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of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, December 3, 2007

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 209—The Personal Health Information Amendment Act

Hon. Jon Gerrard (River Heights): Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill 209, The Personal Health Information Amendment Act; Loi modifiant la Loi sur les renseignements médicaux personnels, be now read a first time.

Motion presented.

Mr. Gerrard: Mr. Speaker, this bill provides that medical records, medical records of individuals, those which are immediately available in a hospital or in a personal care home, be accessible to a patient within 24 hours. This shortens the period from the current 30 days down to 24 hours. It is an important step in making sure that patients and their families are full partners in care as one part of improving the way our health-care system works.

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

Bill 10—The Legislative Library Act

Hon. Eric Robinson (Minister of Culture, Heritage, Tourism and Sport): Mr. Speaker, I'd like to move, seconded by the Minister of Healthy Living (Ms. Irvin-Ross), that Bill 10, The Legislative Library Act, be now read a first time.

Motion presented.

Mr. Robinson: Yes, Mr. Speaker, this bill replaces The Legislative Library Act. It continues the library service maintained for the use of members of the Legislative Assembly and others, and it adds a requirement for the departments and other government bodies to give copies of their publications, including electronic publications, to the Legislative Library with our charge. Now these changes will help to preserve our publications and to make them readily available to other Manitobans now and into the future.

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

Bill 11—The Optometry Amendment Act

Hon. Theresa Oswald (Minister of Health): I move, seconded by the Minister of Healthy Living (Ms. Irvin-Ross), that Bill 11, The Optometry Amendment Act; Loi modifiant la Loi sur l'optométrie, be read now a first time.

Motion presented.

Ms. Oswald: Mr. Speaker, The Optometry Amendment Act will allow qualified optometrists to independently prescribe and administer certain therapeutic drugs to be designated in regulations to perform minor procedures, such as removing foreign bodies from the eye, and order and receive reports of screening and diagnostic tests designated in the regulations.

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

PETITIONS

Dividing of Trans-Canada Highway

Mrs. Mavis Taillieu (Morris): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The seven-kilometre stretch of the Trans-Canada Highway passing through Headingley is an extremely busy stretch of road, averaging 18,000 vehicles daily.

This section of the Trans-Canada Highway is one of the few remaining stretches of undivided highway in Manitoba, and it has seen more than 100 accidents in the last two years, some of them fatal.

Manitoba's Assistant Deputy Minister of Infrastructure and Transportation told a Winnipeg radio station on October 16, 2007, that when it comes to highways projects the provincial government has a flexible response program, and we have a couple of opportunities to advance these projects in our five-year plan.

In the interests of protecting motorist safety, it is critical that the dividing of the Trans-Canada Highway in Headingley is completed as soon as possible.

We petition the Legislative Assembly as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider making the completion of the dividing of the Trans-Canada Highway in Headingley in 2008 an urgent provincial government priority.

To request the Minister of Infrastructure and Transportation to consider evaluating whether any other steps can be taken to improve motorist safety while the dividing of the Trans-Canada Highway in Headingley is being completed.

This is signed by Patricia Cutts, Allison Ribbers, Alice Lange and many, many others, Mr. Speaker.

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

Retired Teachers' Cost of Living Adjustment

Mr. Ron Schuler (Springfield): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Since 1977, Manitoba teachers have made contributions to the Teachers' Retirement Allowances Fund Pension Adjustment Account, PAA, to finance a Cost of Living Adjustment, COLA, to their base pension once they retire.

Despite this significant funding, 11,000 retired teachers and 15,000 active teachers currently find themselves facing the future with little hope of a meaningful COLA.

For 2007, a COLA of only 0.63 percent was paid to retired teachers.

The COLA paid in recent years has eroded the purchasing power of teachers' pension dollars.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider adequate funding of the PAA on a long-term basis to ensure that current retired teachers, as well as all future retirees, receive a fair COLA.

Signed by Gwyndolyn Toback, Sandra Toback and Dan Toback.

Bovine TB Surveillance Programs

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

In the Riding Mountain Eradication Area, RMEA, many cattle producers' herds have been subject to repeated testing as part of bovine tuberculosis surveillance programs. In spite of the fact that on August 31, 2006, the RMEA was reclassified as TB-free, many Manitoba producers' herds will continue to be tested in the future to track possible outbreaks.

Cattle producers recognize the importance of the surveillance program, but it does come with potential impacts such as stress on cattle, including risk of injuries and abortions, stress on producers; labour costs; facility costs; feeding costs and market losses.

Monitoring for bovine TB is beneficial to the entire Canadian cattle industry, and the work being undertaken by Manitoba producers helps their counterparts across the country.

The provision of a presentation fee would help producers required to take part in ongoing TB surveillance programs offset their associated costs.

We petition the Legislative Assembly as follows:

To request the Minister of Agriculture, Food and Rural Initiatives (Ms. Wowchuk) to consider allocating funding to go toward a presentation fee for Manitoba producers required to take part in mandatory bovine TB surveillance programs.

To request the Minister of Conservation (Mr. Struthers) to consider ensuring that there is ongoing surveillance of wildlife for bovine TB and to consider taking steps to stem its spread to livestock.

This petition is signed by Richard Tereck, Ed Levandoski, Murray Kopytko and many, many others.

* (13:40)

Personal Care Homes—Virden

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

These are the reasons for this petition:

Manitoba's provincial government has a responsibility to provide quality long-term care for qualifying Manitobans.

Personal care homes in the town of Virden currently have a significant number of empty beds that cannot be filled because of a critical nursing shortage in these facilities.

In 2006, a municipally formed retention committee was promised that the Virden nursing shortage would be resolved by the fall of 2006.

Virtually all personal care homes in south-western Manitoba are full, yet as of early October 2007, the nursing shortage in Virden is so severe that more than one-quarter of the beds at Westman Nursing Home are sitting empty.

Seniors, many of whom are war veterans, are therefore being transported to other communities for care. These communities are often a long distance from Virden and family members are forced to travel for more than two hours round trip to visit their loved ones, creating significant financial and emotional hardship for these families.

Those seniors that have been moved out of Virden have not received assurance that they will be moved back to Virden when these beds become available.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to consider taking serious action to fill the nursing vacancies at personal care homes in the town of Virden and to consider reopening the beds that have been closed as the result of this nursing shortage.

To urge the Minister of Health to consider prioritizing the needs of those seniors that have been moved out of their community by committing to move those individuals back into Virden as soon as the beds become available.

Mr. Speaker, this petition is signed by Norma Elaine Grant, Lorenda Cowan, Bernice Draper and many, many others.

Crocus Investment Fund—Public Inquiry

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to the petition is as follows:

The 2007 provincial election did not clear the NDP government of any negligence with regard to the Crocus Fund fiasco.

The government needs to uncover the whole truth as to what ultimately led to over 33,000 Crocus shareholders to lose tens of millions of dollars.

The provincial auditor's report, the Manitoba Securities Commission's investigation, the RCMP investigation, the involvement of revenue Canada and our courts, collectively, will not answer the questions that must be answered in regard to the Crocus Fund fiasco.

Manitobans need to know why the government ignored the many warnings that could have saved the Crocus Investment Fund.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier (Mr. Doer) and his NDP government to co-operate in uncovering the truth in why the government did not act on what it knew and to consider calling a public inquiry on the Crocus Fund fiasco.

Mr. Speaker, this is signed by J. Ortila, B. Ortila, H. Cruz and many other fine Manitobans.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I'd like to draw the attention of honourable members to the public gallery where we have with us from Arthur A. Leach School 23 grade 9 students under the direction of Kristen Myers. This school is located in the constituency of the honourable Minister of Healthy Living (Ms. Irvin-Ross).

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

ORAL QUESTIONS

Manitoba Hydro Power Line Total Costs of West-Side Line

Mr. Hugh McFadyen (Leader of the Official Opposition): Manitobans are looking for some clear answers from the government when it comes to the second largest proposed capital project of a coming generation, Mr. Speaker, being the third bipole transmission line. The order of magnitude of these costs is in the hundreds of millions of dollars, representing the ability of future governments to build hospitals, roads, schools, to reduce taxes and to

leave a positive legacy for the next generation of Manitobans.

