

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

*Published under the
authority of
The Honourable George Hickes
Speaker*

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.
CULLEN, Cliff	Turtle Mountain	P.C.
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, Hon.	Fort Garry	N.D.P.
JENNISSON, 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.
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.
McFADYEN, Hugh	Fort Whyte	P.C.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
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	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.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
VACANT	Kirkfield Park	

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 30, 2006

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 11—The Insurance Amendment Act

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Aboriginal and Northern Affairs (Mr. Lathlin), that Bill 11, The Insurance Amendment Act; Loi modifiant la Loi sur les assurances, be now read a first time.

Motion presented.

Mr. Selinger: I'm pleased to introduce this bill today. The bill amends The Insurance Act to make it more consistent with the insurance acts of other provinces to allow for more flexibility in dealing with developing issues in the insurance industry and to increase consumer and policy-holder protection.

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

Petitions.

An Honourable Member: Bills.

Mr. Speaker: Introduction of Bills? Okay, we'll revert to Introduction of Bills.

Bill 209—The Mandatory Testing of Bodily Substances Act

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I move, seconded by the Member for River East (Mrs. Mitchelson), that Bill 209, The Mandatory Testing of Bodily Substances Act; Loi sur l'analyse obligatoire de substances corporelles, be now read a first time.

Motion presented.

Mr. Goertzen: This bill was essentially crafted after similarly named legislation brought forward that already passed in Ontario, Saskatchewan, Alberta and Nova Scotia. It would protect the health and provide peace of mind for police officers, firefighters and paramedics who come into contact with blood or bodily substances in the course of their work for allowing for the testing of that blood to ensure that it does not contain communicable diseases such as HIV, which could infect these officers, firefighters or paramedics.

It would also provide the same right for victims of crime who have been victimized by a criminal act or exposed to blood which may be contaminated.

Mr. Speaker, all members who support victims, police, firefighters and paramedics should, as other provinces have, consider supporting this bill. Thank you.

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

TABLING OF REPORTS

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, I'd like to table the following reports: the Office of the Chief Medical Examiner Annual Review, 2005; Legal Aid Manitoba 34th Annual Report, March 31, 2006; and The Public Trustee Annual Report 2005-2006.

Hon. Eric Robinson (Minister of Culture, Heritage and Tourism): Mr. Speaker, I'm pleased to table the Annual Report of the Manitoba Arts Council for the calendar year 2005-2006.

MINISTERIAL STATEMENTS

World AIDS Day

Hon. Kerri Irvin-Ross (Minister of Healthy Living): Tomorrow, December 1, is World AIDS Day, a day that is set aside for us to remember those who have lost their lives to HIV and those living with HIV. This illness affects families, friends and communities across the province.

I'd like to recognize that this is also Aboriginal AIDS Awareness Week. We know HIV affects people from all walks of life, and we have ensured our provincial AIDS strategy utilizes culturally relevant approaches and emphasizes community engagement, harm reduction and prevention.

This is a fitting time to pay tribute to the dedicated advocates, health care workers and researchers who make such a large difference in the lives of those impacted by HIV. Our partners encourage us to maintain and renew our commitments to contain the HIV-AIDS epidemic and for that we thank them. Our government has taken the task of addressing HIV and AIDS very seriously. Improvements to the Pharmacare program and world leadership in HIV and AIDS research

provide examples of success. However, we recognize the challenges we face. We will continue to support prevention, education, research and treatment across our province.

Mr. Speaker, I would like to thank the members of this Assembly for formally recognizing this day by wearing the red ribbons, a symbol of remembrance, and I would ask that we further honour those whose lives have been directly impacted by HIV and AIDS with a moment of silence after the other people have spoken.

Mrs. Myrna Driedger (Charleswood): I'd like to thank the minister for that statement. Tomorrow is World AIDS Day, and it's incumbent upon all of us to consider the implications of a disease that has already had such an impact on not only the health of millions worldwide, but has also devastated the social and economic development of entire countries.

I also want to acknowledge the very real and tangible effect AIDS has had closer to home. We often think of AIDS as a disease that affects other people. But it is much closer than we think, and it affects all of us. In fact, in Canada, Manitoba has one of the highest incidence rates of HIV infection. By the end of 2005, over 1,300 Manitobans had tested positive for HIV and since 2001, the number of people testing positive for HIV has increased by 50 percent. That's a staggering statistic that should not be ignored. It is estimated that this year, an additional 100 Manitobans will test positive for HIV and that an additional 390 Manitobans will live with HIV unaware of their status.

It is this lack of knowledge that poses one of the greatest dangers and barriers to protecting others from being infected with HIV-AIDS. Manitoba's health care system will suffer significant consequences as a result of increasing rates of infection of HIV and other sexually-transmitted infections. It's apparent that the current demand for STI services is exceeding the government's current capacity for service delivery. It's another case of playing catch-up instead of preparing for growing needs. We must commit ourselves as a province and as a country to actively fighting this disease and the misinformation and stigma that surround it. Thank you, Mr. Speaker.

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

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

Mr. Gerrard: Mr. Speaker, I join the others in the Legislature in recognizing that we have HIV-AIDS day coming up very shortly. I would like to join others in saluting the incredible efforts that have been made by individuals like Dr. Frank Plummer and others at the Faculty of Medicine and at the Canadian Science Centre for Human and Animal Health, indeed, for their world-leading efforts and the pioneering efforts that they have made work in Africa, in Kenya, in particular, but not just related to Kenya.

At the same time, I think it has to be recognized that we have not kept up and been quite as vigilant here in Manitoba under this government as we should have been, and that the incidence of HIV-AIDS has been creeping up, and that this government needs to recognize that more attention should be paid and better measures to be taken to make sure that we are doing our utmost to prevent any new cases of HIV-AIDS in Manitoba.

Mr. Speaker: Is there agreement for a moment of silence? *[Agreed]*

Please rise for a moment of silence.

A moment of silence was observed.

* (13:40)

Respect in Sport Program

Hon. Eric Robison (Minister responsible for Sport): Mr. Speaker, I have a statement for the House.

I would like to advise the House about the Respect in Sport program being launched by Sport Manitoba today. The Respect in Sport program was established by Wayne McNeil, a leading fundraiser and advocate for the prevention of child abuse in sports. The program's honorary spokesperson is Sheldon Kennedy, a renowned professional hockey player from Manitoba who has been a brave leader in bringing attention to the issue of child abuse in sports.

The Respect in Sport program is a three-hour Internet-based exercise that provides coaches and sports leaders with practical lessons and examples to assist them in delivering sport in a way that is respectful and supportive. Coaches and organizers will benefit from this Respect in Sport program by having access to a valuable resource that provides useful methods to deal with some of the personal and team complications that might occur in a sports environment. Athletes will benefit from coaches that

have subscribed to the Respect in Sports methods of preventing all forms of abuse in the sports environment.

Manitoba will be the first province to implement Respect in Sport on a province-wide basis. The Canadian Red Cross has adopted the Respect in Sport program in their sport programming across Canada. Hockey Canada will be using Hockey Manitoba as a pilot project, incorporating the Respect in Sport program into hockey's Speak Out initiative that coaches must take in order to achieve their certification. With the Respect in Sport program, Sport Manitoba has again demonstrated excellent leadership and vision. The Province is proud to be a partner in this valuable program and Sport Manitoba's many other initiatives to develop amateur sports in Manitoba.

In the gallery today, Mr. Speaker, we have with us Wayne McNeil, Jeff Hnatiuk, president and CEO for Sport Manitoba, and Mr. Sheldon Kennedy. Thank you.

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I do want to thank the minister for his statement today. We do want to acknowledge and support this very important initiative. We, too, on this side of the House, would like to welcome Mr. McNeil, Mr. Hnatiuk and Mr. Kennedy to the gallery today.

As we heard of Mr. Kennedy's unfortunate circumstances, I think it reminds us, clearly, that we can't be complacent and take the safety of our children for granted. I do want to take a moment to acknowledge and thank all the dedicated individuals that are involved in coaching and educating our children. We do know, if done properly, our children can learn important life skills through sport. We hope that this Respect in Sport initiative and program will serve to enhance the benefits of our children that they gain through sport.

Thank you very much, Mr. Speaker

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

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

Mr. Gerrard: Mr. Speaker, I join the others in this Chamber in calling for respect in the sports area. I think that it's important to recognize that we talk not just about the severest forms of child abuse that hit the newspaper headlines, but we also need to recognize that when we are talking about bullying in

schools that sports are an important arena for setting standards of good behaviour, for having respect for others, and that what children learn in the sports field is fundamental in terms of ethics, in terms of team work, in terms of co-operation, and the communication that these skills are fundamental not just on the sports field, but for success in life and for doing well in life.

So we join the others here in urging better respect for sports, in sports, those who participate at whatever level in Manitoba.

Introduction of Guests

Mr. Speaker: I would like to draw the attention of honourable members to the public gallery where we have with us today Sheldon Kennedy, Wayne McNeil and Jeff Hnatiuk. These visitors are the guests of the honourable Minister of Culture, Heritage and Citizenship (Mr. Robinson).

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

Also in the public gallery we have Doug Denning, councillor for the R.M. of Glenwood. He is the guest of the honourable Member for Minnedosa (Mrs. Rowat).

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

ORAL QUESTIONS

Crocus Investment Fund Immunity for Civil Servants

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, we saw yesterday, again unfortunately, the Premier blaming civil servants in his government for missing red flags and blaming them for failing to take appropriate action with respect to the Crocus scandal.

Today, I would ask if the Premier would like to do something honourable. Will he personally guarantee that he will provide immunity and protection to any current or former civil servant who wishes to come forward publicly with information about the role that the Premier, his ministers or officials in his government played with respect to the Crocus scandal?

* (13:50)

Hon. Gary Doer (Premier): Mr. Speaker, the Auditor General had access to all civil servants and all officials without fear or favour.

Communications with David Woodbury

Mr. Hugh McFadyen (Leader of the Official Opposition): So, Mr. Speaker, we'll take from that comment that the Premier is not prepared to guarantee immunity and protection to civil servants who may wish to come forward with respect to his government's role.

My question to the Premier is whether he can confirm that he had regular communications regarding Crocus with David Woodbury from 2000 onward.

Hon. Gary Doer (Premier): I do believe that we had some macro meetings where community representatives were involved and other representatives were involved on Crocus, including Mr. Woodbury. I also believe the subject was on the superfund and we did not proceed with the superfund.

Premier's Knowledge of Problems

Mr. Hugh McFadyen (Leader of the Official Opposition): Can the Premier confirm that he was briefed in 2002 that there was a developing crisis at Crocus?

Hon. Gary Doer (Premier): Mr. Speaker, all the issues of briefings are available for the member in the Auditor General's report. We've already confirmed a couple of years ago that there were requests to change the legislation on liquidity and pacing. At the same time, we were dealing with—*[interjection]*

Mr. Speaker: Order.

Mr. Doer: We did not change that legislation, Mr. Speaker. I would point out that at the same time, I was also dealing with Crocus, with the proposal to convert the money that they had put into the Moose to the new entertainment complex. I was dealing with people like Mark Chipman and other prominent businesspeople who had a lot of confidence in Crocus.

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

Mr. McFadyen: Mr. Speaker, on a new question. Can the Premier confirm that he participated in meetings and discussions involving ministers, officials and Crocus board members and officers in 2002 and subsequently, during which the growing crisis at Crocus was discussed?

Mr. Doer: Mr. Speaker, I would point out that I believe the company's name is McGill Stevenson *[phonetic]*. We were involved in discussions about the new entertainment complex. The initial investment made in the Moose I believe was made prior to our election. There was a proposal to deal with the new entertainment complex that was investigated independently by the Auditor General based on a request from the Taxpayers' Association. The report I think came out fairly solidly in terms of the investments that Crocus was making.

I would also point out that the Auditor General's report makes it very clear that the performance of the fund was not a matter for the provincial government. In fact, if you go back to the original legislation, Clayton Manness very clearly states in *Hansard*, and I remember that in the House, the member opposite was working in the Premier's Office, Clayton Manness said at that time that we do not want the government managing this fund. We want people in the community managing that fund. That was reaffirmed by an Auditor General's report in 1998, and that's certainly the principles under which we worked with any fund in Manitoba, whether it was ENSIS or Crocus. Some of the proposals from Crocus have already been documented. Some of the proposals deal with the superfund, liquidity and pacing, and we didn't proceed with any of them, Mr. Speaker.

Mr. McFadyen: I'm not entirely clear as to whether or not the Premier was admitting or denying. It's not entirely clear whether the Premier was admitting or denying that he was aware of the looming crisis at Crocus in 2002, so I just want to, in the interest of clarity, give the Premier the opportunity now to deny clearly that he was aware of the looming crisis at Crocus in 2002.

Mr. Doer: Mr. Speaker, the Auditor General, because of amendments that we made, the Auditor General had access to—*[interjection]*

Mr. Speaker: Order.

Mr. Doer: The Auditor General had access to the meetings that Crocus had which included a couple of meetings, at least, with myself. It's already in the Auditor General's report.

