues of the growth in southern Manitoba, but are not prepared to put any resources out there. That is unfortunate. I think it is unfair, and I know where the minister is going to be going with this, that they are putting money all over the place. I do not begrudge anyone that, but I do believe that there are some dollars that do need to be spent in the City of Winkler in order to be able to assist them in their striving to increase the economy of the province. So I would ask the minister if he could respond to that.

* (11:10)

Mr. Lemieux: First of all, I am not sure where the members opposite are getting the dollars that are supposedly lapsed. I am not sure where they are finding their statistics from but, nevertheless, the fact of the matter is, I have mentioned repeatedly about the conditions, whether it is in the fall, the summer time and the spring, weather conditions have a huge impact on that.

Also, the federal government, with regard the federal government coming forward and the agreements we have with the federal government, sometimes they are late in coming, and we have our dollars on the table, and they are late, or they do not come at all. So that has to be taken into consideration. They faced it, as well as we are facing it. They faced it in opposition.

Having said that, I made mention to the member on numerous occasions as well as the Town of Winkler with regard to new companies moving into different communities, that there has been a policy now within the department for a number of years with regard to aspects related to turnoff lanes or intersections as a result of the high traffic because of a store moving in, whether it is a grocery store or it can be a company moving in, an elevator for example off of a provincial road, they need turnoff lanes.

A policy has been that those companies put dollars toward their budget to ensure that those things are taken care of. My understanding is that I have been advised anyway by the department that has been the case for a number of years. So, having said that, Mr. Chairperson, the deputy minister and the department are looking at this aspect and always review any requests that come in on balance, and taking a look at whether or not it prescribes or is somewhat connected to the policy and is connected to a criteria that the department has, or a policy that they have.

The Town of Winkler and the companies that are in the community are very much aware of this position of the deputy minister and the department, and the policy they have had. They have communicated that to, I understand, the City of Winkler. As it stands right now, it does not look like anything is going to change presently, you know certainly at the moment.

It is not something that we rule out offhand. It is something that we take a look at and look at the request. I would not want the impression left that the city of Winkler somehow is not getting anything. The City of Winkler has, not that many years ago, received some assistance with regard to their main street, and so on, I understand. Also, a new school is going up in the city of Winkler.

So all of these aspects, that government of Manitoba recognizes that there is immigration as well as other aspects starting to fuel the population of the community of Winkler. So the Province of Manitoba will have to address those issues as they come. But, currently, with regard to the transportation issues, there has been a long conversation, many conversations going on between the department and the City of Winkler with regard to these issues. I believe the member also knows, that represents the community of Winkler, knows the answers to those questions.

Mr. Dyck: So basically what the minister has just said, that Highway 32 is not even on the radar screen. That is a provincial responsibility. What he has led me to believe that policies have changed, and so therefore they are not taking the responsibility of a provincial highway. So that has now become the responsibility as well of businesses moving in. I find that rather alarming because a provincial highway is still a responsibility of the provincial government. That was one of the questions that I asked.

The other one was, when you are talking about the turnoff lanes, it is inaccurate to say that the City of Winkler and the businesses have not put in money at all. In fact, they are looking at putting in 75-cent dollars. I have asked about the 25-cent dollars which the minister had indicated is a no-go but has not even responded to Highway 32, which is totally a provincial responsibility. So I find that rather interesting, that that would be the approach that the minister is taking and saying that, in fact, the way I hear it, they will not even address that.

But coming back to the school. Yes, I do appreciate the fact and I know that the minister of highways, who was then the Minister of Education, came out and looked at it, and, yes, was there to announce a school. But he should also know that has been put on hold now for at least a year, and this was already a year ago. So we are looking at two years.

The board has indicated to me that they really cannot move ahead on that.

So, basically, all I am saying is that this government, as it has basically indicated, that they are not looking at that area, the city of Winkler and the growth that they are experiencing at all. In fact, in all of it, they have basically just said no.

Mr. Lemieux: No, I mentioned, the member is inaccurate in saying that the Province of Manitoba, the Department of Transportation or government, in fact, somehow does not care or does not realize how important the community of Winkler is to Manitoba. It indeed is. It has a lot of businesses employing a lot of people there. New immigrants are arriving there. We appreciate that, but the fact of the matter is that as a provincial government we have a responsibility for the whole province. When we take a look at northern Manitoba we feel that the previous government did not do enough there. So we are trying to dedicate approximately 25 percent of our Transportation capital budget towards the North.