The government to date has been saying that the differential in the capital cost between the east side and the west-side line has been \$300 million. That was later contradicted in some reports provided by Manitoba Hydro which estimated that number to be in excess of \$400 million, Mr. Speaker.

I would now like to ask the Premier if he can indicate why it is that just over a year ago, Mr. Brennan, in a briefing note, indicated that the total cost of transmission from northeastern Manitoba generating stations to Thunder Bay would be in the vicinity of \$2 billion. From northern generating stations to Thunder Bay for \$2 billion and, yet, the project now being put forward on the west side of the province, the much longer west side, is being estimated to go from northeastern Manitoba to Winnipeg at a cost of \$2.2 billion, \$200 million more than the earlier estimate to get the power all the way from northern Manitoba to Thunder Bay.

Will the Premier confirm that he has dramatically underestimated and understated the total extra cost of the NDP west-side line, Mr. Speaker?

Hon. Gary Doer (Premier): Mr. Speaker, the issue of the east and west side includes reliability, and reliability also includes the converter stations, all of which was discussed at the committee. The issue of east-west grid to Thunder Bay does not include the converter stations and, obviously, doesn't include the reliability issues that deal with domestic customers in Manitoba. The member asked those questions in committee. He got the answers.

Mr. McFadyen: Hydro has indicated that the need for added converter stations would come only when they built new generating stations in the north, Conawapa and others, Mr. Speaker, that they were not needed in connection with the existing project.

If the project had gone on the east side—*[interjection]* It's all on the record, Mr. Speaker. I don't know what the shouting is about from the other side.

The converter facilities were not required with an east-side line. That's been confirmed by Manitoba Hydro. They are required only when Conawapa and Gull are built, Mr. Speaker, both of which were dropped from the government's Throne Speech because they haven't made enough progress toward power sales with Ontario or other potential buyers.

So I want to ask the Premier, and I'll table Mr. Brennan's memo from a year ago indicating a total cost of \$2 billion, only a year ago, to get the power all the way to Thunder Bay. I want to ask the Premier now why it is that in Manitoba Hydro's own budget estimates, prepared last year and this year with respect to the west-side bipole line which includes converter stations, why it is that a year ago the cost estimate was \$1.879 billion and this year it's 2.247, an increase of more than \$300 million for the very same project, one year over the next.

I want to ask the Premier: If the project had inflation in excess of \$300 million from one year to the next, how much more is it going to be inflated by the time it actually gets built, Mr. Speaker?

* (13:50)

Mr. Doer: Well, Mr. Speaker, the only thing that's inflated is two different lines with different issues of converter stations. In the early '90s, it was recommended that the Dorsey station be protected with converter stations, and, also, recommendations went to the government which they never proceeded with. Obviously, the figures Mr. Brennan has used in the committee—in the committee—are consistent with figures we've used in the House. He was at the committee for over four and a half hours. He did follow-up interviews. The numbers are very consistent on the 400 million additional costs for going down an already developed area of the province as opposed to the undisturbed part of the boreal forest. Mr. Brennan said at the committee that it would be a bigger issue for export markets. He said, I quote, there's no question of that.

I would point out, Mr. Speaker, that after three years of the Alberta authorities on energy trying to build a transmission line, after three years attempting to get a licence between Calgary and Edmonton, the utility had to go back and has said there's no question now that there is a new expectation from the public between environmental sustainability and land-use planning and the engineering costs.

This is not something that isn't just happening in Manitoba, so we can make the same mistakes for three years that the member opposite is suggesting we make here in Manitoba, or we can learn that development has to be sustainable in both the environment and in terms of the revenue. So that's what we're doing, Mr. Speaker.

Mr. McFadyen: That response is so filled with misinformation, Mr. Speaker. The difference

between the amount of population between Calgary and Edmonton and the unpopulated area down the east side of Lake Winnipeg is dramatic. There's no comparison.

At committee, Mr. Brennan has already indicated that there's been two years in delays already on the initial approval at the board level of Hydro; add two years to the approval process to go west side versus east side. So if he wants to go back and quote from committee, why not take a look at what was actually said by Mr. Brennan.

So, now, four years of delay to date, we've got engineers saying that this is going to compromise the west-side route because of its length, its proximity to roads and other issues. It's going to compromise the safety and security of Manitobans. Those are their words, not ours, Mr. Speaker. And we have the vast majority of leaders on the east-side communities saying that they will consent to a line, provided there is a meaningful consultation. It is provincial Crown land. He doesn't need approval to do things on provincial Crown land from anybody other than himself.

So there are so many false premises contained in that response, I want to ask the Premier, speaking of the false information they've been putting out, if he can now confirm what has been now put on the record by Manitoba Hydro, which is that the east-side line would have cost \$700 million; the west side is costing \$2.2 billion, the capital difference between the two sides is \$1.5 billion, not the \$300 million that he's been putting out. Will he correct the record? Will he come clean with Manitobans about the true cost of this massive mistake for future generations of Manitobans, Mr. Speaker?

Mr. Doer: Mr. Speaker, at the committee, Mr. Brennan confirmed that converters would be necessary for both options. To add it to one option, the west side, and then not add it to the east side is \$800 million off.

I also would point out, with the greatest respect to the engineers and any engineer that just deals with engineering costs, that part of the issue for Manitoba Hydro is also the issue of the capital cost, yes, the \$400 million. We've been very clear about that through the already existing developed area of Manitoba, which of course is the west side.

The other issue is revenues. Mr. Speaker, you can never take for granted or you should never neglect the fact that 40 percent of Manitoba Hydro's

revenues come from export sales. They come from export sales into markets that have an environmental sensibility at their own committees, at their own legislative bodies. It comes with sensibilities to issues of First Nations. It also includes those considerations, so to deal with—this is not a black and white issue in terms of what is the best option.

There is the cost issue. There is no question about that. We have been very clear. We've never tried to disguise that the west side isn't more expensive on the capital cost side, but I actually believe if we ever tried to build it on the east side, it would be held up for years in court. It would be held up longer than Karlheinz Schreiber's extradition hearing in court, and it would put at risk some of the markets. You've got to look that \$800 million a year is \$2.5 billion in revenues in the next 10 years. Members opposite have collective amnesia when it comes to dealing with that issue. We don't on this side of the House, Mr. Speaker.

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

Mr. McFadyen: Mr. Speaker, on a new question.

The phantom court case that the Premier is concerned about, you know, we have yet to find a Manitoba-based phantom plaintiff to bring that kind of a case, since everybody on the east side wants it. Nobody has been consulted with yet on the west side. Sixteen Aboriginal communities on the west side of the province, no consultation. He has a constitutional duty to consult, which he hasn't followed through on yet, Mr. Speaker.

There are private landowners on the west side that number considerably higher than those on the east side, and we're talking uninhabited provincial Crown land on the east side of the province, Mr. Speaker. So why not just stick to the facts that he's concerned about a phantom plaintiff from Cape Cod, and if that's what he's concerned about why not just be concerned. Why not be honest enough to put it on the record? The fact is he said in the response to the question that Mr. Brennan said that you require converter technology, whether it's east or west. That's false. It's not what he said.

Here's what he said, it is noted that the east-side routing would not require converters, and I quote, the east side—*[interjection]* Here's what he said, the east side routing of bipole 3 has no associated converters while both the Interlake and west-side routings require 2,000 megawatt converters. He says on

CJOB radio the cost of an east-side line is \$700 million. We don't require conversion equipment if we go on the east side.

Why doesn't he just come clean? It's \$1.5 billion more on the west side than the east side. Why not just admit it?

Mr. Doer: Mr. Speaker, Mr. Brennan also said at committee the conversion equipment would come very, very quickly thereafter, if not right away.

Mr. Brennan also said on CJOB the next day, the 2,000 megawatts—members opposite have never negotiated a sale to the United States and they never moved any energy to other markets, but, Mr. Speaker, right now—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, of course, the conversion equipment is necessary for reliability. The whole issue—[interjection] Mr. Brennan said that the 2,000 megawatts of power that would be transported down the proposed west-side route would generate considerable amount of revenue for the ratepayers in Manitoba and in terms of the export sales to other markets.