Mr. McFadyen: The smattering of applause was reminiscent of the smattering that he received at the AMM convention last night.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. McFadyen: Thank you, Mr. Speaker. I put several statements to the Premier, none of which he has denied. I just want to put one more to him in relation to information that we've received.

Can the Premier confirm that he assented to a course of action that involved keeping quiet about the problems at Crocus while attempting to take various steps to try to stave off the looming crisis at Crocus in 2002 and beyond?

Mr. Doer: Mr. Speaker, the officials who were dealing with Crocus and the people who were dealing with Crocus all were interviewed by the Auditor General.

In 2002, the members opposite were raising concerns about Crocus, they then retracted those comments. I believe they retracted their concerns publicly and privately. Obviously, we were at the time dealing with proposals that we said no to. But, you know, you wouldn't find Crocus coming to you and saying, please, let us invest more money in a superfund and, on the other hand, saying to you that the fund was in crisis. Any representation to us purported that it was strong. It wasn't inconsistent, but we still said no to the proposal on the superfund.

Crocus Investment Fund Draft Legislation for Accountability

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, at the end of her tenure as Minister of Industry, and just before the Member for Brandon West (Mr. Smith) took over the Crocus file in 2003, MaryAnn Mihychuk was working on making Crocus more open and accountable. She was preparing a piece of legislation to guarantee accountability but it was never passed. When asked who killed this legislation, she replied: In 2003, there was a change in ministerial portfolios.

So I ask the Member for Brandon West, who is now the minister responsible for Crocus: Why did he kill this legislation?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, one of the things I am enjoying today is just after we had a public declaration on a new policy for sport based around respect that we are trying a little bit to restrain ourselves in the way we handle questions today.

The members opposite seem to be playing got-you-politics again. They forget the fact that it was this government that after 20 years reformed the

Auditor General's legislation to allow a full investigation of any venture capital fund by an independent officer of the Legislature. That is what happened in this case. There was a 245-page report that followed up on the specific powers granted to the Auditor General to investigate this matter, and that is what we are dealing with today. That is why we've passed corrective legislation twice in this Legislature to make sure this event doesn't happen again.

Mr. Hawranik: Mr. Speaker, it is only the Member for Brandon West who knows why he killed the legislation, not the Minister of Finance. We know that in 2003 MaryAnn Mihychuk had draft legislation to make Crocus more open and accountable. Prior to drafting the legislation, officials in the Department of Industry approached her asking for support for measures to tighten up controls at Crocus. A few months later, the Member for Brandon West takes over as the new Minister of Industry and the draft legislation disappears.

So I ask the Member for Brandon West, and he is now the minister responsible for Crocus: Why did he kill the legislation?

* (14:00)

Mr. Selinger: The Member for Lac du Bonnet's question has within it an assumption that something was killed by a current member of this Legislature. Another interpretation could easily have been that we decided not to give them what they wanted in terms of liquidity, in terms of pacing and in terms of the superfund. Both explanations have plausibility. The one that is, in fact, the reality was no superfund, no changes in liquidity, no changes in pacing, greater powers for the Auditor General to investigate, corrective legislation brought in front of this Legislature. All the facts support the fact that we were prudent protectors of the public interest.

The member is on another fishing trip, and he overlooks the fact that the former member of industry—we'll come back to it in a second.

Mr. Hawranik: Mr. Speaker, why is the Minister of Finance answering? Is it because the Minister of Finance is afraid of the answer? Is he afraid of what the Member for Brandon West (Mr. Smith) is going to say?

Mr. Speaker, in 2003, MaryAnn Mihychuk was talking with industry officials on a regular basis, discussing potential tools that could be put into legislation to make the Crocus Fund more

accountable, more open and more workable. Legislation was drafted to do just that. Instead of continuing this work as a new Minister of Industry, the Member for Brandon West killed the bill.

So I ask the Member for Brandon West, who is now the member responsible for Crocus: Why did he not stand up for more than 33,000 Crocus shareholders, and why didn't he move forward on this legislation?

Mr. Selinger: Mr. Speaker, the member, in his search for a victim for the other side of the House, overlooks what the former minister said on June 4, 2005, confirmed in the *Free Press*. "No bill was drafted, and the idea had not gone to caucus or Cabinet."

The member opposite seems to forget that any decision made on legislation is a decision made by caucus and a decision made by Cabinet. I know the member's never actually been in a position where he's actually been able to put a bill forward. We're still waiting for the whistle-blower legislation, by the way, Mr. Speaker.

And the other thing I would have to say, Mr. Speaker: This is the member that said we lost money on Maple Leaf. All the money was recovered. I wonder when he will apologize to the people of this House.

Crocus Investment Fund Asset Valuation

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, this is about ministerial accountability and what they knew and why they didn't take action when they knew it.

The Department of Industry recommended that Crocus use a valuation system that referenced gross assets of companies that they were dealing with, and, in '03, the Auditor notes that there was still no indication that this was being implemented by the Crocus Fund. In fact, they wrote back to the department and said they were surprised that their interpretation was seen as wrong.

My question is to the minister responsible for the Crocus Fund, the Member for Brandon West (Mr. Smith): Will he stand up, be accountable, and tell the public what he did when he received that information?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I think a more helpful piece of information

would be what the Auditor General's office put on the record. The legislative amendments sought by Crocus were for the superfund and for a concession on the \$50-million rule with respect to pacing and liquidity. Those were the amendments sought. Those were the amendments we said no to.

The fiction that the Member for Lac du Bonnet puts forward is just that, fantasy. The follow-up question from the Member for Ste. Rose was built on the fiction and the fantasy of the Member for Lac du Bonnet. Perhaps they could get together and read the Auditor General's report.

Income Tax Returns

Mr. Glen Cummings (Ste. Rose): Well, Mr. Speaker, that is, indeed, a sad answer when they allowed the surprised Crocus organization to continue to use the wrong asset value.

My question is to the minister responsible at that time, Mr. Speaker. That minister is the only one in this Chamber who would have known for sure what went wrong over at Crocus. It was his department. It was his responsibility to receive that information.

Mr. Speaker, The Crocus Investment Act requires that the status, the returns of the information requested, be filed under The Income Tax Act annually. It was not filed. It was not filed in '03. Why was it that Crocus may have been giving information and the department making conclusions based on incomplete, inaccurate and irrelevant information?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, let's review the facts. The former minister herself indicated no bill was drafted and the idea had gone to neither caucus nor Cabinet, which puts a falsity on what the members claimed. The bill also, according to the Auditor General, would have weakened controls over the fund by relaxing pacing requirements and moving on the superfund. We did not proceed with that. Those facts are undeniable as well.

Now the member says, why weren't the reports put forward? The Auditor General's report was completely clear about that. The members opposite had vested promotion and monitoring in the same department. They had confused the roles. We corrected that problem. Promotion is in one department; monitoring is now in another department. If only the member would read the report, they would see how they screwed it up.

Communications with David Woodbury

Mr. Glen Cummings (Ste. Rose): Well, Mr. Speaker, no matter how fast the Minister of Finance wants to talk, the fact is still evident that the minister responsible was the Member for Brandon West (Mr. Smith). He is still responsible. Where is ministerial responsibility in this government? Why will he not answer a question as simple as whether or not he reacted to the information?

Mr. Speaker, we also have solid information that one David Woodbury was acting as a liaison. I would ask the Member for Brandon West (Mr. Smith), the Minister for Industry who is responsible for Crocus: Did he meet with David Woodbury on the Crocus file?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, the member likes to spin a web of intrigue, but here are the facts again. I know they don't like to hear the facts, I know they don't want to read the report. In 1997, in 1998, Crocus did not file its documents. Who was the government? The members opposite were the government. You didn't follow up on your own legislation, and if the member would like to read that fact, it's on pages 146 and 147 of the Auditor's report. Your facts are wrong, your theory is wrong, your allegations are wrong. You're on a witch hunt, and Halloween is over.

Crocus Investment Fund Draft Legislation for Accountability

Mr. Leonard Derkach (Russell): Mr. Speaker, it is evident that both the Premier (Mr. Doer) and the Minister of Finance are acting as human shields for the Minister of Competitiveness, the Member for Brandon West (Mr. Smith). Question after question is asked of the Minister of Competitiveness, and he sits silently in his seat. The former minister, before he took over the Crocus file in October of 2003, was MaryAnn Mihychuk. In an interview with CJOB she indicated that she was preparing draft legislation, a third piece of draft legislation with regard to Crocus, to make sure that Crocus was more accountable.

I want to ask this minister directly because the Premier has appointed him to this portfolio, so I want to ask him directly what it was that caused him not to proceed with that legislation.

* (14:10)

Hon. Greg Selinger (Minister of Finance): I know the members have a script to follow. I know the members have questions prepared for them, and they

have to follow the questions: 1, 2, 3. It's not like they're playing hockey. You have to know how to skate down the ice when things change, but they follow the same script.

I've already put it clearly on the record. On June 4, 2005, the former minister said no bill was drafted, and the idea had not gone to Cabinet or caucus. I've repeated that three times. Perhaps the member could recalibrate his questions.

Mr. Derkach: Mr. Speaker, for a full year, from October of 2003 to November of 2004, the Minister of Industry, Trade did nothing with regard to Crocus. Yet, during that time, Crocus was sinking deeper and deeper into its crisis.

Mr. Speaker, I want to ask the minister of industry, trade whether it was David Woodbury who advised him not to proceed with the legislation and not to do anything with regard to the Crocus prices.

Mr. Selinger: Mr. Speaker, I find it amazing that these members continue to try and smear people as they stand up in the Legislature here. It's so reminiscent of the way they acted as a government. They used to bully people into their position and now they're trying to do it from being in opposition. Now, the member says—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I need to be able to hear the questions and the answers. *[interjection]*

Order. I ask the co-operation of all honourable members.

Mr. Selinger: Thank you, Mr. Speaker. The member says that there was no information available. Well, perhaps no information was available because they didn't require the documents to be filed in 1997 and 1998 when they were government. That's their approach to dealing with a problem. See no evil, hear no evil, ask no questions, and there's no problem.

We found out what the issues were. We had the Auditor investigate it because we gave the Auditor's office new powers to do that, and, when the recommendations came back, we followed up on every single one of those recommendations while the members opposite had their heads in the sand.

Mr. Derkach: Mr. Speaker, I think Manitobans find it very strange that, when questions are asked of the minister who was responsible for Crocus between 2003 and 2004, the minister who is responsible for

Crocus today cannot stand up and answer a single question.

Mr. Speaker, I am going to direct my question one more time to the Minister of Competitiveness (Mr. Smith), the Member for Brandon West: Can the minister tell this House whether, in fact, it was David Woodbury who advised him not to proceed with the legislation that MaryAnn Mihychuk had drafted before this government?

Mr. Selinger: Mr. Speaker—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Mr. Speaker: The honourable Official Opposition House Leader, on a point of order.

Mr. Kelvin Goertzen (Official Opposition House Leader): Mr. Speaker, the Member for Brandon West has a legislative responsibility in this House and to all Manitobans. He is responsible for Crocus. We've asked nine questions to him directly. He's refused to answer. On behalf of the 34,000 Manitobans who've lost money, I ask you to call him to order and direct him to answer the question.

Mr. Speaker: The honourable Government House Leader, on the same point of order?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. A point of order is a very serious matter, and I need to be able to hear the words.

The honourable Government House Leader, on the same point of order?

Hon. Dave Chomiak (Government House Leader): Yes, Mr. Speaker, on several points the member is inaccurate. The member knows that the government has the ability to have any minister answer a particular question as it's posed.

The member also knows that *Beauchesne's* says very clearly that a question that's previously been answered ought not to be asked again.

Mr. Speaker, we've been hearing the same answers for the same questions—

Some Honourable Members: Oh, oh.

Mr. Chomiak: We've been hearing the same questions and answers ever since the Auditor's report was released, which is very consistent.

Mr. Speaker, one thing that has changed is the tone and the aggression of members opposite ever since Don Orchard was put on the file. It sounds like this place used to sound when that member was on this side of the House and would intimidate, would put smear, allege things without fact, and we're hearing that over and over again from members—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. On a point of order raised by the honourable Member for Russell (Mr. Derkach), *Beauchesne's* 418 states that—

An Honourable Member: Opposition House Leader, Mr. Speaker.

Mr. Speaker: Pardon me?

An Honourable Member: Steinbach.

Mr. Speaker: Okay. It's been put—sorry about that—forward by the Official Opposition House Leader (Mr. Goertzen), the point of order.

It is not a point of order. *Beauchesne* 418 states that the questions are put to the government and it's up to the government to decide which ministers answer the questions.

Mr. Goertzen: I challenge the ruling, with respect, Mr. Speaker.

Mr. Speaker: The ruling of the Chair has been challenged.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The ruling of the Chair has been challenged.

Voice Vote

Mr. Speaker: All those in support of the ruling, say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mr. Goertzen: A recorded vote, Mr. Speaker.

Mr. Speaker: A recorded vote having been requested, call in the members.

The ruling of the Chair has been challenged. The question before the House is shall the ruling of the Chair be sustained.

Division

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

Yeas

Aglugub, Allan, Altemeyer, Ashton, Bjornson, Brick, Caldwell, Chomiak, Dewar, Doer, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Wowchuk.