I do not think the member opposite would necessarily disagree with that. But the fact of the matter is, 75 percent of the budget goes to southern Manitoba. That is where those dollars are spent. Essentially, and this is something that I know the member opposite is concerned and has mentioned this, that there are not enough dollars into the system itself and that there needs to be more dollars put into the system.

Yes, there is balanced-budget legislation. You have to ensure that you live within your budget. Those are very, very important, a lot of other priorities in Manitoba, education, health, to mention two. But I would ask the member that represents the community of Winkler where does he think that the Province of Manitoba could obtain more funding and more dollars. Does he see the federal government, for example, contributing more? Where does he see more dollars being put into the Transportation budget? Where should those dollars come from and where should those dollars be accessed?

Mr. Dyck: I like this. Now I can start answering some questions. The tables have turned here. This is priority spending. I think the minister knows that. The dollars are there. If you want to get into the politics of it, the revenues for this government have increased dramatically since 1999, by over a billion

dollars a year. So the money is there. It is priority spending.

This government must recognize the fact that there are areas that have contributed to this. Certainly, I will agree that we have responsibility to the whole province. But my whole point in all of this has been that where the government of the day, the Doer government, the minister of highways is out there lauding the fact that southern Manitoba, the area that I represent, is growing rapidly, I think that is great. All I say and I ask for is put just a small amount of the resources back in there to recognize the fact that there is growth there. Do not just go out there and say, "We love the growth that is taking place," and then just stand back and watch it happen and do nothing to assist.

So that is my point. That is, as far as I am concerned, as many questions as I have, because we will not get to Highway 32 anyway.

Mr. Lemieux: As I mentioned before, Mr. Chairperson, there is over a billion dollars, in fact, arguably, closer maybe to \$2 billion of requests every year that come in. I think the member appreciates that. There are a lot of challenges related to that. How do you prioritize, and what kind of system do you put in place to prioritize what needs the work and where does it need it? There are many professionals within the Department of Transportation that have the expertise, have the ability to make those decisions.

Highway 32 and other projects around Winkler are definitely in the queue. They are part of the requests. They are requests that have been put forward. It is something that the department and the officials within the department review on an ongoing basis to determine the quality of the road, the condition of the road, the age of the road. They have the ability now, with different technology, to determine and try to forecast a little bit in traffic flows to see what will happen in years to come.

* (11:20)

I do not want the member, nor people who live in Winkler or the area, to think somehow that there never will be an occasion where there is work being done there in years to come. I mean, I cannot say today yea or nay, but I can tell you that the department continually monitors this and tries to

prioritize around the province where the work needs to be done.

Having said that, you have got communities like Winkler and Steinbach and other communities, we talked about this last night, I know the member from Transcona will recall this conversation, that some communities are willing to come up and put money on the table today. They will say here is a million dollars. This is 40 percent or 50 percent. We want the province to match it. And we are willing to do it. In other words, we do not want to wait in the queue or when the roads deteriorate to a point where the department decides it is okay. We think we want it done now, so why can the province not match our money?

The dilemma is a philosophical one. There are some communities that have the tax base and the financial wherewithal to be able to match those dollars. The problem is would that money continually go just to the wealthy or the more affluent or the communities that have the tax base to pay it. What happens to those communities in the province of Manitoba that do not have the tax base to be able to do that?

It is a real dilemma. It is a dilemma that I certainly, at this point, do not have the answer to. But there are many R.M.s and cities that are wanting to partner with the province, saying, you know, we are willing to put our money up if you do it. It is a conundrum, it is a real dilemma. If you start to go there and you start to match dollars or 60-40, whatever percentage, because the reality is, there are some communities in Manitoba that have the financial wherewithal to do it today. Whether it is Portage la Prairie, Winkler, Steinbach, there are many others.

Manitoba is really doing well economically, and there are so many communities that do have that, but, on the other hand, there are many communities in Manitoba that do not have that tax base and do not have those kinds of dollars to come to the province today and put their money on the table and want us to match it. So we do depend on the expertise of people within the department to make those determinations.

Mr. Maguire: I just have to ask the minister a few more questions. I appreciate that his answers will be to the point. I know we have heard many times that

we need the federal government to come to the table. We would like to find ways of finding those dollars.