Mr. Speaker, I just point out that the proposed transmission line in Alberta was held up for three years, three years, and now they've got to go back to the drawing board in that province. Anybody that doesn't pay attention to the fact that the CEO said now we have to pay a lot more attention to land-use policies, environmental policies and energy policies. That's what we're doing by going down—instead of going down the undisturbed part of the east side of Manitoba, the boreal forest on the east side of Manitoba, which will have severe consequences that we believe in terms of international reputation, in terms of local reputation, in terms of opportunity, Mr. Brennan said at the committee that you will need the converter stations on both sides, and that's what he's proposing.

Child Welfare System Policy Changes

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, this morning CBC news reported that Child and Family Services system is about to make a major shift from a protection model to a differential response model. The Child and Family Services system is in chaos. Social worker caseloads are dangerously high, and

there are more than 7,000 children who are at risk of falling through the cracks in a broken system.

Will the minister explain: How is this change supposed to help the 7,000 children who are already in care?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, the external reviews, of course, spoke to the need for strengthening the capacity of the Child and Family Services system to empower families to get involved with intervention strategies earlier on, and indeed I tabled in this House just a few weeks ago for members opposite the Changes for Children initiative. It says there, success as indicated in the reviews will require careful planning and a phased approach at the local community agency and systems levels. He'll also note there, it says, scheduled for 2008, implement a number of test sites to demonstrate and evaluate various approaches to differential response.

It's very important, like in Alberta, Mr. Speaker, that we proceed in a careful and sure-footed way, and that's what we're going to do, but we're proceeding.

* (14:00)

Mr. Briese: Mr. Speaker, the minister is trying to obscure the fact that these changes will do nothing to help more than 7,000 children who are already in care and need protection today. For these children, it is too late for prevention.

This month, the minister is focussing on children who are not yet in care. Last month, he was focussing on children who are no longer in care because they had tragically died, but nothing to improve the lives of children who are in care right now.

Why has the NDP government failed to protect the 7,000 children in care today?

Mr. Mackintosh: Mr. Speaker, the members opposite, I'm sure, know full well the Changes for Children initiative. In fact, one of the most important ways to better protect children in care is to have more options available for them, and I'm honoured to live in a province where there are now 500 more foster care placements as a result of Manitobans coming forward and opening their homes and their hearts. Also, I believe we're now at 78 positions approved for front-line relief as well as investments

to enhance the information management systems and provide better training.

But, again, I go back to the report which I provided to members. It says there the differential response has proven to be very effective in other jurisdictions in better meeting the needs of families and building stronger communities. It's important we get involved earlier to stop—

Mr. Speaker: Order.

Family Services and Housing Department Release of KPMG Report

Mrs. Bonnie Mitchelson (River East): Chaos in Family Services and Housing in shambles. Mr. Speaker, four ministers since the NDP took office, a revolving door within senior management, conflicts of interest, misspent taxpayers' dollars and poor management practices, countless internal, external and Auditor General's reviews of what is going on within the department with one more to come.

Mr. Speaker, my question to the minister is: Why is he waiting until after session to release a report that he's had for months now? Will he now come clean and let Manitobans know what's in the KPMG report? Release it today.

Hon. Gord Mackintosh (Minister of Family Services and Housing): We certainly look forward to providing an action plan. There will be some major changes, Mr. Speaker. I just ask members opposite, there is life after session, and I'm sure that they'll be around to provide any comment that they may want to give.

Mr. Speaker, the comment from the government at the time will be a matching of recommendations with actions. We want to make sure that we are putting in place initiatives so that Manitoba Housing is not just a better landlord but is the best landlord it can be. It should be providing a leadership by example, and that's the critical underpinning of what is to come.

Mrs. Mitchelson: It's obvious that there are two reasons why the minister isn't releasing the KPMG report because, Mr. Speaker, they've been into an implementation phase since late summer. They're implementing recommendations that this minister has seen, and they're not prepared to share those recommendations with Manitobans. The losers in this whole process are the people that need Manitoba Housing and can't afford to sit by and let this minister continue to do damage control.

Mr. Speaker, will he now for the sake of those that are tired of finding bedbugs in their children's beds and mould in their living room, will he release the report and let them know what action his department is going to take to fix things?

Mr. Mackintosh: Mr. Speaker, the challenges that Manitobans face in terms of lower incomes is being attacked by this government on several fronts. A low-income housing strategy has already been outlined for Manitobans including improvements to the minimum wage, a rewarding work strategy to get more people off welfare into work, as well as tax initiatives which are removing 6,000 more people from the tax rolls are some of the measures.

But, as an example of some of the improvements that are already underway, I understand the member was out to Carrigan Greencrest last week, and \$1.4 million is being invested there, Mr. Speaker, to make sure that we retrofit all of those places. We have to have better—

Mr. Speaker: Order.

Mrs. Mitchelson: The minister has had these recommendations and is in the process of implementing them as we speak. He's been doing that for months now. We know that phase 1 and phase 2 of the review cost \$336,000, and the taxpayers continue to be on the hook for mismanagement, for chaos within the Department of Housing.

Will the minister come clean today, release that report and get on with trying to ensure that Manitobans that need low-income housing are being better served than they are under this government?

Mr. Mackintosh: I can assure members opposite that we won't be spending, what was it \$4.8 million or was it \$5 million, like they did for Connie Curran, in making a mess of systems, Mr. Speaker. We're embarking on some important changes when it comes to Manitoba Housing and making sure that we make investments so that there is better living in Manitoba Housing, including where the member was last week, where, I understand, not only is there new drywall, insulation, ventilation systems; there are new bathtubs and new sinks; there is new flooring.

That's the kind of investment, Mr. Speaker, that residents of Manitoba Housing should be enjoying, and we're going to continue on that strategy. There'll be more to say over the course of the month.

CancerCare Manitoba Doctor Vacancy

Mrs. Mavis Taillieu (Morris): Mr. Speaker, René Lafournaise had extensive surgery to his jaws as a result of cancer. All of his teeth had to be removed, but he was told that he would have reconstructive surgery once he was healed. Now, over a year later, he's lost 60 pounds because he can't eat. He still has no teeth.

Can the minister confirm that the orthodontic surgeon that was employed by CancerCare has left the position? How long has this position been vacant, and when will it be filled?

Hon. Theresa Oswald (Minister of Health): I thank the member for the question. I can confirm for the member opposite that there is a vacancy in that position. In the context of CancerCare, they're aggressively recruiting in partnership with the WRHA. We know that individuals that are in need of particular care as a result of their illness will get that service as quickly as possible. If the member opposite has some specifics on this case or on others, we want to work together with her, with CancerCare, to ensure that those people are going to get the care they need.

Mrs. Taillieu: Well, Mr. Speaker, Mr. Lafournaise applied to have the reconstruction surgery done in Edmonton, but he was denied.

I would like to put Mr. Lafournaise's own question here to the minister: How can Manitoba Health justify refusing my application for treatment in Edmonton when they've no way of providing the same necessary treatment in Manitoba?

Ms. Oswald: Once again, while inappropriate to speak specifically to this case and wishing to know more of the details of them, I can tell the member opposite that regarding the vacancy in that position, we're very concerned about it and working very aggressively with CancerCare and with the Winnipeg Regional Health Authority to fill that vacancy. If there is orthodontic surgery that needs to occur that an orthodontist cannot currently perform, we'll work with the family to ensure that surgery happens, Mr. Speaker.

Mrs. Taillieu: Well, Mr. Speaker, I need to remind the minister that this person has been waiting for a year and has been denied for over a year. Mr. Lafournaise and about 20 others like him are waiting for this dental surgery. These people are already compromised and unable to eat healthy food to keep

themselves strong, and yet this minister has done nothing. She's not taking this seriously.

Mr. Lafournaise, in his letter to the minister, asks, how long am I supposed to wait for a surgeon to be hired in Manitoba? How much more weight am I supposed to lose and jeopardize my health in order to have my application reconsidered and taken seriously?

* (14:10)

Ms. Oswald: Mr. Speaker, and as I just indicated in my last two answers, we do, along with the professionals at CancerCare and at the Winnipeg Regional Health Authority, take this very seriously. That's why the aggressive recruitment is going on.