Nays

Cullen, Cummings, Derkach, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Hawranik, Maguire, McFadyen, Mitchelson, Penner, Reimer, Rowat, Schuler, Stefanson, Taillieu.

Madam Clerk (Patricia Chaychuk): Yeas 31, Nays 19.

Mr. Speaker: The ruling of the Chair has been sustained.

* * *

Mr. Speaker: We'll now revert to Question Period, and the honourable Minister of Finance had the floor.

Mr. Selinger: Yes, Mr. Speaker, the question's so clear in my mind.

Now, as I recall, Mr. Speaker, the members were asking me how much money was lost as a result of co-investments between the government and Crocus. I recall that Isobord cost Crocus \$7 million, Westsun cost Crocus \$21 million and Winnport Logistics cost Crocus \$6.7 million, for a total of \$35 million of lost money in co-investments with the government.

In the next answer, I'll tell you how much the government lost in all the investments made by members opposite.

*(14:50)

Crocus Investment Fund Premier's Knowledge of Problems

Mr. Hugh McFadyen (Leader of the Official Opposition): The Premier, earlier in Question Period, admitted after two years of stonewalling that he was a participant in meetings more than two years

before Crocus collapsed where problems at Crocus were discussed.

I wonder if the Premier will commit to the House today to return to the House on Monday with the details of the times of those meetings, the dates of those meetings, the participants and the subject matter.

Hon. Gary Doer (Premier): Well, Mr. Speaker, I would tell Perry Mason over there that it's already in the Auditor General's report.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I'm sure all members know that each and every member in this House is an honourable member, and they should be addressed by the title they hold or portfolio they hold or by their constituencies.

Mr. Doer: Yes, the honourable Leader of the Opposition.

Mr. Speaker: Thank you. I thank the honourable First Minister for that.

Public Inquiry

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, we all know that the Auditor General's report, which they've been using as an evasion tactic, is a complete red herring, by the Auditor General's own admission.

So, given that today, the Premier has admitted that he was aware of the problems at Crocus in 2002, two years before the fund collapsed; given that the Premier was privy to and aware of the fact that the solidarity transaction was entered into in order to bail out the fund; given that he was the driving force behind the aborted superfund attempt in order to try to bail out the Crocus Fund; given that after two years of stonewalling and after two investigations that have fallen by the wayside, will the Premier treat shareholders with respect? Will he allow them to get at the truth, given that he was involved and given that he was the driving force in the cover-up? Will he call a public inquiry?

Hon. Gary Doer (Premier): Mr. Speaker, there's 200 pages of facts in the Auditor General's report which deal with every one of the recycled questions that were asked by the member opposite.

Mr. McFadyen: I'm glad to see the Member for Kildonan (Mr. Chomiak) is still with him.

An Honourable Member: That's one.

Mr. McFadyen: Given that the Premier was personally involved in the oversight of the Crocus file from 2002 onward; given that he participated in meetings and discussions where he provided direction and was briefed on the details of the impending crisis at Crocus; given that his close political adviser, David Woodbury, was the go-to guy on the file for the government and reported directly to the Premier; will the Premier today—

He's got two options, Mr. Speaker. He has the losses of 34,000 Manitobans on his hands. He failed to act decisively when he had information in 2002. He directed several attempts to stave off the collapse. He's got the losses of 34,000 Manitobans on his hands.

He's got two options today, Mr. Speaker. Call an inquiry or call an election. If he won't call an inquiry, will he call an election today?

Mr. Doer: Mr. Speaker, every part of the preamble of the member opposite is contradicted by previous statements and contradicted in the Auditor General's report. For example, I think, last May, the go-to person was Eugene Kostyra. And then he was bad, then he was good and then you apologized. Then he made some statement about the leadership in '88.

The last arrogant Leader of the Opposition that challenged a premier to an election, his name was Paul Edwards. It sounds very reminiscent, Mr. Speaker.

Wait Times Diagnostic Tests

Hon. Jon Gerrard (River Heights): Mr. Speaker, the facts on health care and this problem are bad and getting worse. As the national Wait Time Alliance reports, Manitobans now have to wait eight to eleven weeks to get CT and MRI scans. These diagnostic tests are done at the very front end of health care, at the start of a medical assessment. Extra wait times for diagnostic tests means that the next step in care and treatment must have an additional eight to eleven weeks in order to happen. It doesn't matter whether the treatment is surgery, drug treatment, chemotherapy, radiation treatment or whatever, every step is now delayed eight to 11 weeks all because the diagnostic tests are not available.

Why is the minister running a health care system with such lengthy, up-front delays and wait times? Why is this minister making patients wait eight to eleven weeks extra?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, we did see reports in the media yesterday of a report card concerning wait times on a national level and specific to Manitoba, and I was very pleased with elements of the report card. Certainly, we see that we have in Manitoba challenges as well.

What we did see on that report card really supports this government's priority to health care concerning lifesaving treatments. We saw on that report card, Mr. Speaker, that Manitoba scored an A in the areas of lifesaving wait times for cancer and for cardiac. This, of course, was a priority made by our government back in '99. We continue to work in that area, and we continue to work on our challenges as well.

Mr. Gerrard: I'm rather surprised that the minister is happy at such long wait times for CT and MRI scans. My goodness. You know, what is important is not just the number of MRI scanners and CT scanners, but it's actually whether people can get access to care. But, maybe, the minister in the statistics which were reported did not take into account that family practitioners in this province can't order MRI scans, and, therefore, the real wait time is the three months it takes to see a specialist, and then the eight to 10 weeks that it takes to get an MRI scan.

When will the minister end this cover-up and acknowledge that the real wait is five months instead of three months?

Ms. Oswald: Well, with the greatest of respect, Mr. Speaker, I think that the theorizing of the member opposite calls into question a number of his facts. As I said before, I certainly do acknowledge, and we acknowledge on this side of the House, in making health care a priority, we need to look at the wait times for all situations and that includes diagnostic imaging—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Oswald: Thank you. That includes wait times for diagnostic imaging, Mr. Speaker, and we do know that we have in the last year made significant progress in the area of MRI. We know that we have cut that wait time by some 30 percent. That, of course, is for elective MRIs. When we have urgent situations, those tests, of course, are conducted urgently. I think the member opposite is fearmongering somewhat, Sir.

Mr. Gerrard: Mr. Speaker, the facts are often that there's a wait for three months for a specialist. The facts are, as we heard yesterday, at least an eight-week wait for an MRI scan. The fact is that, because a family practitioner can't rely on quick access to an MRI scan when needed, family practitioners often order both an MRI and a CT scan when only one such test is needed. Instead of one test, we have an MRI, a CT, and a specialist visit.

I would ask the minister: Why is she operating such a wasteful, inefficient system, instead of making sure that people can get the tests that they need right away so that we can have good health care, instead of delayed health care?

Ms. Oswald: Mr. Speaker, I find it curious strange that this same member, who in 1995, as part of the federal Cabinet, cut money to health care, is now—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Mr. Speaker: The honourable Member for River Heights, on a point of order?

Mr. Gerrard: Mr. Speaker, on a point of order. The answer has to have some degree of relevance to the question that was asked.

Mr. Speaker: The honourable Government House Leader, on the same point of order?

* (15:00)

Hon. Dave Chomiak (Government House Leader): Yes, Mr. Speaker. As I recall, the member was pointing out to the questioner not only the answer to the question, but the fact that the questioner was responsible, as a federal minister, for the deficit in funding to the Province that resulted in the slashing of services during the Don Orchard and the succeeding eras in Manitoba. We are just pointing out that fact to the Member for River Heights, who was part of the government that did that.

Mr. Speaker: The honourable Official Opposition House Leader, on the same point of order?

Mr. Kelvin Goertzen (Official Opposition House Leader): Well, Mr. Speaker, clearly I think that the facts are on the record. One party points at the federal record. One party points at the NDP's dismal

record. We say, a plague on both your houses. Get this problem fixed.

Mr. Speaker: Order. On the point of order raised by the honourable Member for River Heights, he does not have a point of order. It is a dispute over the facts.

* * *

Mr. Speaker: The honourable Minister of Health, to continue.

Ms. Oswald: Well, thank you very much, Mr. Speaker. I was just pointing out that while that blemish exists for eternity on the member opposite's record, so, too, now, does the fact that it sounds to me like he is blaming doctors for irresponsibly ordering tests. I find that very strange.

What I can say to the member opposite is that we are cutting wait times in diagnostics. National benchmarks have not yet been set, as the member well knows. We are reporting our wait times. We are making progress in that area. We're going to continue to work and not to create facts on the airwaves that really are not borne in reality.

Crystal Meth Reduction Strategy Initiatives in Rural Manitoba

Mr. Bidhu Jha (Radisson): Crystal meth is a very dangerous element which can destroy lives and families. I know our government has taken some steps towards that particular serious problem.

I would like to ask the Minister of Healthy Living about an initiative the government has announced to fight crystal meth in the rural areas throughout our province.

Hon. Kerri Irvin-Ross (Minister of Healthy Living): Mr. Speaker, our crystal meth strategy is based on partnerships, partnerships between the departments of Healthy Living, Justice and community stakeholders.

We have developed a multifaceted approach to deal with crystal meth use. One of our most successful strategies is a comprehensive training Web-based program that we've developed on crystal meth use as well as taking down crystal meth labs.

To date we have trained 600 front-line responders since we've announced it. What we announced this week was the expansion of this to rural areas in Manitoba. This is one part of a very complex strategy. Thank you.

"Spirited Energy" Advertising Campaign Funding Sources

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, my question is for the Minister responsible for Competitiveness. I wonder now that he has had an opportunity to collect his thoughts and some information if he would share with us how much private money is in the "Spirited Energy" program.

Hon. Scott Smith (Minister of Competitiveness, Training and Trade): It is nice to see the opposition members finally getting a little bit of spirited energy like the rest of us. As was identified, members opposite seem to have a hypothetical view of life about a lot of things. They were so negative on "Spirited Energy" when the rest of Manitoba engaged it.

Mr. Speaker, there has been over a million dollars in commitment from the business community in our province. It has been clearly identified through the press. It's been clearly identified with the Broadcasters Association and many of the partners throughout Manitoba.

Mr. Speaker, Tinkerbell and the Mad Hatter opposite have hypothetical claims about Manitoba and many things. Manitobans like "Spirited Energy."

Crocus Investment Fund Draft Legislation for Accountability

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, now that we've got the Member for Brandon West (Mr. Smith) on his feet, the Member for Brandon West was the Minister of Industry from 2003 to 2004, for one year, just prior to the Crocus scandal. We've said it in this House: The legislation proposed by the former Minister Mihychuk stated that the piece of legislation was to make Crocus more accountable.

So I ask the Member for Brandon West, the minister responsible for Crocus: Why didn't he proceed with that legislation to make Crocus accountable?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Selinger: Thanks, Mr. Speaker. We just saw the Official Opposition House Leader abuse the rules by not understanding the fundamentals that every question is a question to the government. The

government chooses who can answer the questions. The member opposite so well knows that, but he chooses to waste the time of the House.

The member opposite has asked a question that's been answered at least four times today. The former minister confirmed on June 4, '05, no bill was drafted, and because no bill was drafted nothing had gone to either the caucus or the Cabinet. That's the answer to his question. It's been put on the record many times. The members opposite know by asking the same question repeatedly, they, themselves, are once again abusing the privileges of this House.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Maples Collegiate

Mr. Cris Aglugub (The Maples): Mr. Speaker, I am pleased to speak today about the students who decorated the Christmas trees in this building. They are students from Maples Collegiate in my constituency.

Maples Collegiate, part of the Seven Oaks School Division, is a thriving multicultural community with over 1,000 grades 9 to 12 students. It is one of the largest schools in Manitoba and offers a variety of courses and programs. Students have the option of taking First Year Now, which allows them to earn recognized university credits from the University of Winnipeg professors at no cost. They can also follow a co-operative vocational educational program which allows them to gain work experience in many different fields. The students who decorated our trees are from a community school program for students with less capacity for learning the standard school curriculum.

Since 2004, students from this program have been coming to the Legislative Building for a tour and to decorate the trees. This year we were visited by 30 students under the direction of Ms. Joanne Tabor, along with several aides and educational assistants. They came prepared for their tour, having learned about the building's construction prior to their visit. After their tour, they helped decorate the trees and the grand staircase in the rotunda and the third floor overlooking the grand staircase.

Mr. Speaker, everyone should have the opportunity to contribute in any way they can. For the students from The Maples, their contribution is to beautify our government building and help put all of us who work here and come to visit in a festive

mood. We should remember that the holidays are a time to recognize and appreciate the true gift we have been given, our families and friends. Thank you.

Diabetes Awareness Month

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, each of my fellow members probably has a loved one or friends affected by diabetes. Nearly 2 million Canadians have Type 2 diabetes. Four out of five people diagnosed with diabetes will die of heart disease. An estimated 4 million Canadians are at a higher risk of developing diabetes, of which 29 percent to 55 percent can go on to develop the more serious Type 2 diabetes.