My colleague from Pembina has just indicated, as I have many times, and other colleagues on my side of the House, that the money is there for this government in this area. They need to prioritize where they are going to spend it. The minister has said that there is 75 percent of the budget spent in the south. If you look at his analogy, obviously he has indicated and it is a fact that 25 percent of the budget is being spent in the North.

If he wants to base it on regional bases, you know, within a percent or two, then perhaps if he is using that analogy, maybe he could put the money where the roads are and have part of it as a development area as well, because I know 11 percent of the roads are in the North, and I do not mind 11 to 15, some percentage. This is as low as it has been, 25 percent under this government. It has been as high as 40. I am not going to get into the debate about who did what the most.

I also wanted to point out that his leader is the one that said that the Conservative government before was being cut back \$240 million and still had to balance the books under the former government in Ottawa, the former Liberal government, before they called this election. They may still be the government, we do not know that yet, but there were some very harsh decisions that had to be made through the nineties.

The Conservatives made those decisions in regard to where they would go with the spending in the province. All areas were cut back for a few years, but at least the budget that was put on the table was spent in those years.

Mr. Chairperson, it is very difficult to make those prioritized decisions, I know, but I only indicate that we have to keep the economic base. I was talking about the main roads, the minister and fighting with the federal government to get more money earlier. I said we would be onside to do that with him and we will, with or without a federal government change, but there has been a billion and a half dollars of new money provincially come into this government. I think it behooves the government to use some of it for more prioritization in those areas.

I have just a couple of quick questions. I appreciate that the minister may be able to keep them short. One of them is this: Can he tell us when the new capital budget will come out for the south?

Mr. Lemieux: The department continues to look at not only its budget but looking at the actual projects that are going to be tendered. I understand that the previous minister started the process of tendering in August and September into the fall for, let us say, the '05 summer construction season, and the reason for that was trying to save dollars.

I think that has been proven very wise, where if you tender 10 months ahead of time, often many of those tenders have come in where people know exactly what the jobs are going to be. For example, this summer, a lot of those jobs, a large percentage of all these jobs that are going to happen this summer were tendered last fall for this particular summer.

Doing that, you get assurance that you know who is going to do the job. They can gear up to meet their successful tender. Again, that is going to happen in August and September. I believe those are the correct months, that it is going to happen again this year. Those tenders are going to take place this August and September for essentially next summer or next year for the '05 work.

Mr. Maguire: Is the minister saying then that there was an announcement of capital projects last fall that will be done this summer?

An Honourable Member: Yes, there was tendering.

Mr. Chairperson: The honourable Minister of Transportation and Government Services.

Mr. Lemieux: Thank you again, Mr. Chairperson. I know once, earlier this morning, we started to jump in and have a conversation before you acknowledged who was actually speaking. I know, for your responsibility, you want to ensure for the record who, exactly, is making the comment. So, once again, we will try to adhere to that. Thank you.

I thank the member for the question. The tender went out last year. Projects were tendered last year and certainly were made public. Many, many corporations and companies had an opportunity to bid on a lot of the jobs. So I believe it was in August or September.

Mr. Maguire: The minister has announced this spring a capital budget for the North of \$36.7 million. Can he give us a listing then of the other capital? I mean, he has got a new budget. Can he go back and provide us with a listing of all the capital projects in last year's budget and to use up the funds that were in last year's budget and provide that to me?

Mr. Chairperson: The committee will take a recess for the recorded vote.

The committee recessed at 11:29 a.m.

The committee resumed at 11:48 a.m.

Mr. Chairperson: The committee, please come to order. The floor is open for question.

Mr. Maguire: I know we have all day, but I have a couple of quick questions, and one of them is in regard to the capital budget that I was speaking to the minister about this morning. Can he indicate to me whether any of the \$78,000 in the capital B or any part of the A, in that regard either, the 190-million total, is going to be designated to the floodway?

* (11:50)

Mr. Lemieux: I thank the member for the question. I will have to get back to the member on that question. I do not have the specifics. My quick answer is no, but I will do the due diligence and check back with my department. I am not sure if the member is referencing bridges or referencing roads.