Once again, without speaking to the specifics of this case, certainly, we appreciate the member bringing this forward. We're going to work together with the family, with the individual and with CancerCare on our recruitment efforts. We want to continue to rank among the best in the nation for those being treated who are living with cancer. This is no exception. We care about this deeply. We're going to work with the family to help this happen.

Cattle Industry Assistance for Farmers

Mr. Ralph Eichler (Lakeside): On Saturday, approximately a hundred livestock and grain producers met in Inwood to discuss the serious challenges facing the livestock sector. The impact of the BSE and a high Canadian dollar and high input costs are taking their toll. Recently, the Manitoba Cattle Producers Association's Martin Unrau said in the severity of the situation, and I quote, we have to do something immediately.

Mr. Speaker, why is the Minister of Agriculture dragging her heels in signing the next generation of farm programs? Where is her concern for our farm families?

Hon. Stan Struthers (Acting Minister of Agriculture, Food and Rural Initiatives): It's clear, Mr. Speaker, that our Minister of Agriculture (Ms. Wowchuk) has been with farmers, with ranchers right from the beginning. As a matter of fact, just recently our minister met with the federal minister to talk about these very issues that the Member for Lakeside brings forward. Our minister's working on this. She's working with the federal government on this. She's working with cattle producers themselves on this. I know that they've met to talk about this and

a number of different issues that the cattle producers have brought forward.

So, Mr. Speaker, we're very seriously taking on issues such as the high dollar and other challenges that face Manitoba producers.

Mr. Eichler: This minister's clued out just as well as the Minister of Agriculture. Platitudes don't pay the bill. Several hundred Manitoba cattle producers left the industry in the last couple of years. The dispersal sales continue. Municipal councils from the province are writing the government about the severity of the situation. The cattle industry is the backbone in the economy of many municipalities. Without it, rural businesses and communities are dealt a devastating blow.

Mr. Speaker, I ask the minister: Why is she so reluctant to sign the new farm programs that are so desperately needed to help the farm families here in Manitoba?

Mr. Struthers: This is one member to talk about being clued out. In the middle of the BSE crisis, he said we shouldn't be working towards more slaughter capacity. I ask—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Struthers: This same member last week had an opportunity to say yes to \$95 million in CAIS money. He said no. He said no, on behalf of farmers. I ask you, Mr. Speaker: Who stands for Manitoba farmers? Our Ag Minister does. They should start.

Bill 209

Request for Government Support

Hon. Jon Gerrard (River Heights): Mr. Speaker, October 2, I asked the Minister of Health for support for our bill to ensure that health records of those in hospital or personal care homes are available within 24 hours. However, I tabled today a Freedom of Information request which indicates that the institutions within the Winnipeg Regional Health Authority do not have such a 24-hour policy and that the minister has been covering up the real situation.

Our Bill 209 introduced today is badly needed, as Mimi Raglan and others in the gallery today can certainly attest to. I ask the minister: Will she support Bill 209 to ensure that access to the immediately available records is there for patients within 24 hours?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, certainly we know that many advocates in our community that have come forward to speak during our extensive consultations on FIA legislation have offered us very important advice, and we've taken that advice seriously.

We also know, Mr. Speaker, as I've said to the member before in public and in private, many health records today can indeed be accessed within 24 hours. We know that health records dating back several years can be difficult to access in a 24-hour period and we have spoken to the member about the reasonableness of that particular clause, but we are committed to bring forward amendments. As I've said to the member many times, we're going to do that in this session and we know that FIA will be strengthened, not only because of the analysis that we've done, but in particular because of advice from the—

Mr. Speaker: Order.

Mr. Gerrard: The Minister of Health continues to be wrong about this bill which only speaks to those records which are immediately available to physicians and other health-care workers in the hospital or personal care home, doesn't deal with archived records.

It's very clear, Mr. Speaker, from the policy of the Winnipeg Regional Health Authority, and I table the form. It says right here, you'll be contacted within 30 days of receipt. Anybody who fills out this form gets the message it may take 30 days. That's what's happening at the moment. It's bad policy. We need to move to a more open health-care system. We've had people like Mimi Raglan and her family which recognize this. There are people who have died waiting those 30 days. It's time to change.

Will the minister move from an NDP cover-up mode to a Liberal can-do mode and get on with the job?

Ms. Oswald: I'll say again to the member opposite, as I've said repeatedly, that most records, Mr. Speaker, are available within 24 hours and many, many individuals that seek them do get them in that time. Not all, that's why we're working in consultation with the public, but I really, you know, find it curious strange that the member opposite would lecture me today on FIA when just recently when we were investigating some casework from the member opposite we discovered that the person that he sent information about to our office had no idea

that he had done so; a direct violation of FIA. Naturally we immediately referred that to the Ombudsman, but I would expect a physician to know the laws of FIA himself.

Government's Record Minorities in Cabinet

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, my question is for the Premier.

Mr. Speaker, many of us know and recognize the important contributions that immigrants bring to our province. One of the greatest challenges that they have is to overcome trying to get their credentials recognized, and I look to the Premier to show some leadership on this issue which he really hasn't.

For eight years he has been the Premier, he's had three members of the Filipino community as part of his caucus, he's had two members of the East Indian community as a part of his caucus. Mr. Speaker, with these five minorities, not one of them have been appointed to Cabinet in his eight years of being the Premier of this province.

The question that I have for the Premier is: Why does he not have the confidence within his members of the Filipino and East Indian community, enough confidence to appoint them to Cabinet?

Hon. Gary Doer (Premier): Mr. Speaker, we'll receive advice from the Liberals when they elect a member of the visible minority to this Legislature.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Lamoureux: On a point of order. Dr. Gulzar Cheema was the first visible—

Mr. Speaker: Order.

Mr. Lamoureux: —minority—

Mr. Speaker: Order.

Mr. Lamoureux: —East Indian—[interjection]—Filipino that was actually—

Some Honourable Members: Oh, oh.

* (14:20)

Mr. Speaker: Order. I gave the honourable Member for Inkster an opportunity to point out to the Speaker

a breach of a rule or a departure from our practices in the House. Points of order should never be used for rebuttal or for debate because points of order and matters of privilege are very serious and I, as Speaker, take them on a very, very serious note. When points of order are raised, they should be raised to point out to the Speaker a breach of a rule or a departure of practice, not to be used for debate or rebuttal.

Point of Order

Mr. Speaker: The honourable Member for Inkster, I had recognized you on a point of order. Are you up on a point of order or—

Mr. Lamoureux: Yes.

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

Mr. Lamoureux: Yes, Mr. Speaker, I don't know if it's in order for the Premier or anyone to reflect in terms of past members. Dr. Gulzar Cheema was, in fact, a member of the East Indian community and was duly elected. To imply that he was not elected, I don't think is appropriate.

Mr. Speaker: Order.

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

Hon. Dave Chomiak (Government House Leader): Yes, Mr. Speaker. I hesitate to rise because we have seen—[interjection]—but we have—this is not a point of order and we have seen what I think is verging on abuse of this House by this member with respect to points of order from 100 percent majority caucus there. I don't think he should speak from a caucus that has no representation of anybody that reflects—

Mr. Speaker: Order. The honourable Member for Inkster does not have a point of order. It's clearly a dispute over the facts.

* * *

Mr. Speaker: Let's move on with Question Period.

University of Manitoba Bisons Scholarships

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, as you are well aware, the University of Manitoba Bisons football team ended a 37-year Vanier Cup drought last month in a thrilling 28 to 14 victory over the St. Mary's Huskies, and they were very successful in having a 13 and 0 season. In doing so,

the Bisons made all Manitobans proud through their dedication to athletic and academic excellence.

My question is for the Minister of Culture, Heritage, Tourism and Sport: Could he please share with the House what the government will be doing to honour the 2007 Bisons by ensuring student athletes that follow in their footsteps—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for St. Norbert has the floor.

Ms. Brick: Could he please share with the House what the government will be doing to honour the 2007 Bisons by ensuring student athletes that follow in their footsteps will have the support they need to succeed both in school and on the field?