One out of three Canadians with diabetes is undiagnosed. On average, people have diabetes for seven years before they are being diagnosed. With these grim odds in mind, it is clear that early diagnosis and proper diabetes management is the key to reducing risk. The month of November is Diabetes Awareness Month, an important component of promoting awareness and the fight against diabetes.

* (15:10)

The Canadian Diabetes Association annually embarks on a campaign to bring to the public's attention a particular facet of this disease. This year, the focus is on the baby-boomer generation. Due to the aging baby-boomer population, the number of Canadians living with diabetes is expected to rise to three million within the next four years. The Canadian Diabetes Association is urging the public to get serious through a special Web campaign that provides information on how to better your odds. The Web site offers important prevention management and general health information. I would like to commend the Canadian Diabetes Association for the valuable and living-saving work they do.

Diabetes is a disease that affects all of us. In Manitoba alone, more than 67,000 Manitobans are affected by the disease, with 16 new people being diagnosed every day. The national average being 11 new cases each day, it is clear that this disease is a challenge for Manitoba and our health care system. We must begin to address these challenges now. The first step is awareness. I encourage everyone to take the time to become more familiar with the information on this disease. By taking this step, we can all contribute to the solution. Thank you, Mr. Speaker.

Barbados Independence Anniversary

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, today, November 30 is the official 40th anniversary of the independence of Barbados. I was honoured to represent the Province of Manitoba at the Barbados Association of Winnipeg's anniversary banquet and dance this past weekend.

Forty years ago, Barbados claimed its identity as a sovereign nation and gained the freedom to chart its own course in history. Today, Barbados plays a key part in the Caribbean's economy and culture. The Barbados Association of Winnipeg was founded 29 years ago by a group of University of Manitoba students. Since then, it has been working hard to ensure that the cultural identity and uniqueness of the Bajan people is preserved and highlighted, and ensuring that Winnipeggers can gain an appreciation of the beauty and importance of this sovereign nation.

Mr. Speaker, I would like to thank the 2006-2007 executive of the Barbados Association of Winnipeg, including Mr. Rupert Forde, Mr. Neville Skeete, Mrs. Pamela Neblett, Mrs. Erica Babb, Mr. Greg Galkin, Mr. Claude Neblett and Dr. Keith Sandiford for their energy and commitment to ensuring the Bajan culture, identity and independence is understood and valued. We are fortunate to live in a diverse and progressive province, where we are all encouraged to maintain a connection to our roots, and to celebrate and share those traditions with others.

I would also like to express my appreciation to Mr. Donville Inness, who travelled all the way from Barbados to share in the celebration and present the keynote address at the banquet. Mr. Speaker, I would like to congratulate the nation of Barbados on the 40 years of independence. I would also like to thank the Barbados Association of Winnipeg, especially its president, Rupert Forde, as well as all the volunteers for organizing such a wonderful event. Thank you, Mr. Speaker.

Diabetes in Aboriginal Communities

Mrs. Leanne Rowat (Minnedosa): Being near the end of Diabetes Awareness Month, I felt it was an appropriate time to raise another aspect of the terrible disease.

As the opposition critic for Aboriginal and Northern Affairs, I wish to talk about the effects of diabetes on the Aboriginal population. Diabetes is a very important issue in the Aboriginal community

for a variety of reasons. Aboriginal communities have a higher rate of the disease, and, often, the disease is detected quite late in the prognosis. This, combined with the lack of accessible health care services, contributes to high rates of complications and a greater severity of the disease amongst the population.

Research has shown that the prevalence of diabetes among our First Nations' community is at an epidemic level. A 2001 Aboriginal people survey found that the rate of diabetes among off-reserve First Nations' people was at 8.3 percent. The rate of diabetes among the Canadian population was at 2.3 percent. Aboriginal populations are faced with tremendous social and economic costs in regard to diabetes. Diabetes takes many Aboriginal people out their communities and away from their homes and families for treatment. Diabetes has resulted in more amputations and loss of life, as well as increases in heart disease, strokes, kidney disease and blindness. The financial cost to treat diabetes also places a tremendous strain on the health care system. With these facts in mind, steps must be taken to address the rate of diabetes amongst the Aboriginal population. Prevention and the provision of healthy foods will help to decrease the prevalence of diabetes.

I have met with constituents of mine who feel strongly about a solution to diabetes, particularly within the Aboriginal community. I've also had the opportunity to meet with the community development co-ordinator for the west branch of the Canadian Diabetes Association and the regional chair for Manitoba and Nunavut.

It is through education awareness that we find a solution to diabetes on a national scale. Manitoba certainly has a lot to offer in terms of leadership in this initiative. It can begin with constituents in Manitoba and it can take hold in this Legislative Assembly. Thank you, Mr. Speaker.

Farmer Appreciation Day

Mr. Tom Nevakshonoff (Interlake): Mr. Speaker, I rise today to recognize the hard work, devotion and contributions of Manitoba's farmers. Tomorrow, December 1, is Farmer Appreciation Day.

As a rural Manitoban, I know full well the important role that agriculture has played in our province's history and the vital role that it continues to play in our economy. In exports alone, the agricultural economy generates over \$3 billion

annually. This province is internationally renowned for its agricultural community and for the products that they supply to both Manitobans and others across Canada and around the world.

Now, Mr. Speaker, these same producers are being recognized for their flexibility and innovation as they work to diversify their operations and the rural economy. Farmers across Manitoba now include those who work with wind farm operations, biodiesel, ethanol production and the functional food sector.

As a government, we've made significant gains by working in partnership with farmers, their communities and their agricultural organizations. Tomorrow, one of those organizations, Keystone Agricultural Producers, will host their annual Farmer Appreciation Day at the Legislature. As representatives here in this House, I believe it is our job to work together with organizations such as this to promote the recognition of this important day. As well, we must continue to work diligently and in co-operation with farmers as we did with the recent Creating Opportunities initiative and the establishment of the rural and urban GO centres.

Mr. Speaker, I would like to close by thanking Manitoba's farmers and farm families and their representative organizations for their unwavering commitment to the farming way of life and to the production of a safe and healthy food supply for us all. Thank you.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

An Honourable Member: Can we have House business, please?

House Business

Mr. Speaker: The honourable Official Opposition House Leader, on House business.

Mr. Kelvin Goertzen (Official Opposition House Leader): Yes, on House business, Mr. Speaker. In accordance with rule 31(7)(i), I would like to announce the private members' resolution that will be considered next Thursday as the resolution on accurate budgets sponsored by the honourable Member for Lac du Bonnet (Mr. Hawranik).

Mr. Speaker: It's been announced by the Official Opposition House Leader that next Thursday the

resolution that will be dealt with is accurate budgets. That's for the information of the House.

The honourable Government House Leader, on government business.

Hon. Dave Chomiak (Government House Leader): Yes, I'd like to call this afternoon, Mr. Speaker, debate on second readings. That is 2, 3, 4, 5, 7, 8, 28 and 30, as they appear in the Order Paper, to be followed by second readings, specifically 6, 9, 10, 39 and 40.

DEBATE ON SECOND READINGS

Bill 2—The Employment Standards Code Amendment Act

Mr. Speaker: Resume debate on second reading of Bill 2, The Employment Standards Code Amendment Act, standing in the name of the honourable Member for Steinbach (Mr. Goertzen).

What is the will of the House?

An Honourable Member: Stand.

Mr. Speaker: Is it the will of the House for the bill to remain standing in the name of the honourable Member for Steinbach?

An Honourable Member: No.

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

* (15:20)

Hon. Jon Gerrard (River Heights): Mr. Speaker, I'll just say a few words on Bill 2, The Employment Standards Code Amendment Act. It's a bill which, most at least, has pretty broad agreement and which we will be happy to support. There are some areas which I will make some specific comments on, but I think that first of all I would say that our general support—this is third reading—is there and we look forward to this going on to committee stage.

The first point that I would like to comment briefly on is a matter which deals with scheduling, and this is whether somebody gets paid when they are scheduled and they report to work and so on. The situation, of course, with a wide variety of workplaces in the province is such that scheduling may be done far in advance in some workplaces, or as we experience very often in this Chamber, scheduling is done last minute. So in many workplaces you have to have a significant level of flexibility, in order to make sure, and some standardization of practices around scheduling, so that people are treated fairly for a particular

workplace. In some workplaces, depending on if you're a nurse, for example, you may get called up the night before or you may get called up the morning of, and this certainly happens with substitute teachers.

There needs to be some standard procedures so that employees are treated fairly and so that employers don't get billed when people are scheduled, but then not scheduled. And how long in advance, for example, if you have somebody who is scheduled to work and then the employer calls up and says the day before that: We won't be needing you tomorrow, but we want you the next day. Is that scheduling which was done several weeks before applicable, or is the schedule of the day before applicable? There just needs to be some ability or requirement, perhaps, for employees, to make sure that it is clear: what is the schedule, how long in advance things can be cancelled or changed, or what the procedures are for a particular workplace?

We know very well in this Legislature that things get moved around. We don't have a standard sitting schedule, but we have changing schedule during the day, during the afternoon. We may not know until a few minutes before that we are debating on Bill 2, for example.

So what I would suggest to the minister is that she give this a little bit of thought in terms of the flexibility of workplaces and in terms of what is the optimum way to make sure, given the general terms which are in the Legislation which are reasonable, how these will be operative and ensure fairness in individual workplaces which may vary quite significantly in the way things are scheduled.

The second point that I would note in looking through this bill is that there is a clear omission in the listing in this bill of what should be respected as general holidays in this province. There is no Manitoba Day. As the minister well knows, for a long time I have been an advocate of recognizing Manitoba Day much more substantially than we do at the moment. We recognize Canada Day; we recognize Queen Victoria from two centuries ago. I think it's time that we talk more about recognizing Manitoba Day and do it much more substantially in this Legislature. It is, after all, our province. We should be proud of our province; we should recognize it in many different ways; and that is something which, as we look at the way this bill is written, it brings to our attention that we are not yet recognizing it as well as we should be.

Those are my comments on Bill 2, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 2, The Employment Standards Code Amendment Act.

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

Bill 3—The Healthy Child Manitoba Act

Mr. Speaker: Bill 3, The Healthy Child Manitoba Act, standing in the name of the honourable Member for Tuxedo (Mrs. Stefanson).

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

An Honourable Member: No.

Mr. Speaker: No, it's been denied? Okay.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I will talk for a few minutes on The Healthy Child Manitoba Act. In contrast to the bill on the Employment Standards Code Amendment, this bill looks like it was put together in a bit of a hurry. It certainly looks as if it needs a substantial amount of work before it would be a reasonable bill, providing improvements for the care and for the health of Manitoba's children.

I would look, particularly, and suggest to the minister that when we are looking at reporting that we need to make sure that we have clear outcomes, that we have an understanding of what sort of outcomes we're going to be looking at and that the detail, in terms of expectation of measuring and reporting on outcomes, in this legislation is not sufficient for what we would expect of a reasonable approach to monitoring and evaluating and keeping track of child health in this province.

As one example, the requirements for reporting only every five years doesn't seem a very reasonable approach when we have children, and we would consider children up to 18 years, Mr. Speaker. Well, that's more than a quarter, five years is more than a quarter of those 18 years. We clearly should have reporting of outcomes every year and not every five years.

The minister and the government could set up this legislation and there might not have to be a report until 2012 or 2013, depending on when it

passed and gets Royal Assent. That's clearly not appropriate nor adequate. There needs to be something with a little bit more rigour in here and a little bit more definitive in terms of the nature of the outcomes that are to be reported on if we're really going to make sure that we are moving forward in terms of improving child health in this province.

I would give an example: the fetal alcohol spectrum disorders and the sorry state of reporting with respect to fetal alcohol spectrum disorders, Mr. Speaker. There is not, at this point, any good data or information on the precise incidence and prevalence of fetal alcohol spectrum disorders in this province.

There was a registry which was reporting up until, I think it was 1993. Then that registry was cancelled, and this government has never reinstated the registry. They have never put in place even an attempt at a screening program for fetal alcohol spectrum disorders. So we have never had, under the seven years of this government, a report on the incidence or prevalence of fetal alcohol spectrum disorders with any reasonable data since they have been in government in seven years.

* (15:30)

Clearly, this is a terrible situation that we're put in in this province, that we have no measurement of outcome. We would like the measurement of outcome. We would like annual reporting of outcomes, but we want to make sure that, in fact, we are getting outcomes like the incidence and prevalence of fetal alcohol spectrum disorders. We feel that it's quite important, in fact, so important that that sort of material should be in the bill. There shouldn't be the opportunity for this government to try and escape from being accountable, as they have so often in past. We have seen time and time again that they have not supported our legislation to have accountability in health care. We can see in this bill that it doesn't provide enough information in terms of being accountable, or enough guarantee that we will in fact have accountability.

I would suggest, Mr. Speaker, that there are a number of other things which bear careful scrutiny in this legislation. The provisions which will allow the government, public bodies, community partners access to testing and information. This clearly needs not to be completely open-ended, but clearly there need to be provisions along this line which can ensure, for example, that we know what the incidence of fetal alcohol spectrum disorders is and that it can be done in a reasonable way. Clearly, this

needs to be looked at quite carefully. We've been looking and talking about the access to personal information and what the guarantees, what the procedures are. What I think is important is that there be, for example, appropriate guarantee that would be a review or an ethics committee going over approaches to access to information rather than that there be a licence to access to health information without any restrictions, as could occur under this bill if we are not careful and if the bill is not more carefully written than it is currently.