As the member said, we have got all day, so I just want to expand on the answer a little bit by just saying that part of the northeast Perimeter, there are two intersections that you have got Highway 15 and the northeast Perimeter, which is a really busy intersection and getting busier, but it is right adjacent to the floodway and some year, I do not know when that will be, but some year that Highway 15 will have to be twinned and there will have to be two bridges put across that floodway. It may not be now but it may be down the road sometime. So there are some impacts on the twinning of that 59 and the floodway expansion. Also, that northeast Perimeter also runs right along that floodway, as well. So I am

not sure of the impacts necessarily on, for example, the highway capital project of doing the twinning of the northeast Perimeter and the expansion of the floodway. I do not know if there is a connection or not.

Having said that, just to answer the previous question that the member had, I believe he or the Member for Pembina (Mr. Dyck) was asking about capital announcement for the south. Some of the projects had been announced in the North. We have already discussed that. Some of the projects have been announced for the south, the twinning of the northeast Perimeter, the continued twinning of Highway 59 south. Also, the bumping up the project a year earlier on No. 1 highway to the west. I believe there were a few others that have been already announced.

So the answer is, I am not sure what was done last fall, but I will endeavour to look into that to find out what was done. But I know that definitely the jobs were tendered and the tender went out. Most of the jobs for this summer are gone. They have been tendered and the majority of them are already taking place. In fact, a lot of the work is happening right now, as we speak, and that was tendered last fall. So the same, I believe, would happen this coming fall, where August or in September, a lot of those jobs will be tendered.

Mr. Maguire: Can the Chairman inform me as to whether we are going until 12 or 12:30?

Mr. Chairperson: 12:30.

Mr. Maguire: Thank you. It means I have two questions. I just wanted to ask the minister, and I was hoping to get the Member for Portage la Prairie (Mr. Faurchou), I know he would like to ask a few questions as well of the minister. I think he has actually had some conversation with him on that.

The question I have is in regard to the bridges on the floodway. That is why I asked the question. It was specific to that, perhaps, as to whether a part of his budget was being asked to be used or would go over and above any floodway budget that has been there. You know, we have talked about this \$700 million for the floodway and I would hope that that is there and that the bridges on that floodway would be part of that floodway project, as opposed to coming out of the minister's budget.

So I am just looking for an accounting of the dollars. Maybe the minister does not know right offhand because the floodway is not in his jurisdiction, but the Premier (Mr. Doer) has indicated there would have to be work on the bridges as well. I think when I was dealing with the floodway projects and dealing with all the hearings as an environment rural development critic, I was aware that there was a lot of work that would have to be done on some of the bridges. So that is why I was asking that question. Can the minister get that for me?

Mr. Lemieux: I thank the member for clarification of the question. Indeed, I think there are around six or seven bridges that cross that floodway at least, so indeed there is going to have to be some work done on those bridges whether they be total replacement or expansion or extension of the bridges.

We do have a lot of people within the Department of Transportation who have a lot of expertise, the engineers, in bridge building throughout the province. So there is expertise there. It would be shame not to use that expertise if you have it, to look at it. When I take a look at this capital budget, as the member mentioned, the floodway budget is the floodway budget. The Transportation budget is the Transportation budget, as I know it.

Mr. Maguire: I guess there is another issue that I have raised with the minister this spring in Estimates, and that was around the regionalization perhaps of some of our road restriction situations in and around the oil industry, particularly in southwest Manitoba, that has approached me in regards to some activity. They have made me aware that we are losing a quarter of a million dollars a day in some of the opportunities this spring with just some sectors from four or five rigs that could have been drilling in Manitoba that move over to Saskatchewan when the road bans come off at the end of April there, as opposed to the end of May, usually, in Manitoba.

They will not stay in Manitoba, because they can get work in the provinces. They know that Saskatchewan's rules are that, on 24 hours' notice, if road conditions require, they can put bans back on. That certainly would have been the case subsequent to the May 12 snow in Manitoba, I think it was the 12th of May that we had two feet of snow in Manitoba. There was just as much in Arthur-Virden

as there was anywhere else, at least in most areas. The roads did get soft after that for a short period.

It was the driest spring on record, for a long time at least, in southwest Manitoba this spring and as the minister has indicated on highway construction we missed an opportunity to move in the latter half of April and the early half of May. There was a whole month in there that there was no work done on No. 1, that there was no heavy equipment allowed to move in that area either for the oil industry.

I am just wondering if the minister can elaborate a little more for me as to whether there are any further discussions. I know his answer to me at one point was that they would look at, I suggested we look at and he has agreed, I think, that we would look at a separate area in southwest Manitoba for perhaps that sector of an industry that cannot get their loads down below a certain level, at least, at any time. This is some of the very heavy equipment that is required to move that industry forward.