Hon. Eric Robison (Minister of Culture, Heritage, Tourism and Sport): Mr. Speaker, I'm happy to rise for a couple of reasons. One, to thank the MLA for St. Norbert for doing a great job on Saturday in emceeding a luncheon for the Bisons, and secondly, I rise as a, you might say as an Indian member of this government's Cabinet.

As many members in this Chamber know, and I know that members in this Chamber had the opportunity of congratulating the Bisons on Saturday. I want to especially acknowledge Matt Henry and his tremendous courage for what he did. I also want to acknowledge the First Minister—

Mr. Speaker: Order.

Highway 6 Traffic Light

Mr. Ralph Eichler (Lakeside): Mr. Speaker, this government has a serious safety problem but, in particular, the junction of Highway 6 and 236 where we need a traffic light before someone dies. Chief Terry Nelson who just got permission from this government to build a gas bar and convenience store stated, I quote, statistics says someone will die, end of quote.

Mr. Speaker, will this government commit today to install a traffic light before someone is killed?

Hon. Steve Ashton (Minister of Intergovernmental Affairs): Mr. Speaker, as someone that knows Highway 6 quite well, I would suggest that the Member for Lakeside understand the process. In fact, we put a traffic light right at the end of Highway 6 when we recognized a lot of the safety

factors with any new development, and I know he's against the development. He's put that on the record.

The relevant departments, including the Department of Infrastructure and Transportation, will be looking at access issues and other issues, but I do hope that the member has finally done his homework and understands what he's referencing here. The Treaty Land Entitlement transfer process is entirely within the purview of the federal government. I hope he will take the opportunity perhaps in a subsequent question to apologize to members of the House for not doing his homework before he came into this Legislature.

Mr. Eichler: It's this minister that should apologize for the process that was followed because he didn't follow his rules. Shame on him. Shame on this minister.

Mr. Speaker, we hear more announcements from this government. When it comes to safety, their record is dismal. I ask the member again, before someone loses a life, we need a light at 6 and 236, and this minister should take responsibility for it.

Mr. Ashton: Well, Mr. Speaker, the member, again, is not putting on the record that the Treaty Land Entitlement process is a federal process. They even appointed Charlie Mayer, former Tory MP, to mediate the fact that they'd moved ahead in a fast-track. He should talk to his colleagues.

But when it comes to safety on Highway 6, Mr. Speaker, I wonder if that member would stand up and speak out against his leader, who in the election campaign promised to take money out of northern Manitoba, money we're investing for safety. They have no credibility. We've spent \$19 million this year alone on Highway 6. Don't let them lecture us about Highway 6 in northern Manitoba.

PTH 32 Twinning

Mr. Peter Dyck (Pembina): Mr. Speaker, almost daily there—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Mr. Speaker: The honourable Member for Arthur-Virden, on a point of order?

Mr. Larry Maguire (Arthur-Virden): Yes, Mr. Speaker. I'd just like to point out a quote in regard to

transportation issues. The Member for The Pas, quoted back in the early '90s, in fact, March 12 of 1998—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I just pointed out to members that points of order are to point out a breach of rule or a departure of the practices of the House, not to be used for debate or rebuttal of a comment from other members. They're to point out a breach of a rule.

The honourable Member for Arthur-Virden has been recognized on a point of order.

Mr. Maguire: Thank you, Mr. Speaker. I want to say that this minister has just indicated that he's taking on an issue that was brought forward during the election campaign. I was just going to refer to a comment by the Member for The Pas on March 12, 1998, to point out why he's wrong in regard to those issues, and he's imputing motives—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I'm trying to listen to the honourable member because points of order and matters of privilege are very, very serious matters, and for me to make a ruling I have to hear all the words. I barely heard comments, something about imputing motive, and then I couldn't hear anymore. So if the honourable member is referencing a breach of a rule or a break of our traditions in the House, that's why I'm giving the opportunity to hear him. But I need some co-operation here, please.

Mr. Maguire: Well, it is imputing motives, Mr. Speaker, and I'd clearly like to point out what his motive was when he said, I always say that if we do not spend one nickel on southern roads for the next five years, you know what, people down here would not suffer, and that's the truth.

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

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Come on, matters of privilege and points of order are very serious. They're in there to protect you as members and for me to enforce. So let's treat them seriously, please. I need to hear the words that are spoken, because I have to make a ruling. So I'm asking the co-operation of all honourable members once again, please.

The honourable Government House Leader has the floor.

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I was just going to indicate for the House that we're trying to conduct Question Period and trying to conduct all of the business of the House in a co-operative fashion. We've succeeded in a number of areas, following rules, and following agreements. I think that the session has worked remarkably well, moving along those lines. It seems to be deteriorating a bit as we move towards the end of Question Periods. I won't determine motives, but I'd just like to suggest to all members that we continue to practise what we started to practise by using the rules as agreed to in *Beauchesne's* as standing rules state and as we've agreed as party leaders. We have tried to adhere to that throughout the session. I suggest we continue it.

* (14:30)

Mr. Speaker: On the point of order raised by the honourable Member for Arthur-Virden, he does not have a point of order. It's a dispute over the facts.

* * *

Mr. Speaker: I had recognized the honourable Member for Pembina with his question.

Mr. Dyck: Almost daily there are accidents on provincial Highway 32. More than 16,000 vehicles travel this highway every day.

When will the minister of highways start considering the safety of Manitobans and four-lane Highway 32?

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): We are concerned very much, Mr. Speaker, about the safety on our highways, and we're investing \$4 billion over the next 10 years with regard to safety.

Mr. Speaker, I have to point out, and it's a fact on the record, the Leader of the Opposition (Mr. McFadyen) during the election campaign, when the opposition was laying out their vision for the province, when he was asked what are you going to do about transportation; oh, I'm going to do the same as the NDP, that was his answer. Except he added one other statement that said, I'm going to take all the money out of northern Manitoba and put it into southern Manitoba.

This is absolutely terrible with regard to a comment on transportation needs in the north. We respect all areas of the province of Manitoba, and we'll deliver transportation projects throughout Manitoba.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Remembrance Day Event

Mr. Bidhu Jha (Radisson): Mr. Speaker, I had the privilege of speaking at the Imagine Our World United in Peace Remembrance Day event in honour of the late Magnus Eliason at the Winnipeg Convention Centre. The evening, at which Ed Schreyer and Muriel Smith also spoke, was organized by Karl Grupe, the president of the Manitoba branch of the World Federalist Movement—Canada. It was held on Remembrance Day and was a moving reminder of the need for peace in our world.

Growing up during the division of India and Pakistan, I know how the enjoyment of freedom can be cut short by division and violence. I have also witnessed the effect that grinding poverty has on families and society as a whole. Mr. Speaker, social justice and equal opportunity are two values that are of utmost importance if we want peace throughout our world.

We have had many examples in our world of individuals who have fought for peace and social justice. Magnus Eliason, a founding member of the Co-operative Commonwealth Federation and a former Winnipeg City Councillor, fought for social justice for the society's most vulnerable. He was convinced that compassion was an essential element of good governance and acted on his beliefs.

Mr. Speaker, the Imagine Our World United in Peace Remembrance Day event paid tribute to our war veterans and the sacrifice they made for us but also brought home the truth that along with remembrance we need to work to bring unity to our world. It is only through social justice and equality that peace will be achieved. Thank you.

Farm Stewardship Association of Manitoba

Mrs. Heather Stefanson (Tuxedo): I rise today to acknowledge the important work being undertaken by the Farm Stewardship Association of Manitoba, also known as FSAM.

FSAM plays a critical role in promoting environmental protection related to agricultural

lands. Its activities are guided by a board which is made up of representatives from producer organizations, consumer groups, government and the conservation community. FSAM staff deliver environmental farm planning workshops around Manitoba. They also help producers complete a workshop and a customized farm action plan.

Once producers have done an environmental farm plan and received a statement of completion, they are eligible to apply for the Canada-Manitoba Farm Stewardship Program for cost-shared funding for beneficial management practices. Some examples of best management practices include wintering site management, riparian area management, nutrient management planning, irrigation management and improved cropping systems. Manitoba producers have told my colleagues and me that they appreciate the fact that the completion of environmental farm plans is a voluntary process and that all producer information collected remains confidential.