It is our view that, when the minister appoints the members of committees and chair of this advisory committee, such members should appear before a committee of the Legislature and be interviewed by members of the Legislature so that we understand their expertise and goals and have input into what's happening at the committee level and where this legislation is going. Too often in the past we have had appointed committees which have not been adequately answerable to this Legislature and have been filled with people who have not had as good qualifications or as adequate qualifications as they certainly should have. Certainly, when we look at step-by-step in this legislation, the things that should be covered in this legislation, or we may support the principle. Clearly, this bill needs very substantial changes if it were to be a reasonable and responsible approach to improving the health of Manitoba children. The understanding that we are going to have when we're delivering, handing out money, some measurement of outcomes is not even here, that there need to be approaches which ensure that we as taxpayers are going to get value for the money that is spent.

I would suggest, Mr. Speaker, that one has to be very careful with the approach that this government is taking because I'm not sure that there is anywhere near the type of accountability that there needs to be. I would suggest, too, with the unfettered ability under this legislation for the government and the Minister of Healthy Child Manitoba to enter an agreement, that there also needs to be, clearly, any agreement that the minister enters into should be listed on the public registry so that it's available, so that we know what's happening and that we are not operating with a minister who is trying to keep things in the dark, as we've seen so often in the past. Certainly, it is important that the public and the members of the Legislature are well informed in terms of the nature and the terms of agreements rather than that these agreements be hidden

agreements which are not accessible to people except under difficult circumstances.

So, Mr. Speaker, clearly, this legislation needs some very considerable improvement. We will certainly support initiatives which would help our children, but the design of this initiative, though it may have some good intention, is, at this point, still very significantly lacking in terms of what it should have, if this were to be a good legislation.

Let me close by just saying a word or two about the children of this province. Clearly, I believe all of us would feel very strongly that the children of our province are very important, and that the health of our children is very important. We have been astonished at what has happened within the last year with the reporting of, for example, 31 deaths by homicide of children in care, or shortly after leaving care in Manitoba. We need to have some major changes in this province to ensure that children are being better cared for.

I have been astonished at the number of people who have come forward with concerns about their children being taken into care prematurely when there were ways of helping the family other than providing care, other than taking the child into care. I will give you a recent example. A small child who needed some specialized formula that costs more than the mother could easily afford, and the government and those who represent the government said to the family, well, we will not help you in paying for this formula. We will not help you in getting good nutrition for your child, but what we can do is that we can put your child in care, and then, having put your child in care, we can make sure your child gets a formula.

That, Mr. Speaker, is one of the reasons why we have such a terrible system in this province. It is because it's being administered by the NDP in a way that doesn't benefit children and families to the best possible way that it could. It is absolutely terrible that a child would be taken away from its caring parents because this government won't help provide a little bit of formula in order for a child to be able to get nutrition. That the only option the parents were given was that the child would have to be taken away from them, and then the government would provide the formula, that is the wrong way of going about it. That's one of the reasons why in this province, sadly, we have an extraordinary number of kids in care. An extraordinary number of kids have been in hotels, and it is a system which is being very terribly

managed at the moment under the NDP government. We would like a little assurance in bringing in this Healthy Child Manitoba Act that things are actually going to change. We have not had that assurance. There is nothing in this act that will give us that assurance that things are actually going to change for the better. *[interjection]*

* (15:40)

With this government, there is so much to talk about that sometimes a conclusion takes a while. Looking after children is fundamental if we're going to have a province which works. Getting major improvements in the way that children are looked after in this province is fundamental if we're going to have a province which works better. Clearly, there have been huge, huge problems under the NDP, and, clearly, these problems need to be addressed. That's why this legislation needs to be fixed up and tightened and revised and amended in a major way. We will look at trying to do that as it goes through, and we will hope that the government will have a careful look at this again and be ready to accept some major amendments to this bill in order to improve it to the level where it meets the sort of needs that, surely, our children in this province deserve. Our children deserve to have the opportunity to be healthy; they deserve to be properly supported; and we deserve to have children who are raised in dignity and well supported, rather than having a government which goes around grabbing every child that they can think of and putting them in care or in hotels, instead of making sure that the children and the family are well supported. Thank you.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I move, seconded by the Member for Ste. Rose (Mr. Cummings) that the debate now be adjourned.

Motion agreed to.

**Bill 4—The Consumer Protection
Amendment Act (Prepaid Purchase Cards)**

Mr. Speaker: Bill 4, The Consumer Protection Amendment Act (Prepaid Purchase Cards), standing in the name of the honourable Member for Tuxedo (Mrs. Stefanson).

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

Some Honourable Members: No.

Mr. Speaker: No, it's been denied.

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, I welcome the opportunity to place a few words on the record with respect to Bill 4, with respect to prepaid purchase cards. I believe that most of us in this Chamber have probably been caught with expired cards, whether they're gift cards or whether they're prepaid purchase cards in one way, shape or form. In most cases, I can tell you that my personal experience is that I've been caught with a number of those. But businesses, in most cases, don't want to lose customers, and they certainly do what's in the best interests of customers because they want them back. They want to ensure that customers will come and give them repeat business. Most retailers, regardless of whether this legislation is in place or not, will honour those cards whether they're expired cards or not. However, sometimes, and I don't deny it, sometimes a retailer will try to live within the letter of the expiry date, and, if the expiry date's on the card, of course, they have that very right to do so. That's what this legislation is intended to protect.

However, Mr. Speaker, I note that it's not just good enough to say that there will be no expiry date on prepaid purchase cards or gift cards. I think what has to happen is we need this government to ensure that there is consumer education that goes along with this legislation, consumer education advising people that they should be cashing those gift cards or prepaid purchase cards as soon as possible, that they shouldn't leave them sitting for years and then hope to redeem them at some time in the future. We need that consumer education to go along with this bill, but we also need resources that should be allocated by government to ensure that education programs are in place, not just a one-time education program, but something that continues so that people are aware continuously that, if you do obtain a gift card or a prepaid purchase card without an expiry date, that, in fact, you have an obligation, you create that obligation on behalf of the consumer that they do cash them in on a timely basis.

First of all, without consumer education, there is a possibility of hardships on businesses. When we have the situation where people believe that there is no expiry date on these cards, and, therefore, they have all the time, that they have a lot of time in order to wait to cash these cards, it could pose a hardship on small businesses, Mr. Speaker, particularly small businesses because, if they're not redeemed within a reasonable period of time, it certainly could affect, depending on the amount of prepaid purchase cards, the amount of gift cards that are given out or sold by

this particular business. It could affect their cash flows, and it could affect their financial statements in a negative way.

It also has the potential, Mr. Speaker, and I hope that the Minister of Finance (Mr. Selinger) considers this because it's his bill. The bill itself has the potential to actually harm consumers, consumers who may feel that they can wait as long as they want to wait before redeeming. That will take place, of course, if there is no consumer education that comes with this bill.

If the retail outlet, for instance, closes shop or leaves Manitoba to other provinces, for example, or becomes bankrupt—certainly, there are lots of businesses leaving Manitoba for opportunity elsewhere in other provinces. It's not very far-fetched when you look at the 2005 Stats Canada report. I know the Minister of Finance (Mr. Selinger) doesn't like Stats Canada at times because it reflects negatively on his government. There are times when he quotes it religiously in this Chamber, Mr. Speaker, but the fact remains is that in 2005 Stats Canada reported that 9,880 Manitobans left this province for other provinces, more than actually came from other provinces back into Manitoba. That's an horrendous statistic, and if we're looking at not just hardworking Manitobans, skilled Manitobans leaving this province, it's not far-fetched to believe that many Manitoba businesses and opportunities that those people take with them are also leaving the province.

Having said that, we have indicated that we will support the bill, provided, of course, that the Minister of Finance accompanies it, of course, with an appropriate consumer education program. 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 Bill 4, The Consumer Protection Amendment Act (Prepaid Purchase Cards).

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

**Bill 5—The Personal Investigations
Amendment Act (Identity Protection)**

Mr. Speaker: Bill 5, The Personal Investigations Amendment Act (Identity Protection), standing in the name of the honourable Member for Steinbach (Mr. Goertzen).

What is the will of the House? Is it the will of the House to remain standing in the name of the honourable Member for Steinbach?

An Honourable Member: No.

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

An Honourable Member: Denied.

Mr. Gerald Hawranik (Lac du Bonnet): I welcome again the opportunity to put a few brief remarks on the record with respect to Bill 5. I can tell you, Mr. Speaker, we will support this bill, but we will be introducing amendments, substantive amendments in committee to the bill because we believe that it's deficient in terms of its focus. In fact, the bill, I think, is kind of misnamed. It talks about identity protection. While we can support this legislation, we would support better legislation, I believe, dealing with identity theft. This is only one small step in the battle against identity theft, and I think the minister should acknowledge that. It does very little, in fact, to prevent identity theft. The obligation is on the person whose identity is taken to report it. I don't think that that's correct.

In fact, we had a private member's bill that was introduced just this morning, Mr. Speaker, Bill 200, by the Member for Morris (Mrs. Taillieu). It was a well-thought-out, well-researched bill. In fact, it includes 42 pages of legislation, 44 sections of legislation. It was well researched. She had consulted with experts in the field in terms of how our legislation should be crafted to protect identity theft. I hear the Member for Morris saying to the Minister of Finance (Mr. Selinger) that this is how many amendments perhaps that he can expect at committee, and I would hope that he would support that. In fact, he should have supported it this morning. There was a chance for members of government to support this bill and do some real, real protection to identity theft, instead of just window-dressing.

There's more to a bill than titles. When I look at Bill 5, all I see is a few sections dealing with identity protection in which it's the obligation of the person whose identity is stolen to report, as opposed to creating regulation which will create penalties for identity theft and which will create consequences for those people who do steal other people's identity.

* (15:50)

When we look at Bill 200, as an example, Mr. Speaker, it's comprehensive. Certainly, the

Minister of Finance, I hope that he reviews Bill 200 so that at least he's got an adequate response when we do introduce many of our amendments to his bill. I hope he takes those into consideration and hears those people at committee who would certainly have, I think, similar kinds of concerns about his Bill 5 as I have.

So, with those brief remarks, Mr. Speaker, I would urge that we move Bill 5 on to committee.

Hon. Jon Gerrard (River Heights): I just rise to say a few words about this bill before it goes to committee. I think that the bill could be significantly improved, and it's a bit of a disappointment for the Minister of Finance, who has brought forward legislation in the past with a little bit more depth, to bring forward this legislation on this occasion.

What I would say is that the bill, from what I can see, puts the onus, in essence, on the individual who is concerned about their identity being used, but it doesn't necessarily put the onus on the credit card agency to not allow the misuse of information or even to keep an eye out for things which might be a misuse of information.

Certainly, it would seem to me that this legislation could have been a little better thought out and presented. Hopefully, we will see at the committee stage some significant proposals for change and improvement in this legislation, Mr. Speaker.

Mrs. Mavis Taillieu (Morris): I would, too, just like to say a few words about Bill 5, The Personal Investigations Amendment Act (Identity Protection). Again, Mr. Speaker, this bill is a small step but does not address the underlying and the root issue of the problem of identity theft, which is protection of personal information. That's where we need to be.

Bill 5 places the onus on the consumer to contact personal reporting agencies to ask that a security alert be included in his/her personal file. Currently, personal reporting agency is defined to mean any person whose main business is to regularly conduct personal investigations for the purpose of supplying personal reports or the contents of personal files to others for gain. There is no centralized process whereby consumers can call one number and ask for a security alert to be placed on their personal file. They must contact each reporting agency separately.

The bill does not address identity theft. Identity theft is not mentioned in the bill. Anyone can request that a security alert be placed on their personal file.

There is no need to prove any belief that their identity has been compromised or may be subject to identity theft. Why not just make the security alerts mandatory and subject every request for a personal investigation to the same level of heightened security?

The bill also provides no civil remedy for identity theft nor does it make it easier to recover damages once one's identity has been stolen. Also, it contains no penalties for companies who allow identity thieves to access others' personal information nor any security breach notification provisions. In fact, section 16 of the PIA currently contains an exemption from civil liability for organizations unless they knew or ought to have known that all or part of the information in a report or personal file is false, misleading or obtained negligently which would also apply to these new provisions.

Mr. Speaker, the most difficult situation or hypothetical situation presented by this bill would be if I was to steal your identity and then I was to call the toll-free number and advise the personal reporting agency that I would like to place a security alert on my personal file. Of course, before complying with this request, the personal reporting agency must take reasonable steps to verify my identity. However, if I am successful in convincing them that I am that person, then once the security alert is placed on my file, users who receive a security alert when they request a personal investigation will call the number I provided to determine whether or not the request is legitimate. So, in actuality, what this does, this is a blueprint for identity theft. If I can convince the person on the other end of the phone that I am the correct person with the correct information, even though I'm the identity thief, then this bill is actually self-defeating.