I wonder if the minister can just give me an indication of whether they have done any more work in the last two or three weeks on that.

Mr. Lemieux: I understand, at least I have been advised, that work is happening as we speak. I believe the member is referring to No. 1, the continuation of twinning of No. 1 to the Saskatchewan border. My understanding is that that work has begun. I can confirm that, of course. I will check into it to find out. Having said that, it does not mean that work is not happening just because the equipment is not there. There is engineering and there are other things that have to take place, but my understanding is that the actual physical work has begun. I can check into that to find out.

With regard to road restrictions, and I know that the department has been looking at this for quite a while now, and I have mentioned it and suggested it, about do we really need another zone, because you take a look at the weather and the impact the weather has on the actual highways themselves, and whether or not when you take a look at this particular area and how dry it is in the southwest corner, indeed, maybe we should be looking at a different kind of a zone. Traditionally, historically, that corner of southwestern Manitoba has been dry. There are periods up and down, there are peaks and valleys, but traditionally that corner of the province arguably is

very much like Estevan, Saskatchewan. That whole southeastern Saskatchewan and southwestern Manitoba is similar. If that is the case, I know the department is looking at that in a serious way. Maybe there is a way to address it.

So I guess the long and the short of the answer, and I am trying to be brief here because I know members have a lot of questions in the time that we have, is the department is looking at it in a serious way and seeing whether or not that can be addressed and I think a lot of the people would agree, in that southwest region, maybe they should be given a second look.

Mr. Maguire: I think there were basically two issues there that we were dealing with. One was No. 1, and of course, we were looking at there may be work going on now. Of course, my reference is from the middle of April to the middle of May; that was the dry period. It has been, of course, wetter since, and then there has been rainfall after the two feet of snow. Under those circumstances, what I am saying is that we may have to implement a policy like Saskatchewan had, where you could close those roads or put the bans back on in two days' notice, 48 hours, something like that.

The industry has indicated to me they could easily comply with that, because that is what they are doing in Saskatchewan, and it would allow them to go to work. All I am saying is that we missed a month of work in there. We basically chased Manitoba employees over to Saskatchewan, because that is where they could move their machinery, so that is where they go to work. They go to work there for an extra month over, probably six weeks in this case, from where they would have been in Manitoba.

They make that decision. Some of them did before road bans, before break-up comes in spring, before the frost starts coming out, because they can move the machinery out of Manitoba over there in the latter part of April. Then they can work for that last two weeks on a site in April, then the bans come off in Saskatchewan, and they stay there for another month before they would come back. If the opportunity was here for them to work, they would stay in Manitoba, because the work is here, particularly in a year like this when there is extra drilling required. So that is where I am looking at.

I wonder if the minister could just keep me informed as to any meetings that might be held in that area around decisions. I talked to his deputy minister; I know the minister has spoken to him. I appreciate that on this issue, and if there were any meetings being held I would like to be informed of those.

* (12:00)

Mr. Lemieux: I thank the member for the suggestions. There is no one in this Legislature that has all the ideas, and I appreciate suggestions coming from members opposite. We will definitely pursue it and look at it. It is important to have an open dialogue with regard to the transportation infrastructure system. For us, it is improving the system, improving safety.

Also, we believe transportation is an economic enabler. The transportation infrastructure system is an economic enabler that is improving roads, bridges and so on to make it better not only for our trucking industry but also for tourism and so on. Any suggestions members have with regard to either funding, getting new funds for the transportation area, or like the one the Member for Arthur-Virden (Mr. Maguire) made on looking at restrictions and maybe the timing of it and what could be done, that is very important. I have no knowledge as to who left the province and who did not, but I take the member's word with regard to companies going to Saskatchewan and doing some work there. It is something we are looking into.

Mr. Maguire: I am going to turn it over to the member from Portage, but I just wanted to ask one last question. It was in regard to the work on No. 1. I appreciate there is timing, but as the minister indicated, the reason they brought out the new process was so they could have the decision made in August-September when the new projects could come forward. I am assuming they have had all winter to do the engineering and design, and it would have been great to have had the Cats moving in the middle of April in those projects.

Because if the tenders were all let last fall, it would just facilitate a much earlier movement. I think that would be satisfactory to most of the industry. I wonder as a final note, and I think the minister has indicated he would do this already, but my question before was on the projects. I wonder if

the minister could just supply me with all of the tenders that went out for the projects in Manitoba last fall, then.