Evidence of the effectiveness of FSAM is seen in the fact that more than 5,000 producers, representing nearly 50 percent of Manitoba's agricultural land, have completed environmental farm plans. Producers have also expressed confidence in the ability of the FSAM staff to deliver the program. A survey of producers who took part in the environmental farm plan workshops held by FSAM found a very high level of satisfaction with the workshops and the technical assistance they received. Producers certainly wish to see this capable organization continue managing the program into the future. The confidence in FSAM is a testament to the hard work of its executive director, Wanda McFadyen, its chair, Alan Ransom, and the rest of the FSAM board of directors and staff.

There is increasing societal recognition of the invaluable role that producers play in protecting the landscape. The provision of technical expertise and funding from best management practices is certainly very helpful to Manitoba producers as they undertake their role as key environmental stewards.

Legislative Building Open House

Ms. Flor Marcelino (Wellington): Mr. Speaker, I rise today to recognize the very successful open house that took place in the Legislative Building this past weekend. The event gave MLAs an opportunity to greet Manitobans of all ages. It allowed all of us to

witness the presentation of the Order of the Buffalo Hunt to the University of Manitoba Bisons football team for their recent win at the Vanier Cup, to hear the beautiful sounds of the many choirs who delighted us with their singing on the grand staircase and to tour this magnificent building.

The food prepared for a number of ministers' offices as well as for our own caucus office by the Tec Voc culinary arts program was another highlight for the thousands who attended this event. I know I speak for all of us when I say it was delicious. I was so encouraged to see so many young people taking part in the event with their families. The very youngest took part in the many activities available for them while many older children and youth participated with their choirs from École Van Belleghem, Gordon Bell, Lincoln Middle, Brooklands and William Whyte schools to fill the building with their beautiful singing.

Mr. Speaker, it was a delight to see so many people visiting us here at the Legislative Building. I was pleased to be able to greet so many of my constituents and to meet so many new people. The tradition of the legislative open house is one of the highlights of the year that I always look forward to, including your conducting of the MLA choir. Thank you.

International Day of Disabled Persons

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I rise today to recognize December 3 as International Day of Disabled Persons. The theme this year is "Decent Work for People with Disabilities." The annual observance of International Day of Disabled Persons, the 3rd of December, aims to promote an understanding of disability issues and mobilize support for the dignity, rights and well-being of persons with disabilities.

The theme is based on the goal of full and equal enjoyment of human rights and participation in society by persons with disabilities established by the World Program of Action Concerning Disabled Persons adopted by the General Assembly in 1982.

But, Mr. Speaker, I have to say, there was absolutely no mention of this in the Legislature today, no ministerial statement, no attempt to involve any of the over 200 disability organizations that we have in the province, no attempt to organize any kind of educational forums or anything here at the

Legislature, no attempt to celebrate today as a day that should be set aside to recognize persons with disabilities, absolutely no action taken by this minister and this government today to recognize people with disabilities in our province.

Perhaps the minister is too busy mismanaging Family Services and Housing and has forgotten, forgotten about the disabilities portion of his ministry.

* (14:40)

Fostering Awareness of International Rights for Everyone

Mr. Mohinder Saran (The Maples): Mr. Speaker, promoting the dignity of all individuals is one of the most important tasks for our world today. Engaging youth in this work is a key ingredient to its success. One local group, Fostering Awareness of International Rights for Everyone, or FAIRE, has brought these two aspects together, drawing students from across Winnipeg to work on human rights projects.

FAIRE, led by Chuck Duboff, a teacher from Maples Collegiate was formed on April 17, 2007. Modelled after the Unity Group, Maples Collegiate's own student activist group established over 10 years ago, FAIRE promotes human rights locally and globally. Approximately 40 students meet on a weekly basis to organize projects that highlight social justice or human rights issues for the wider community.

FAIRE's past projects have included fundraising for Siloam Mission, helping out at the Run4Darfur, selling Fair Trade Certified products, selling Fair Trade products and running educational campaigns at places like Goldeyes' games to highlight the importance of buying Fair Trade and hosting "Never Again?", an evening that focussed on the crisis in Darfur. Their latest project, the FAIRE 2008 human rights calendar, has already raised nearly \$3,000 for Winnipeg Harvest, Siloam Mission, Welcome Place, Oxfam and Save Darfur Canada.

Mr. Speaker, every day we see so much pain and suffering in our world. It is sometimes difficult to see what difference we can make. I would like to extend my congratulations and gratitude to groups like FAIRE and Unity Group for showing us that we can indeed make a difference in promoting social justice in our world. Thank you.

**ORDERS OF THE DAY
GOVERNMENT BUSINESS**

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I wonder if you might call for, on Second Readings, bills in the following order: Bill 6, The Securities Amendment Act; Bill 3, The Highway Traffic Amendment Act; Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting); Bill 4, The Provincial Court Amendment Act (Family Mediators and Evaluators); Bill 8, The Phosphorus Reduction Act (Water Protection Act Amended); Bill 5, The Witness Security Act; Bill 2, The Public Schools Amendment Act (Trans Fats and Nutrition); and Bill 9, The Protection for Persons in Care Amendment Act, in that order.

Mr. Speaker: For Orders of the Day, I'll be calling for second readings of Bills 6, 3, 7, 4, 8, 5, 2 and 9 in that order.

SECOND READINGS

Bill 6—The Securities Amendment Act

Mr. Speaker: I will now call Bill 6, The Securities Amendment Act.

Hon. Greg Selinger (Minister of Finance): I rise today to speak on second—

An Honourable Member: I move, seconded—

Mr. Selinger: Oh, sorry. I move, seconded by the Minister of Justice (Mr. Chomiak), that Bill 6, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Selinger: Now I rise to do my second reading speech on this bill, now that it's properly introduced for the second time.

Mr. Speaker, as we talked about earlier, this government has been actively working with other provinces and territories to harmonize securities law requirements across Canada. Through these efforts, we are streamlining and harmonizing requirements for the participants in Manitoba's capital markets to make it easier to do business here and across Canada. At the same time, it is important that streamlining and harmonization do not sacrifice investor protection. This bill achieves this goal and, in fact, will enhance protections for the investing public.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

Madam Deputy Speaker, this government made a commitment, along with other provincial governments, to harmonize securities laws across the provinces and territories and to provide streamlined access by participants to our capital markets. With these amendments, we are putting in place the pieces that will give Manitoba and the other provinces we have worked with the required legislative framework for single-window access to the Canadian capital markets while enhancing investor protections.

Madam Deputy Speaker, the bill introduces amendments that further harmonize our securities law requirements with that of other Canadian provinces and territories. Among the amendments is the introduction of harmonized categories of registration, which will provide for a streamlined and consistent interface for market participants who are registered to trade securities across Canada.

The bill also includes new provisions concerning investment funds which will harmonize with other jurisdictions across Canada. More importantly, Madam Deputy Speaker, this bill enhances investor protection. It will define in the act the duties owed by persons registered to trade securities. This will assist both the Securities Commission and the investing public in pursuing registered persons who do not act in the best interests of their clients. Thank you.

Mrs. Heather Stefanson (Tuxedo): I move, seconded by the Member for Turtle Mountain (Mr. Cullen), that debate now be adjourned.

Madam Deputy Speaker: It's been moved the debate be now adjourned. Agreed? [*Agreed*]

Bill 3—The Highway Traffic Amendment Act

Hon. Dave Chomiak (Minister of Justice and Attorney General): Madam Deputy Speaker, I move, seconded by the Minister of Family Services and Housing (Mr. Mackintosh), that Bill 3, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Chomiak: Madam Deputy Speaker, I look forward to discussion and debate on this particular bill.

This particular amendment is in response to an amendment undertaken by the Government of Canada to deal with the very difficult issue of street racing, which has had a significant, obvious impact on many individuals and has caused many deaths, particularly in the larger urban centres in southern Ontario and in British Columbia. The amendments put in place by the Government of Canada are an attempt to put into the Criminal Code a specific reference to street racing and to determine it is a criminal offence.