Mr. Speaker, there are many things that I see lacking in this bill, and I think that we will be pursuing several amendments to strengthen the bill. As mentioned before, there has been a bill presented before the House, Bill 200, which really does address the protection of personal information which fills the gap in the privacy legislation in this province. It is to protect the personal information of those in the private sector. I do say that the government, certainly, has recognized that there is a growing concern with identity theft, and they've recognized this as a growing problem. So what have they done? They've increased the fines; they're cashing in on

identity theft. So, as much as there's a small movement, a small recognition in this bill, I think there are many, many, many areas to be strengthened, and we will look forward to doing that. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the second reading of Bill 5, The Personal Investigations Amendment Act (Identity Protection).

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

**Bill 7—The Real Property Amendment Act
(Wind Turbines)**

Mr. Speaker: Bill 7, The Real Property Amendment Act (Wind Turbines), standing in the name of the honourable Member for Steinbach (Mr. Goertzen).

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

Some Honourable Members: Yes.

Mr. Speaker: Is it agreed? *[Agreed]* It will remain standing in the name of the honourable Member for Steinbach.

**Bill 8—The Public Accounts Committee Meeting
Dates Act (Legislative Assembly Act Amended)**

Mr. Speaker: We'll move on to Bill 8, The Public Accounts Committee Meeting Dates Act (Legislative Assembly Act Amended), standing in the name of the honourable Member for Steinbach, who has 18 minutes remaining.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, you know when I left off the last couple of days ago regarding the Public Accounts bill, I was trying to convince the government that this would be a tremendous opportunity, a tremendous opportunity for us to come together as legislators in a bipartisan spirit and try to bring forward a number of different amendments to this legislation. It's a very short and small legislation, as it deals with only one specific issue regarding the PAC process, and that's the number of dates.

Mr. Speaker, we know that there are far more concerns than simply the number of dates regarding PAC. That's been only a small part of the focus. It's been applied within the media and within the Legislature and, indeed, when we're having discussions among House leaders and other

interested parties here in the Legislature, only a few of the issues have related to dates. It's one issue for sure, but it's only one issue.

* (16:00)

The other issues that certainly need to be addressed regarding the Public Accounts Committee and how the process works, or probably more accurately, isn't working at this point, have to do with how the committee functions in and of itself. We've been suggesting to the government for some time that there needs to be a greater ability for the Public Accounts Committee to call witnesses and to have those witnesses come before the committee and provide testimony. We know that in other jurisdictions, both federal and provincial, Mr. Speaker, there is the ability to call witnesses of a wide range. While the government says that they've made some progress on that, it's been very small progress. We don't think that this is something that needs to be dealt with in an incremental basis. We think that we could actually make significant strides. I've heard the Government House Leader say you need to crawl before you can walk, or walk before you can run, or some other sort of analogy of the kind. But, in reality, that isn't the case here. We know that much more, much more can be done on the Public Accounts Committee, and that it wouldn't take a significant amount of work. It wouldn't be significant to amend this particular piece of legislation to do the right thing.

I would say it's not just the right thing for us as an opposition. I understand that when you are in opposition you view the world in a certain way, and when you are in government you view the world sometimes in a different sort of way when you're talking about the legislative process in this Chamber. But I would say that now—I won't say around the eve of the election, but we're certainly nearer to an election than we are further away from one—as we are close to an election at some point, all parties have really the same interest because we don't know what the electorate will decide. There's a good chance, perhaps, some might say, that government will change this time.

So we all have a certain amount at stake to see this process changed, because I suspect that if the government, in fact, does change and there is a Conservative government after the next election, then the New Democratic opposition, assuming that they are the official opposition, even if it were the Liberals who were the official opposition, whichever

party was in opposition, they would be coming in and saying, well, we need to change PAC and now we need to make it stronger because then they'd be in opposition and they'd be putting that forward.

Well, we're saying that we know there is certainly a chance that we'll be in government after the next election, and we are saying let's do these changes now because we are not afraid. We are not afraid to be held accountable as a government. We aren't afraid to have the kinds of responsible powers that a public accounts committee in most other provinces and certainly the federal government has already.

So my suggestion would be to the government—and I don't like to simply speak and criticize without making suggestions, Mr. Speaker—so I would suggest to the government and the Government House Leader that, instead of proceeding with this bill in its current form, we would meet together and we would come up with amendments that would be agreeable to all sides of the House.

I do think that, in relation to PAC, it is a special committee, not just special in terms of its composition and its chair, but it is special in the fact that I think all of us as legislators want to ensure that it operates in as efficient and effective basis as is possible. The challenges and difficulties we've had in the past in trying to get answers out of that committee has frustrated more than just the opposition. I think it has frustrated the public. I don't know of many other committees that have ever drawn the attention of the mainstream media in the Legislature as this particular committee has over the last few months. I think for good or for bad, probably more for bad, these committees tend to operate in anonymity and don't draw a lot of attention from the general public. I suspect that most people wouldn't know what a lot of the standing committees of the Legislature here do.

But we have seen over the last number of weeks that the Public Accounts Committee has drawn a significant amount of interest from stakeholders, from media stakeholders, saying, let's change this; let's make it a strong committee that can really do its job and that can really ensure that accountability is brought to bear on the finances of the Province.

Yet, Mr. Speaker, we don't see that sort of accountability. We don't see the government wanting to ensure that there is that sort of measured accountability within the PAC process, and that's unfortunate. This seems to be a reactionary bill. It

seems to be reacting in a hasty way to what was public pressure. We have seen this sort of legislation come before. When the government or the Premier (Mr. Doer) is criticized for one reason or the other, there is a reaction, a very quick and gut reaction in terms of how to deal with the issue. But I think that the Premier has missed the mark and he's missed that opportunity to say something broader to Manitobans and say something more substantive in terms of how it is that we're going to form and operate this committee in the future.

It is difficult, of course, when you talk about the issue of PAC not to also talk about the issue of Crocus and other scandals that have befallen this government and hurt Manitobans across the province, because there's a great suspicion, I would say, among Manitobans who follow this process, a great suspicion that the reason this government doesn't want to change the PAC process is because they do not want to see that committee empowered and have more empowerment to delve into the issues of Crocus or Hydra House or many of the other scandals that have come before this government over the last seven years. That, I think, doesn't reflect well on any of us as legislators if people think that the government is trying to not empower a committee simply to hide the facts or to keep accountability from coming to bear upon them, that we would all be looked upon worse as legislators.

So I would say, Mr. Speaker, in a spirit of co-operation with this government, that we should be coming together and looking at ways to ensure that the PAC committee, through legislation or through rules, has real ability and real power to find out issues, and to see where expenditures have gone, to see where problems have arisen.

There are, certainly, other areas within the PAC committee, in terms of ensuring individuals who are on that committee, have the ability to get research done or to get faxed from outside sources, beyond simply calling people as witnesses to the committee itself. I know, if the members would look at the federal committee, for example, they would see quite a robust committee and one that's quite powerful in the overall legislative scheme. The members of that committee are considered experts in their field and they really do wield a lot of power within the context of the federal scheme because they can ensure that there is true accountability brought to bear. We've seen that in a number of different areas, whether it's related to sponsorship scandal or other things that have happened within the federal scene.

I know, of course, perhaps, in some way, maybe it has caused more harm than good because the current NDP government has seen what happens when you can actually reveal scandals, and when you can get to the bottom of facts. They don't want to have the same fate fall upon them as what's fallen upon the federal Liberal Party over the last little while. But I would say to them that, in fact, it may be headed down that road anyway because Manitobans, at some point, start to draw the connection between a government that doesn't want to allow the facts to be drawn out and making the connection that there must be some responsibility there.

I give Manitobans a lot of credit. I am always quick to say that they're among the most astute people in the country, and they will quickly—they will quickly—make the connection between a government that isn't willing to allow a real investigation, and the fact that there must be some reason for that, and that reason must lead to responsibility.

So, Mr. Speaker, with those comments, I would ask the government to reconsider this to ensure that we meet in a bipartisan spirit to bring forward real legislation that will strengthen this particular committee.

Mr. Peter Dyck (Pembina): I move, seconded by the honourable Member for Morris (Mrs. Taillieu), that debate be adjourned.

Mr. Speaker: It's been moved by the honourable Member for Pembina, seconded by the honourable Member for Morris, that debate be adjourned. *[Agreed]*

Bill 28—The Manitoba Museum Amendment Act

Mr. Speaker: Bill 28, The Manitoba Museum Amendment Act, standing in the name of the honourable Member for Inkster (Mr. Lamoureux).

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

An Honourable Member: Yes.

Mr. Speaker: Yes. The bill will remain standing in the name of the honourable Member for Inkster.

Bill 38—The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization)

Mr. Speaker: Bill 38, The Housing and Renewal Corporation Amendment Act (Fund for Housing

Revitalization), standing in the name of the honourable Member for Inkster.

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

An Honourable Member: No.

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

Is the House ready for the question?

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I just wish to say a few words about Bill 38, The Housing and Renewal Corporation Amendment Act. This bill establishes a fund to take the profits from the Waverley West division and other profits from other properties owned by the province, and put them into areas of need, as determined by this bill. It seems to be a little bit politically motivated. Certainly, I know that the government has come under some opposition for land development, suburban land, sprawl development. Certainly, this is trying to mitigate that by taking the profits from there and putting it into inner city housing.

* (16:10)

Having said that, of course, it's very important that we recognize the need for housing in the inner city. I did see recently the announcement that Waverley West is expected to generate \$15 million in profit, Mr. Speaker. It also said, in the most recent news article, that approximately half of that would be earmarked for inner city housing and revitalization programs. But, also, the other half would be to pay for the extension of Kenaston Boulevard. Certainly, when you look at the problems with transportation in that area and infrastructure, I think that that is welcome. But, again, it calls into question the bill that's proposed to take the profits from Waverley West, and put it into inner city housing. It is a flip-flop. Now, they're only going to put half in there, and half for other improvements. That is probably warranted.

There certainly seems to be some question of what's going on in the Manitoba Housing Authority, Mr. Speaker. We know that there is a review being conducted of that organization. We know that it was done in a very secretive way. It was advertised on a very obscure Web site. It was not advertised in mainstream media. It was done, sort of, behind the scenes because there are, allegedly, some significant problems within the Manitoba Housing Authority. We also know that in the last annual report we note

that the Manitoba Housing Authority is taken out from under the Manitoba Housing and Renewal Corporation and placed in Income Assistance and Housing and another CEO named over the Manitoba Housing and Renewal Corporation.

So there seems to be a little bit of empire building going on here at the same time, which sort of speaks to adding to the bureaucracy, Mr. Speaker. So we are wondering how much more of this money is actually going to pay for more bureaucrats in Manitoba Housing. This is particularly unnerving, I suppose, at this point, when we know that a review is at this present time being conducted. We're, then, channelling money in from profits from Waverley West, putting it into an organization that is under scrutiny—seems to be, perhaps, a little premature.

But, having said that, this bill is well intended in many ways, I think. It will take the money and will address inner city housing needs that part of the housing continuum in the inner city needs.

So, Mr. Speaker, with these few words of caution on this bill, we move it forward. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, let me just make a couple of brief comments on this bill. I think, first of all, those of us on this side of the House are a little bit sceptical about the government claim to make lots of profits. We've seen that, I think, in Seven Oaks School Division where the school division was going to make lots of profits, and ended up with a loss. So there is not a lot of trust, per se, in the operation of businesses by the NDP government.

Certainly, what we would hope is that this bill would have a very clear approach to the accounting that is provided, and how they calculate the profit, or not profit, depending on which activities of Manitoba Housing corporation are included and which are not, and which parts of the Waverley West development, the highway, other things, rapid transit, and what is included in the expense of the project, and what is not.

I would suggest, Mr. Speaker, what is important here is that we have from this government a clearer plan for how they are going to develop Waverley West than we have had so far. What we've seen is a sketch. What we've seen is an idea for Waverley West, in which there would be a sort of a town centre. That town centre concept has worked in other jurisdictions, but it's worked where there is rapid transit to the centre of the town. When I asked the

question, I believe it was last year, whether this government had any plans to put in rapid transit to the centre of the town, the minister wouldn't even answer. So it is apparent that they either don't have any plans or they don't know what their plans are.

I think we should have much more information on what's happening, and a much more clear approach to accounting than we've had so far. So we will be looking for some more answers at the committee stage, and hope that the government will be more open about its intentions than it's been so far.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 38, The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization).

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

SECOND READINGS

Bill 6—The Registered Retirement Savings Protection Act

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Advanced Education and Training (Ms. McGifford), that Bill 6, The Registered Retirement Savings Protection Act; Loi sur la protection des régimes enregistrés d'épargne en vue de la retraite, be now read a second time and be referred to a committee of the House.

Motion presented.

Mr. Selinger: I am pleased to speak about Bill 6, The Registered Retirement Savings Protection Act. A large portion of Manitoba's population is approaching retirement and the prospect of a longer life span. It is important that governments not only continue to encourage individuals to save for the years when they will not have employment income, but also to protect those retirement savings. Retirement savings of employees who have a registered pension plan are already protected from creditors. However, many Manitobans do not have a registered pension plan. Bill 6 is designed to protect, from creditors, retirement savings held in registered retirement savings plans, registered retirement income funds and deferred profit sharing plans.