Mr. Lemieux: Yes, I understand that that is, if indeed it is public record, I would be more than happy to supply it. I believe that it has been. The member from Arthur-Virden wants to know who got the projects, where and what companies.

Mr. Maguire: I appreciate the minister for his time in the concurrence here. That will wrap up my questions, I believe, with him. I wanted to thank him for supplying me, I know he has indicated he will supply me with those tenders and who got them. I appreciate that. I will turn it over to my colleague from Portage la Prairie.

Mr. David Faurichou (Portage la Prairie): I would like to ask the minister questions in regard to his responsibility for Government Services. One particular situation which has been raised with myself in regard to summer employment with capacity to provide Government Services maintenance. The STEP program employs students during the summer for grounds maintenance and the like.

In the particular situation that I have in my constituency, it is at the Manitoba Developmental Centre for students that are employed there this year, as they have been for the last, I believe, three years, all expecting to have their employment at MDC remunerate themselves at the stipend that they received in past years. This year they were told that the rate of pay would be the same. Then they got their first paycheque and were startled to learn that their pay had been cut by more than \$3 an hour. These are hardworking students, Mr. Minister, that had budgeted themselves to return to school. This is going to cause significant duress. I would respectfully request the minister either consult with Advanced Education, where the STEP program may have some financial support, but they are undertaking duties of Government Services personnel.

Mr. Lemieux: It is not an area that I am directly responsible for, as far as the STEP program goes, but there are STEP students, I understand, working within government buildings and have been hired and employed through the summer.

This is a situation I am not aware of. I certainly want to take it as notice, or the question may be

better put to the minister responsible for STEP. I believe that is the Minister of Advanced Education (Ms. McGifford). Having said that, these are students who are working within a Government Services facility, I understand. I will endeavour to find out a little bit as much as I can.

I have to say that the STEP program is tremendously successful. Students really depend on the money during the summertime to go back to school, whether it is Red River or university.

This is something new. I have not heard of this before, about the difference in wages. I will certainly get back to the member on that.

Mr. Faurschou: My time is very short, Mr. Minister. I just want to ask three more questions.

One is the design of the new women's correctional facility for the province advancing at this point in time. We know the announcement was made almost two years ago now. Really we have heard very little since the announcement.

Mr. Lemieux: My understanding is that there is a process that is in place. There are people looking at this particular issue, but as far as I know it has not proceeded past that, essentially. This is something, maybe, that the Minister of Justice (Mr. Mackintosh) may have referred to in his comments, and I would have to refer to Hansard.

Mr. Faurschou: I did raise the issue with the Minister of Justice, and the concern I have is that there are little, and in some cases no monies being spent on repair and upkeep of the facility, because it has been slated for closure and demolition. The process is moving along at a snail's pace, and we know that it is going to take three to five years to get a new facility up and running. In the meantime, we still need to have the facility in good repair just simply for the function it provides and for the safety of our Justice employees, who act as guards and teachers in the facility. I do want to leave that with the minister. Comment?

Mr. Lemieux: I can appreciate the MLA's concern with regard to the facility but, as I said, the Minister of Justice addressed that question. But I know that there are many conversations taking place between my department and Justice as well, and that continues to happen.

*(12:10)

Mr. Faurschou: The Agassiz Youth Centre. I want to ask the minister's consideration for a revisit of the potential that the maintenance staff has to work with some of the youth who are inmates of that facility. It was looked at insofar as to whether you have the journeyman carpenter, or the journeyman electrician who provide services from Government Services on that facility. They would very much like to partner, or take under their wing, so to speak, individuals who would assist them in performing their maintenance responsibilities.

The problem being as an impediment to this taking place is one, the individuals would have to be certified teachers, an adult teaching certificate would have to be garnered by the individuals, and then, ultimately, a different pay scale would be invoked because of this new status. I know it will require additional dollars just to adhere to contractual obligations, but in the long run I would like the minister to evaluate the long-run benefits of having young people who do not have any skills and are being released back into society from that institution with, really, no advancement in capabilities, personal abilities, to not fall into the same ruts they had that saw them into the facility in the first place.