Madam Deputy Speaker, I just want to point out that the street racing provisions are a group of several provisions that have been changed and are part of provisions to the Criminal Code that are in the process of being debated and changed. There is a third group of changes to the Criminal Code that the federal Minister of Justice has indicated to all the FPT ministers and myself, in particular because I had the pleasure to be co-chair of the FPT ministers conference, that there will be further amendments to the Criminal Code coming about dealing with other matters related to Criminal Code offences.

Now, the reason I make reference to that, Madam Deputy Speaker, is because of the fact that the minister said, and the federal government indicated, that the—and I used the word in press conference—"plethora" of amendments to the Criminal Code cannot all be done at once, but they were very pleased that Manitoba was supportive of both the amendments, of which this is one, and the call had been led by my predecessor in this post for many years. The current amendments—which I had the pleasure of being invited to Ottawa by the federal minister to stand and support on behalf of the Province—to the Criminal Code that are going through Parliament, as well as recognition that there are further amendments of the Criminal Code, all brought forward in one way or the other by the Province of Manitoba, but for the most part by my predecessor in this post, dealing with the Criminal Code.

Mr. Speaker in the Chair

* (14:50)

So I'm very pleased to have the opportunity to present this bill, that is, Bill 3, The Highway Traffic Amendment Act. I know we'll have an opportunity, as I indicated earlier, to discuss the bill in detail at committee stage, but I want to point out some important points that I'd like to bring to the attention

of all honourable members with respect to this amendment.

Firstly, Mr. Speaker, in 2002, the Manitoba government was the first provincial government in Canada to implement legislation to establish a process to enable vehicles that were used in certain Criminal Code driving offences to be forfeited to the government and sold if the driver is convicted of the offence. However, prior to December 14, 2006, which was a year ago, the Criminal Code did not contain a specific street-racing offence, and, as such, Manitoba's forfeiture law would not expressly apply to street-racing offenders.

In other words, Mr. Speaker, we were the first to put in provincial statute, because we do not have criminal powers, but to make civil authority to put in provincial statute the power to forfeit vehicles that were involved in criminal acts. But the definition of criminal act did not include this definition in the Criminal Code until December 14 of last year.

Mr. Speaker, on December 14, the government implemented legislation to create new Criminal Code street-racing offences. The government of Manitoba is now taking action at the first opportunity to amend our Highway Traffic Act to recognize the new Criminal Code street-racing offences and expressly apply Manitoba's already existing vehicle forfeiture law to vehicles used in those street-racing offences.

Bill 3 also responds to a need to amend The Highway Traffic Act to ensure that its automatic driver-licence suspension provisions that apply to persons convicted of Criminal Code driving offences will also apply to persons convicted of the new Criminal Code street-racing offences that have been introduced by the Government of Canada. Without this amendment, Mr. Speaker, persons convicted of the new Criminal Code street-racing offences could escape liability for the driver-licence suspension under the pre-existing Highway Traffic Act for persons who commit driving offences that rise to the level of a Criminal Code offence.

So, Mr. Speaker, I want to make this clear to members in this House. There have been several provisions put in place by my predecessor in this post that, frankly, have been clearly a first in Canada. That included these amendments. That included the fortified building acts. That included The Safer Communities Act, all of which have been implemented, adopted and strongly supported by virtually every jurisdiction in the country. My former colleague, Mr. Bryant, from Ontario, could not say

enough about the actions and the leadership of my predecessor in this post, the Member for St. Johns (Mr. Mackintosh), for all of the work that he had done in bringing forward legislation of this kind.

Now we see a catch-up on the federal level, Mr. Speaker. There's a catch-up of Criminal Code offences that are catching up with the law that pre-exists in Manitoba and catching up with the provisions that were put in place by my predecessor.

But I want to make the point here that, of course, like any statute or any bill, we're open to suggestions and advice. There have been several variations on this theme discussed, including some amendments taking place in Ontario with respect to this kind of legislation that may or may not meet the test of law as it applies to amendments of this kind. I'm happy to discuss it, Mr. Speaker. Our officials aren't convinced that, in fact, some of the amendments that have been applied in Ontario would be applicable or ought to be introduced at this time in Manitoba, but we're certainly open to discussing those kinds of issues all in the name of safety, all in the name of protecting innocent lives tragically lost as a result of street racing.

Mr. Speaker, that is something that is present in every community and every part of the province. I doubt very much that these amendments would find any disfavour with anyone in this Legislature. There may be discussion, and I'm just guessing that there'll be very little doubt, only by virtue of the fact that I recently participated in the safe drive night with the leader of the third party and with a representative from the opposition, where we drove down Portage Avenue with pretty fancy cars, I might indicate, including a lowrider car, part of a particular club that a particular member of my family is very active in, the point being that the Shriners have done a lot to ensure that safe driving night on Portage Avenue be publicized.

In fact, there's going to be more work done on this under the leadership of the Lieutenant-Governor of this province to ensure that the message gets out that you can have fun with your car. You can cruise with your car. You can do a lot with your car, but you ought not to dangerously deal with your car so that it impairs both the safety and well-being of others.

That's where the law and that's where the legislation comes in, Mr. Speaker, to ensure that for those who do not follow those provisions, that serious consequences, as serious as we can as a

Province by virtue of our statutory authority under delegated powers and under constitutional authority can apply, but by incorporating provisions of the Criminal Code into the legislation that we have already drafted, we, too, send a message to individuals that are involved in street racing that it's not appropriate. It's dangerous; it's harmful. If this kind of message, just the message, never mind the implications and never mind the sanctions, if this message gets out just by virtue of this bill going through and we're able to prevent one tragedy, then we've done our work in this Legislature because, particularly in southern Ontario and particularly in British Columbia, and we've had instances in Manitoba, but in large urban centres, there've been some horrific, absolutely horrific tragedies as a result of street racing.

We've had ours here too, Mr. Speaker, but anything that we can do, and I throw wide range to all members of this House. This is a kind of issue that we all can join on in terms of improving the situation and in terms of working together. That's why I cited the Shriners' effort, together with the Lieutenant-Governor and all parties, to publicize next year's safe drive night, which is going to be not just a few cars, but a cavalcade of cars, anywhere from 50 to 60 down Portage Avenue driven safely, protected by the police, demonstrating to the public that you can drive your car, you can go in parades, you can show off, you can do all things that cars do, and you can do it safely. If any members of the House are interested in actually joining with Shriners and ourselves and the Lieutenant-Governor to participate in that, they're certainly welcome to do so.

I digress slightly from the bill, Mr. Speaker, only to point out that one of the bill's significant effects is to alert the public and advise the public that street racing is not on in Manitoba, and the consequences, aside from the criminal convictions and the criminal sanctions, will mean forfeiture of vehicle and loss of licence. For someone who, or some individuals who love driving and who love the mobility and who love the ability to do that, to have that privilege, not that right, but to have that privilege taken away from them is significant. To the extent that we can, as a provincial government, we want to have rules and regulations that reflect both public safety, but allow individuals to express themselves and do what they want as long as they do so in a manner that's safe.

So I look forward to discussion and debate about this particular amendment, Mr. Speaker. I'm

anticipating that there will be general agreement with the provisions of this amendment since it reflects effectively what we've heard across the country and what we heard from the federal government. This incorporates those aspects of the Criminal Code that have been amended to allow our already-in-place regulations and acts to apply. I look forward to continuing debate on this and to discussion both in this House and at the committee stage as they relate to this bill.

I finally want to close, Mr. Speaker, by again just making the point that there are bills that have been passed by Parliament. There are bills that are in the process of being passed by Parliament, and there are bills to come in Parliament, all of which have received support of Manitoba in dealing with criminal law matters, because we do not have jurisdiction of criminal law. In fact, jurisdiction lies with the federal government.

* (15:00)

At the same time, Mr. Speaker, we have jurisdiction to do a number of things, not just in a punitive fashion, but in a protective and safety fashion. We are doing a good deal, perhaps more than other jurisdictions, with respect to prevention matters as it relates to crime: things like our Turnabout program, things like our Spotlight program, some of our programs dealing with AMBER Alert, some of our programs dealing with child pornography, all pioneered by my colleague the Member for St. Johns (Mr. Mackintosh) to being the leader in the country in those areas, all now commonplace across the country. All of these are all aspects of the continuing effort in the community and in Manitoba to be both strong on these matters, but to be understanding, protective and preventative on these matters and helping to build this province and move us forward.