Ms. Marilyn Brick, Acting Speaker, in the Chair

Madam Acting Speaker, the protection will apply not only to the plan holder, but also to that person's spouse where the spouse is the beneficiary. This is similar to protection provided to a surviving spouse of an individual who has a registered pension plan. There are two exceptions to the bill to the protection from creditors. One is for maintenance orders enforced by the maintenance enforcement program, and the other is for orders respecting the division of family property. These two exceptions also apply to registered pension plans. Registered retirement savings plans sold by insurance companies are currently protected from creditors to a certain degree under The Insurance Act. This bill will increase that protection, subject to the two exceptions of division of family property and enforcement of maintenance orders.

Madam Acting Speaker, this bill will benefit employees, as well as owners of businesses and professionals. I am pleased to recommend this bill for consideration.

Mr. Gerald Hawranik (Lac du Bonnet): I would like to place a few brief words on the record with respect to Bill 6. I note that a similar bill was passed recently in Saskatchewan and in several other provinces across the country. The bill itself is, I believe, good news for small business owners who have, by and large, registered retirement savings plans to take care of themselves in their retirement. It's also good, though, for those who top up their company pension plans and make up the difference over what they are allowed to contribute to pension plans versus what they receive under their company pension plan.

* (16:20)

For small business owners, I note that the Canadian Federation of Independent Business has voiced their support of the bill because, as I say, small business owners, by and large, plan for their retirement through savings in the registered retirement savings plan area. Small business owners don't have a great deal of security when they retire, other than what they save for themselves or what they keep in their company, and they're taxed too heavily already. Certainly, this would be an important measure, I believe, to ensure that small business owners are further protected so that they can look after themselves in their retirement years.

I know that the Minister of Finance (Mr. Selinger) thinks that he has done a great service to small business owners in terms of taxation. He

continues to point, in this House, to the small business corporate tax rate being reduced from 4.5 percent to 3 percent. While, yes, we acknowledge that he has done something with respect to small business taxation; he's, really, merely scratched the surface. What he doesn't tell us, though, is that the rate reduction from 4.5 percent to 3 percent by small business corporations only cost the treasury \$1.8 million, and he stands up here in the Legislature and trumpets what he's done for small business owners. All he's done is reduced taxes to small business owners by \$1.8 million, and he believes that that's such an incredible amount that he's done for small business owners.

Mr. Speaker in the Chair

Most small business owners, the vast majority of small business owners, are not incorporated. They don't have small business corporations and the minister knows this. Really, what you have to do in order to give small business owners a break is reduce personal income tax rates. That will do much, much more to ensure that small business owners are looked after and, in fact, are receiving the break that they deserve. So, by standing up in the Legislature and saying that he's reducing the tax on small businesses, well, yes, that's correct to a certain extent. It affects very, very few businesses, Mr. Speaker, in this province. The evidence is in terms of the amount that small business owners pay for tax and the amount that the minister has said that he's forgoing in the Treasury, and that's only \$1.8 million a year.

I note that the bill, itself, talks about the plan still being subject to maintenance orders enforced by the Maintenance Enforcement Program, which is maintenance for children and for spouses and orders respecting the division of family property when they separate or they divorce. That's not any different than Canada Pension Plan legislation or even private or company pension plans. We have to ensure that there is that exemption there, Mr. Speaker, and I would be supportive of that. If it wasn't in the legislation, I would have been proposing an amendment to the legislation, but I'm happy to see that it's in there because we have to ensure that those spouses that separate or divorce, in fact, are given what they're entitled to be given under the pension legislation.

The creditor protection provisions levels the playing field, really, between private company pension plans and RSPs. RSPs don't have any protection at this point. Creditors can actually garnishee and attach the value of the RSP, not only

the income that comes out of an RSP or a RIF, but also the capital of the RSP. Really, what this bill does is it levels the playing field between company and private pension plans and RSPs, as well as levels the playing field between government pension plans and RSPs as well.

With those few brief words, though, Mr. Speaker, I can tell you we would support the bill, but there may be amendments at committee. We haven't fully considered the bill yet, and, of course, I haven't had a briefing yet from the minister with respect to the bill. Once I do have that briefing, we may be considering amendments to the bill as well. But I look forward to the comments of the public at the committee level. We'll see whether or not the minister, in fact, has consulted with the members of the public first, and if he has, whether, in fact, he's taken into account all of their concerns with respect to the bill. Thank you.

Hon. Jon Gerrard (River Heights): I'd like to just say a word or two on this bill which I think the intent here is a reasonable one to protect registered retirement savings plan money in a registered retirement savings plan. I think, from a point of view of people who are existing small business owners, I would generally concur that this will be seen as a positive move.

But I would suggest that, in what I'm seeing in people who are retiring, there are numbers of people, as the Member for Lac du Bonnet (Mr. Hawranik) might know, who are, for example, well-off lawyers who've put their money in registered retirement savings plans, who are interested, whether it be in purchasing a cottage or whether it be in starting a business, that they may be interested in getting a loan, and that their primary asset may, in fact, be in a registered retirement savings plan. What this would do, potentially, would limit or make it impossible to borrow against money that's in a registered retirement savings plan.

What it would mean is that an individual in those circumstances would have to take the money out of their registered retirement savings plan, and it may not be a good idea from a tax perspective to do that. I think that there should be a look, in terms of ensuring that individuals who are retiring don't have their flexibility overly restricted. Clearly, one would not want a situation where you borrowed against all the assets in a registered retirement savings plan. That would be a very bad policy, but there may be some room for flexibility, that an individual might have a

choice in being able to use some of the assets in a registered retirement savings plan that could be borrowed against in a way that wouldn't mean that they would have to take the assets out.

I just put those comments on the record because I think that, as we move toward having more and more people retiring, we want to make sure that they are not only protected on the one hand, but that their flexibility is not overly restricted on the other.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 6, The Registered Retirement Savings Protection Act.

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

Bill 9—The Grandparent Access and Other Amendments Act (Child and Family Services Act Amended)

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I move, seconded by the Minister of Education, Citizenship and Youth (Mr. Bjornson), that Bill 9, The Grandparent Access and Other Amendments Act (Child and Family Services Act Amended), be now read a second time and be referred to a committee of the House.

Motion presented.

Mr. Mackintosh: Mr. Speaker, I am pleased to present this bill to the House for consideration. I believe it was in the spring of 2005 when MLAs of this House were approached by grandparents in Manitoba who both individually and collectively were raising concerns when it came to their role in their families, specifically the challenges that many were facing in achieving the ability to access their grandchildren, to visit with them, and let's get to the nub of it, to continue the love and the affection that these grandparents had to offer their grandchildren.

As a result of the voices from grandparents, Mr. Speaker, our caucus assigned the Member for Minto (Mr. Swan) who has had—*[interjection]* I hear members opposite. In the media they say, don't make a partisan issue out of this, and we can hear them chirping there.

* (16:30)

Mr. Speaker, what happened was the Member for Minto had the experience of 13 years, I believe, at the bar in practising family law. So the member did an extraordinary job consulting with grandparents, with stakeholders, with members of the bench, with family law programs elsewhere. We also engaged some Aboriginal leadership and child welfare authorities, among others, in looking at the concerns that grandparents had and how best to address them.

It was evident that there were two main concerns being expressed to us. The first was that there was a needed information enhancement. The grandparents were telling us that they often didn't know where to get information and advice on how to see their grandchildren. The second main concern that we heard was the hope that the disputes could be settled without the necessity of an adversarial, contested court hearing and trial. There were also, in addition, concerns expressed that the legislation, the laws of Manitoba did not adequately recognize the positive and nurturing role that grandparents can have in family life in this province. There were other concerns, Mr. Speaker, but those were the main ones. It is from that information and advice that we went to work to find the appropriate solutions.

In the course of the consultations, the Member for Minto found that what has developed in some other jurisdictions are some very progressive and, I think, effective mechanisms, in addition to what we have here in Manitoba to resolve disputes without the necessity, the emotionally and financially draining necessity of a trial, which can certainly worsen family situations beyond what they are even initially when the dispute first arises.

One of those experiences was discovered in Hennepin County in Minnesota. The model of conflict resolution is known in the literature as early neutral evaluation, Mr. Speaker. That is a form of conflict resolution that has also been applied in the area of the environment, for example, and in areas of conflict as well.

We also heard that there was a need to have more culturally appropriate conflict resolution processes that respected Aboriginal traditions; for example, circles. We also heard of how the current information and education program called For the Sake of the Children could be enhanced so that families could be better attuned to the importance of maintaining grandparent and extended family relations in the best interests of a child.

We also heard concerns that there were many grandparents who were caregivers for grandchildren, and, yet, were not being recognized as providing the fostering role that they were, in fact, providing. We thought that had to be addressed.

We also, of course, recognized that we had to do better in terms of informing Manitobans, and, particularly, extended family members and, particularly, grandparents of the options that could be available to them to see their children.

Mr. Speaker, the legislation then was seen as one of five parts of what we necessarily believed had to be a package approach. We did not think that the solution rested only with legislative change, although that legislative change is what the House has for consideration here. We also thought that we had to accompany the legislation with some system changes. Those system changes, just for note and so it's on the record, are, first of all, to provide an adviser for grandparents and for extended family members a person who specialized in access issues, who could point out the services and the options available, recognizing that, of course, court applications should be done by legal counsel, but there could be some good help provided aside from that. That grandparent adviser, I understand, began her efforts yesterday.

As well, Mr. Speaker, the alternatives to courts are being enhanced. We are focussing on April 1, 2007, for the beginning of the early neutral evaluation service which will be called First Choice. The name First Choice was chosen because it is where parties to a dispute should go early on. We think it is the best choice. It is not only a mediation service, but will provide an evaluation of the likely result of a matter should it go to a contested hearing.

We also are strengthening For the Sake of the Children by April 1, and we have begun a process to develop an Aboriginal model of dispute resolution. There's a province-wide education campaign that is going to take place, and we're going to do an outreach program to alert grandparents to the role of foster parenting so that they can get the foster parent rates and the other supports that are available if they apply to be a foster parent.

Mr. Speaker, just getting to the legislation before the House, the legislation recognizes, first of all, it was in 1998, the Member for River East (Mrs. Mitchelson) at that time had introduced amendments to The Child and Family Services Act to give grandparents in Manitoba the right to make an

application for access to a grandchild, and, as well, to provide that for other extended family members. The legislation goes beyond that now as a result of the consultations. What the legislation does is it clearly recognizes in law that positive, nurturing relations with grandparents are to be considered in a child's best interest when there is an access application being made.

The legislation not only preserves, of course, the application process that was started in 1998, but it preserves, and I'm sure all parties would support this, that the best interests of the child are paramount to any consideration, and also recognizes the right of parents to dispute or contest an access application and to have a voice in proceedings.

So this legislation provides a child-focus framework that facilitates relationships between children and their grandparents, other family members, and even, in exceptional circumstances, non-family members. The latter is a continuation of the current law, but for all a more transparent process. The bill sets out a clear, child-focus range of options to allow the court, lawyers and families, recognizing that the law is a framework for the family law system in Manitoba, to craft creative, customized access arrangements to meet the needs of individual children.

It provides that, on an access application, the court shall consider all relevant matters, including the child's mental, emotional and physical needs, the nature of any pre-existing relationship between the applicant and the child, and, on a grandparent access application, and this is very important, Mr. Speaker, that the child can benefit from a positive, nurturing relationship with a grandparent. That sets a very clear message to all, not just to the court, but to families, and I think it changes the context. It provides for the possibilities of a review of access in private guardianship orders to address children's evolving needs. It provides for interim access, private guardianship and non-molestation orders to address children's immediate needs. It clarifies certain matters about applications for access, private guardianship and non-molestation orders.

* (16:40)

Mr. Speaker, it's our view that this legislation, while recognizing the role of grandparents and extended family members for all Manitobans, should help, I think, as well, in concert with the other components of the package, which is called Grand

Relations, to facilitate stronger families. This is what this is all about.

In conclusion, Mr. Speaker, we have listened carefully to what the grandparents of Manitoba have told us, and we look forward to hearing further from them. We have heard on a preliminary basis some very positive feedback. This is the direction that they wanted to see the government go in. I can tell you that it is often very challenging balancing act to ensure that the various parties to a dispute are fairly dealt with in legislation. But, in our view, the amendments that have been very carefully drafted perform the important task of responding to what are legitimate concerns from grandparents.

The bottom line here, Mr. Speaker, it's the intention of the government in introducing this package that grandparents should have access to their children where there is a nurturing and positive relationship that can be gained from that relationship.

So I commend the bill to the House, Mr. Speaker, and I hope for all-party support as we move ahead. Thank you.

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, my comments will be brief because I believe we need to move this bill to committee. I think that the grandparents in Manitoba have been waiting for too long to get a piece of legislation recognized by this government. I just want to put a few words on the record based on the consultations that I've had with grandparents, grandparents' groups and other stakeholders within Manitoba who believe that this is a step forward for the rights of grandchildren in the province of Manitoba.