If someone is leaving there who has painting skills, or someone knows how to work by pulling wire for an electrician, these are opportunities that will provide in young people pride in themselves, pride in their abilities and, hopefully, that self-esteem and self-worth will see them change in behaviour and not re-enter the judicial system. So I leave that with the minister, if he wants to comment. But I do want him to revisit that opportunity because his personnel are certainly willing to work in that capacity.

Mr. Lemieux: I will just be brief. Thank you. I thank the member for that suggestion. I am not sure whether or not this has been pursued within the department, or where it is at. This is new to me. This is the first time I have heard of it. So I will certainly endeavour to take a look at it and see where it currently lies.

Mr. Ron Schuler (Springfield): I had an opportunity to speak to the minister earlier on about a letter I received from James Farms. They just have a few concerns in regard to the twinning of the

Perimeter Highway. I was wondering if I could just table the letter for the minister. I know his department will probably meet with all the different individuals and groups. They run a seed farm and just have some concerns about accessing the highway, it is between No. 15 and the No. 1 highway. Again, we are very excited about the highway being twinned. In fact, we would love to see it done sooner than later. If the minister would have his department maybe meet with James Farms, they run an incredible seed operation and maybe address some of their concerns, if I could table the letter for committee.

Mr. Lemieux: I had the opportunity to speak to the MLA for Springfield about this issue and we want this to be a good news story all the way around and I believe that having those consultations or discussions with people that will maybe impact on that. Already, I know, there have been previous meetings and I do not know whether or not this organization has had a chance to meet with the department in particular, but I know that the member from Transcona is very much aware of this company and others that are close by.

I will certainly ask the department whether or not they have met with this particular company and to enquire as to whatever concerns they may have with that twinning and the impact it may have on them. This is something I know the department often will do in any new projects. But, again, you are talking about access to their property and in coming off of 59 when it is going to be twinned, what the impact is going to be on them. I am sure it is going to be a concern. So I will ask the department to look into having these discussions with this particular company once I have had the opportunity to read the letter, and I will pass that on to my deputy minister.

Mr. Faurchou: Just two quick questions in regard to the Legislative Building and grounds, which the minister is responsible for.

I would like to leave with the minister my concerns regarding the security personnel and their responsibilities for this building and the grounds. The minister may be well aware that there was a very vicious attack on the grounds that are within the area of patrol of the legislative security, involving a machete. I know that the security personnel currently do not have body armour protection. They do not have any batons or mace or even, perhaps, a

consideration would be a Taser gun that would protect and allow for the persons to do that.

For that consideration I ask the minister to be cognizant of those responsibilities and we know that the duress that the Finance Department is experiencing these days, but this is a shortcoming that we have to overcome, because these people put their lives on the line to protect us and the grounds.

I know that I have to close now and I thank the minister's consideration.

Mr. Chairperson: Are there questions? The ministers on the list are Minister of Education, Citizenship and Youth (Mr. Bjornson), Minister of Water Stewardship (Mr. Ashton) and then Minister of Family Services and Housing (Ms. Melnick).

If the committee wishes to skip the first two ministers, we need leave. Is there leave?

Mrs. Bonnie Mitchelson (River East): I would just like some clarification. We had asked to have an opportunity to put some questions to the Minister of Family Services, but we do not want to omit the other ministers. Will we have the ability to come back to the ministers that we are skipping over at this point in time?

Mr. Chairperson: Whatever the committee wants. We are just skipping, leapfrogging the other two ministers, but there must be leave to do that.

Mrs. Mitchelson: Yes, we are certainly prepared to grant leave to skip those ministers, on the condition that we have the opportunity to call those ministers in at a later date.

Mr. Chairperson: Is that the will of the committee?
[Agreed]

The floor is now open for questions.

Mrs. Mitchelson: I welcome the Minister of Family Services. I would like to just start off by asking a question about one of her, I guess, now it would be former political staff, Carolyn Ryan, who, I understand, has moved into the Department of Housing. Is that correct?

Hon. Christine Melnick (Minister of Family Services and Housing): Yes, it is.

Mrs. Mitchelson: Thank you. Could the minister indicate to me whether that was a bulletined position that Carolyn Ryan applied for?

Ms. Melnick: I was not involved in that at all, so I am not sure if it was bulletined or not.

* (12:20)

Mrs. Mitchelson: Well, Mr. Chair, could the minister indicate to us is it a direct appointment, and what is the position that her special adviser moved into.

Ms. Melnick: I was not involved in the position.