For the past two years I've had the opportunity to travel and meet with a number of individuals who have a vested interest in this piece of legislation and the outcomes of this legislation, Mr. Speaker. The common goal has been that one day they, grandparents and grandchildren, would have the opportunity to share a loving and caring relationship that would foster a healthy childhood and then adulthood.

I'd like to take a moment to acknowledge a number of individuals that I have met along my journey in working on this very important piece of legislation and very important issue, individuals like Eileen Britton, who has been an advocate for grandchildren's rights and grandparents' rights for well over 15 years. Eileen Britton has been a great support and a great resource and has connected me to

a lot of individuals who have a vested interest in this legislation moving forward: Val Dixon, my constituent who first brought the issue to my attention, who is a member of the Westman Grandparents Support Group, who has tirelessly provided support and has helped in many ways to get this legislation to move forward; Bill and Corinne Gamble of Selkirk, who have just recently made themselves open to public consultation and discussion on this issue. They are a couple who have lost their son in death and actually have lost more. They lost their grandchildren through a very difficult, stressful family situation. Bill and Corinne have been amazing grandparents who through this process, I hope, get end results that are in their best interests. Marlene Carriere, who is from Cranberry Portage, walked to the Legislature this summer, fighting for a voice to ensure that her voice was heard as a kookum and wanted to ensure that her voice was heard and her vision was shared and trying to ensure that her grandchildren grew up in a healthy environment.

So, Mr. Speaker, this legislation is very important, and I want to speak about the people behind the bill, the stakeholders who were so easy to work with and were very easy to have initial discussions with. The vast majority of the cases that were shared with me involved grandparents who are not seeking custody of their grandchildren, nor do they wish to break up the family. They just want to be a part of that family. They want to be a part of their grandchildren's lives. They want to be a part of the development of the next generation. They want to have visitation and to be a part of the contact, to be a part of special occasions like concerts, to be a part of situations where they may be able to participate in family gatherings or at least share with their grandchildren birthdays and those types of events. A phone call, to some grandparents that I spoke to, was something that they would just so much enjoy.

I just want to share these few comments. I look forward to committee where we'll be able to hear more specifically about the importance of this legislation in the lives of many Manitobans. So I want to take this opportunity to congratulate the government for listening to well over 3,000 Manitobans who want this legislation to pass. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House—oh, the honourable Member for Morris.

Mrs. Mavis Taillieu (Morris): I, too, am very, very happy to speak to this bill, because I do want to commend the Member for Minnedosa (Mrs. Rowat) who, for two years now, has worked tirelessly toward this bill with her efforts, with meeting with people throughout the province. When people came to her, she listened.

With hundreds of signatures on petitions, it was just incredible the number of people throughout the province that the Member for Minnedosa had the opportunity to listen to and who consulted with her, and she moved forward on this piece of legislation in a way that was very significant. She listened to the people. She consulted with the people and brought forward a private member's bill which would allow access for grandparents with their grandchildren, a very, very important part of family life, as we've heard.

Mr. Speaker, certainly we recognize the extreme importance of extended family and grandparents, access with grandchildren and grandparents to the types of events that the Member for Minnedosa was speaking of, such things as Christmas concerts, the ability to see a grandchild on their birthday, to be able to have a phone call conversation with them, where previously there may have been some fracture in the family that may have led to a disconnect between grandparents and grandchildren.

I find it somewhat disappointing, Mr. Speaker, that when the minister introduced this bill, he couldn't have found it as a reasonable step to name the Member for Minnedosa as the seconder of this bill, recognizing all the work that she has done on behalf of the grandparents in this province. In fact, I find it very, very disappointing. Actually, I think it's almost a little bit pathetic, the attempt to give the credit to the Member for Minto (Mr. Swan) when, in fact, the Member for Minto stood in this House on a couple of occasions and spoke against this private member's bill.

So, Mr. Speaker, I think that we want to support this bill. It's a very good piece of legislation. It's what the Member for Minnedosa and the thousands of people whom she consulted with want. I know that we will support this bill because we recognize the foundation of it and that being the work from the Member for Minnedosa. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I'll just put a couple of words on the record about The Grandparent Access and Other Amendments Act.

* (16:50)

First of all, we're supportive of this legislation. We think that grandparents are pretty important in the lives of kids and that we should do what we can to make sure that children are able to connect to their grandparents. From personal experience, this is particularly important. I think that the intent, clearly, of this legislation is in the right direction, and we are certainly ready to support it.

I am a little concerned that, in spite of the comment of the minister responsible, the legislation talks almost exclusively about court approaches to settling the issue. I am pleased that the minister talked about the need for using a variety of other approaches without necessarily having to go to court, but it would have been nicer to have had that recognized in the legislation a little bit more, in terms of being able to have better-established principles in terms of grandparent access that wouldn't have always needed to require access through the courts. I think that the courts should be used when necessary, but having avenues which would facilitate without having to go to the courts are also very important.

I would also add that, although the approach under the purpose of this legislation—I think that we could examine the areas where the purpose is described. There may be a better way of describing the importance of grandparents to children and the importance of building upon these relationships as an important principle. The wording here, I think, is a little bit more indirect than it might be.

So, with those comments, I certainly support having this bill move forward.

Mr. Kelvin Goertzen (Steinbach): Just briefly, Mr. Speaker, I want to also add my commendation to the Member for Minnedosa (Mrs. Rowat), who spent over a year on this particular piece of legislation travelling around the province. I know, as she did so, she did so with the best intentions of grandparents and future grandparents in mind. She did it in a consultative sort of way. She did it in her own way, which was often a gentle and kind, spirited way, not seeking credit, not trying to do it for any other reason than to make Manitoba a better place. She may have even been surprised herself as she took on this issue

that it became, I think, more than she thought it would when she started off. It became a personal issue. She met individuals. You can tell in her comments that, I think, she probably has friendships that have now developed as a result of the work that she has done.

So, while the government didn't see it in their hearts to give credit where credit is due on this particular piece of legislation, we know that those individuals who have worked with the Member for Minnedosa will always be grateful, as will we in this Legislature. Thank you very much, Mr. Speaker.

Mr. Mackintosh: Just to close debate, Mr. Speaker, I am very pleased to hear of the support and the timely movement of this bill. I think that is great. It is in the interests of Manitoba families.

I want to, particularly, first and foremost thank all of those who have contributed to the dialogue and have given us advice from all across Manitoba, and, in particular, the grand societies and the organizations. I think particularly of Winnipeg and Dauphin and Brandon, people from up north, from Cranberry and beyond. As well, Grand Chief Garrioch for his advice. I also want to thank the Member for Minto (Mr. Swan), the staff of the Family Law branch, and the staff of conciliation services and Family Services and Housing. I acknowledge the efforts of the member opposite, although we have taken a different view, but she certainly has dug into this issue.

As well, Mr. Speaker, I think it is important to recognize that the individuals who will be dealing with the conciliation, it is not easy work, and I think it is important that, from time to time, we in this House recognize the great efforts of the Family Conciliation branch. The Member for River East (Mrs. Mitchelson) will know of their hard work there. There are very trying circumstances when families have these disputes.

So I look forward, Mr. Speaker, to having committee hearings on this bill.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is second reading, Bill 9, The Grandparent Access and Other Amendments Act (Child and Family Services Act Amended).

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

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, on House business, I'd like to announce that the following bills will be considered by the Standing Committee on Social and Economic Development on Monday, December 4, at 10 a.m., and, if necessary, at 6 p.m. on Monday, to consider: Bill 2, The Employment Standards Code Amendment Act; Bill 4, The Consumer Protection Amendment Act (Prepaid Purchase Cards); Bill 5, The Personal Investigations Amendment Act (Identity Protection); Bill 6, The Registered Retirement Savings Protection Act; Bill 9, The Grandparent Access and Other Amendments Act (Child and Family Services Act Amended); and Bill 38, The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization). Thank you.

Mr. Speaker: It has been announced that the following bills will be considered by the Standing Committee on Social and Economic Development on Monday, December 4, 2006, at 10 a.m., and, if necessary, at 6 p.m. on Monday to consider: Bill 2, The Employment Standards Code Amendment Act; Bill 4, The Consumer Protection Amendment Act (Prepaid Purchase Cards); Bill 5, The Personal Investigations Amendment Act (Identity Protection); Bill 6, The Registered Retirement Savings Protection Act; Bill 9, The Grandparent Access and Other Amendments Act (Child and Family Services Act Amended); and Bill 38, The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization).

Bill 10—The Adult Literacy Act

Hon. Diane McGifford (Minister of Advanced Education and Training): I move, seconded by the Minister of Education, Citizenship and Youth (Mr. Bjornson), that Bill 10, The Adult Literacy Act, be now read a second time and be referred to a committee of this House.

Mr. Speaker, His Honour the Lieutenant-Governor has been advised of this bill, and I table the message.

Motion presented.

Ms. McGifford: The Adult Literacy Act will commit the government of Manitoba to the development, implementation and evaluation of an

adult literacy strategy. As part of the strategy, the act will establish the Manitoba Adult Literacy program to help fund qualifying agencies that offer literacy programs for adults. The proposed act will be the first of its kind in Canada and will formalize the existing collaboration between government and community stakeholders as they develop a more strategic approach to adult literacy issues. Further, the act will enhance the role of literacy practitioners and increase opportunities for learners to access literacy instruction.

In order to develop and implement a broad and effective adult literacy strategy for Manitoba, the proposed Adult Literacy Act calls for consultation and collaboration across government departments and with key stakeholders. Consultation and collaboration has started with department participation on a Literacy Partners of Manitoba strategy committee.

The Manitoba Adult Literacy program provides support for agencies that offer literacy programming for adults to improve their literacy skills. In addition to funding literacy instruction, my department will provide a broad range of supports which include instructional materials, resources, practitioner training and assistance with program development.

Here in Manitoba the literacy field has identified the need for improved standards regarding hours of instruction and duration of programming, methods of instruction and instructor qualification in order for learners to make measurable improvements in their literacy skills. The act paves the way for developing regulations and program standards in close consultation with the literacy field.

Literacy touches all our lives in a multitude of ways. We use our literacy skills to do our work and to gather information for our families on matters relating to health, justice and community life, and those are just examples. We have an opportunity to make a strong and strategic effort to make a difference in the lives of Manitobans by focussing our attention on adult literacy.

I commend the bill to members of this House.

Mr. Kelvin Goertzen (Steinbach): I move, seconded by the Member for Minnedosa (Mrs. Rowat), that debate now be adjourned.

Motion agreed to.

Mr. Speaker: The hour being 5 o'clock, this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 30, 2006

CONTENTS

ROUTINE PROCEEDINGS			
Introduction of Bills		Crystal Meth Reduction Strategy Jha; Irvin-Ross	423
Bill 11—The Insurance Amendment Act Selinger	413	"Spirited Energy" Advertising Campaign Cummings; Smith	424
Bill 209—The Mandatory Testing of Bodily Substances Act Goertzen	413	Members' Statements	
Tabling of Reports		Maples Collegiate Aglugub	424
Office of the Chief Medical Examiner Annual Review, 2005 Chomiak	413	Diabetes Awareness Month Cullen	425
Legal Aid Manitoba 34th Annual Report, March 31, 2006 Chomiak	413	Barbados Independence Anniversary Brick	425
The Public Trustee Annual Report, 2005-2006 Chomiak	413	Diabetes in Aboriginal Communities Rowat	425
Annual Report of the Manitoba Arts Council, 2005-2006 Robinson	413	Farmer Appreciation Day Nevakshonoff	426
Ministerial Statements		ORDERS OF THE DAY (Continued)	
World AIDS Day Irvin-Ross	413	GOVERNMENT BUSINESS	
Driedger	414	Debate on Second Readings	
Gerrard	414	Bill 2—The Employment Standards Code Amendment Act Gerrard	427
Respect in Sport Program Robinson	414	Bill 3—The Healthy Child Manitoba Act Gerrard	428
Cullen	415	Bill 4—The Consumer Protection Amendment Act (Prepaid Purchase Cards) Hawranik	430
Gerrard	415	Bill 5—The Personal Investigations Amendment Act (Identity Protection) Hawranik	431
Oral Questions		Gerrard	432
Crocus Investment Fund McFadyen; Doer	415, 421	Taillieu	432
Hawranik; Selinger	417, 424	Bill 8—The Public Accounts Committee Meeting Dates Act (Legislative Assembly Act Amended) Goertzen	433
Cummings; Selinger	418		
Derkach; Selinger	419		
Wait Times Gerrard; Oswald	422		

Bill 38–The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization)

Taillieu 435
Gerrard 436

Second Readings

Bill 6–The Registered Retirement Savings Protection Act

Selinger 436
Hawranik 437
Gerrard 438

Bill 9–The Grandparent Access and Other Amendments Act (Child and Family Services Act Amended)

Mackintosh 438, 442
Rowat 440
Taillieu 441
Gerrard 442
Goertzen 442

Bill 10–The Adult Literacy Act

McGifford 443

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

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