Mrs. Mitchelson: Well, thank you very much, Mr. Chairperson, but I know our time is limited right now. I know that we will be back asking questions of the Minister of Family Services this afternoon, so I would hope that the minister could find the information out over the lunch break and return to us with some very direct answers to some very specific questions, because the government did announce in the budget process that there was a vacancy management process in place throughout government and they were going to reduce the size of the civil service by some 400 positions over this fiscal year.

The questions that we would like answers to, and should be easy to answer, are was this a bulletined position that Carolyn Ryan filled. If it was a bulletined position, was there a competitive process for that position or was it a direct appointment? What would be the position and the job responsibilities?

Just further to that, because I know that her staff will have that information at their fingertips, what is the vacancy management policy within her Department of Family Services and Housing? When we are looking at reductions in the size of the civil service, we would question how a political employee of the minister's would move into the department.

So we want to be assured, as members of the Legislature, that there was an appropriate process followed. Could the minister indicate to us who has replaced Carolyn Ryan as her special adviser?

Ms. Melnick: No one has replaced that position.

Mrs. Mitchelson: Is it a position that the minister is going to fill?

Ms. Melnick: There is still some discussion around that.

Mrs. Leanne Rowat (Minnedosa): Could you indicate to me what position Tom Garrett holds within your department right now?

Mr. Chairperson: Before we proceed, please put it in the third person. Would the honourable minister indicate to the committee. That is just a matter so that we can facilitate all dialogue in the committee.

Mrs. Rowat: Mr. Chair, I would like to know whether the minister would be able to let us know what position Tom Garrett holds within her department.

Ms. Melnick: He is the special assistant.

Mrs. Rowat: I would also like to ask if there is anybody in the executive assistant position within her department.

Ms. Melnick: Yes, there is.

Mrs. Rowat: I wonder if the minister could share with us the name of the individual in that position.

Ms. Melnick: It is Nathan Laser.

Mrs. Rowat: Mr. Chair, I would like to direct a question to the minister regarding length of employment. How long has this individual been employed through her department?

Ms. Melnick: I do not know the exact date, but it would have been after the beginning of November in 2003.

Mrs. Rowat: To begin the concurrence process, we have several questions that we would like to present to the minister and are hoping that she will be able to provide us with some answers. We were very discouraged through the Estimates process that a number of questions were asked, and very little information was shared. So we are looking forward to the opportunity to again present questions to the minister on those points, as well as several other issues that have come forward that she has not been able to address to the best of our questioning, or to the Manitobans who are wanting some answers.

I am going to start with the questions regarding a recent tragedy of a 16-month-old baby that was

brutally murdered at the end of this last month. Manitobans have been outraged, have been shocked, that there seems to be no ability by this government to speak on how they will be addressing the issues of how this child could have been put in a situation of such extreme risk and to lose its life.

As a mother of two children, I understand and can appreciate the need for stability in their lives and the need for a caring bond. I was under the impression, and I know that based on what I am hearing, that a number of staff within the department who have come forward have indicated they are very concerned with the department and the disarray and the confusion that seems to be plaguing the department.

I want to, again, encourage the minister to move forward in doing an inquiry in this young person's death, and do what she can to ensure that she gets to the bottom of the issue and find out what went wrong, and to see that she will address the shortfalls within her department, work with the department and listen to their issues.

A public inquiry definitely would let staff have the opportunity to speak up and share their views. My concern is that there will be more young people, young children, babies, that will be put at risk. I really would like the minister to speak on what she has done to this point to assure Manitobans that she is moving in that direction.

Ms. Melnick: Well, certainly, we do agree that the people of Manitoba are deeply saddened by this event. As minister, I am deeply saddened, as is, indeed, our entire caucus.

We currently have two investigations under way, the Winnipeg Police Service and the Winnipeg Child and Family Services. It is very important that we respect the process of these investigations, that we allow the investigators to take the time that they need to make sure that they complete thorough investigations.

The Chief Medical Examiner is also currently conducting a review to determine whether or not an inquest will be followed. I think it is very important that, although we are all very concerned and deeply saddened, we respect the three processes that are currently undergoing, and that we allow the people who are doing the review and the investigation to feel that they can take the time that they need to be very thorough. This is, indeed, a very saddening event, and it is one that we are very, very concerned about in the department.

Mr. Chairperson: The hour being 12:30, this committee will now recess until later this afternoon.

IN SESSION

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 9, 2004

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