So, with those few comments, Mr. Speaker, I look forward to debate in this House on this particular bill. Thank you.

Mr. Kevin Lamoureux (Inkster): I, too, want to put a number of thoughts on the record in regard to Bill 3. I am pleased with the comments from the Minister of Justice and what he's put onto the record. You know, I want to take it in a couple of parts.

One of them is to talk a bit about the reason why. I listened attentively to the Minister of Justice as he gave tribute to his colleague from St. Johns. I always look at the crime as an issue that has impacts

on each and every one of us in a very real and tangible way. In the last couple of elections, I would suggest to you that, you know, you knock on some doors, some people might want to talk about health care, some people might want to talk about education, some might want to take a real high partisanship role and talk about how much they hate a political party or whatever it might be. One of the common themes that I found, no matter which house I would knock at, if I wanted to raise an issue, and I know people were interested to talk about it, it would be the issue of crime. Mr. Speaker, when we talk about the issue of crime, the types of crimes we're talking about are things like street racing, the bill that we have today, home break-ins, automobile thefts, car vandalism, personal injury types of crimes.

You can't help but reflect in terms of, well, yes, the Member for St. Johns has done an admirable job in terms of trying to detect what the public wants to hear and then ultimately bring in legislation that would attempt to address a particular issue, but how effective has the government really been? In the '90s, for example, automobile thefts never even came close to 10,000. I haven't done the thorough research on this, but my understanding is that I don't even think it hit 5,000 during the '90s, early '90s anyway. It wasn't until 2000 and later where we started to see really high numbers of cars being stolen. Grow ops, again, were an issue that has really come up over the last seven, eight, nine years where they seem to be flourishing. There are some issues that have been there for many, many years, home break-ins and so forth, but to the degree in which they are occurring seems to be more.

In fact, Mr. Speaker, one of the things that always amazed me, and I brought this up during the Justice Estimates, and that is that we now have some crimes that are committed where there are, for all intents and purposes, no consequence to that crime. Let me give you a specific example. If someone steals something from a store back in the '90s, that individual, chances are, would go before a court or a justice committee or something of that nature, and then there would be some form of a consequence. Many would say that it was just a slap on the wrist. In good part they would've been right. But at least there was an attempt to have some sort of consequence. Today, you can get the same youth that steals the same type of product that would have been stolen in the mid-'90s and absolutely nothing happens of any real consequence. So there are crimes

that were recorded in previous years that don't even get recorded nowadays.

I think that the public is aware of the amount of crime that is taking place. I would ultimately argue that the government is responding to public pressure, and the public pressure in Manitoba has been higher than virtually any other jurisdiction in Canada, maybe even quite possibly, North America, Mr. Speaker. That's the reason why we see a government trying to bring in some of the things that it's been bringing in over the last number of years. But it hasn't really been successful at dealing with some of the issues that are causing those crimes. They know what to say. You know, you bring in a piece of legislation. You say, well, we're going to sue; we're going to allow you to sue if this sort of a criminal activity occurs.

Or how often do we hear, well, you know, we have shut down 200-plus drug houses? *[interjection]* Well, Mr. Speaker, members say, hear, hear. A more appropriate word would be we have relocated drug houses. That would be more appropriate than to say that we have shut down because by saying that you have shut down, what you're trying to give the impression to the public is that the overall number of crack houses and these homes have gone down significantly, but that's not true. What we're seeing is the re-allocation. Many of these homes are just relocating into different areas.

You know, I have constituents that bring up issues of dope that's being sold in their homes—not in their homes, but in neighbours' homes and so forth. They want to see the government do something in a tangible way, Mr. Speaker.

Manitoba has led the way, I would argue, in terms of allowing criminal activities to grow, that we have—*[interjection]* No, well, the Minister of Justice (Mr. Chomiak) says no. You know, what he'll often refer to, he'll say automobile thefts as a—his case in point is automobile thefts have gone down, I think, 25 percent. *[interjection]* Pardon? *[interjection]* Thirty percent. Okay.

But now, if automobile theft has gone down 30 percent, you have to look at what year you're using it to. If you compare it to the late '90s or the mid-'90s, it hasn't gone down 30 percent. If you compare it to 2004, when we had 13,000 vehicles stolen, then, yes, it has gone down 30 percent. But, Mr. Speaker, if you create a problem, and then a year or two later you're able to try to deal, or you're finding some ways to deal with that problem, well, you really

haven't done that good of a job. You allowed it to explode. You allowed it to become the problem that it has become.

If we were to continue on the argument, well, we've had a cutback in auto thefts. I say, you know, to the Minister of Justice or other members, is there any member in this Chamber, in particular, any New Democrat that's prepared to stand up and say that Manitoba has, or there's a province outside of Manitoba that has had fewer per capita cars, or more per capita cars stolen than Manitoba? Is there any province today that has had more cars stolen per capita in the last three fiscal years than the province of Manitoba?

Mr. Speaker, I don't believe, including whether it's the Minister of Justice or other ministers that are here, by all means, if the Minister of Justice is prepared to say and cite a year, by all means. Please tell me. Tell me which province has actually had worse. *[interjection]*

I think the minister has a point of order or something, Mr. Speaker, that he wanted—he was standing.

Mr. Speaker: The honourable Government House Leader, were you up on a point of order?

Mr. Chomiak: No, Mr. Speaker. I thought the member was asking if I wanted to stand to answer his question. I think it's appropriate on debate for me to reply to his question. I'm looking for your direction.

Mr. Speaker: Does the honourable Member for Inkster—were you rising to ask the minister to rise to answer a question?

Mr. Lamoureux: Absolutely, Mr. Speaker, as long as I get to continue my speech, absolutely.

Mr. Speaker: Is there leave for that? *[Agreed]*

* (15:10)

Mr. Chomiak: Yes, thank you, Mr. Speaker. I will have the department do the per capita on a provincial for the member, but I do note that the last time that I looked at comparisons of apples to apples, of Winnipeg to, say, Edmonton, on specific months, in fact, Edmonton was higher in terms of car theft than Winnipeg. But I will get those numbers back, because—I don't think the member should, for example, utilize one particular area of crime. I'm saying this, by pointing out to the member that there were times when, by not addressing particular issues,

or pretending that issues weren't here, we were sweeping under the rug a lot of activities that occurred in Manitoba. I personally pulled an individual out of a crack house in the early '90s, so I'm not talking out of political partisanship. I didn't know of any capacity on the provincial part, and there wasn't, to close down provincially these operations in the early '90s, only after the amendments came in. There was an early act by the Conservatives that was not applicable because the individuals who were in charge of the house had to apply. But The Safer Communities Act allowed surveillance and otherwise to apply. Of 700 places that have been closed down, best practices shows at least closing them down interrupts the activity, even if in some cases they move to other locations, allows individuals who are dehydrated and in bad shape to at least get some care for a while. So it's not a total-sum game with respect to any of these criminal statistics or any of these criminal matters.

Just, finally, Mr. Speaker, we have a really good province here. Crime is the No. 1 issue across the country in every jurisdiction. I've just met with all the ministers. It is the No. 1 issue. You know, walking around saying, we have the highest crime rate, doesn't do us good in this Legislature when, in fact, we don't. I'd rather talk about the real problems because, I think, that's true. I think we should talk about them, I think we should solve them, but running around saying we're No. 1, when, in fact, we're not, or even taking satisfaction with the areas that we are worse than we should be, and—criticize this all you want, but running around saying that, well, we're the highest is nowhere near the truth. We are not the highest crime rate in North America. We are not the highest crime rate in Canada. We're the middle of the pack in some areas; some areas we're higher; some areas we're lower. Some areas depend upon the social-economic conditions that we have in this jurisdiction and in other jurisdictions. So I'm not trying to partisan this debate. I'm trying to enlighten this debate in responding to the member's question.

I thank you, Mr. Speaker, and I thank the House for the opportunity to deal with that issue.

Mr. Lamoureux: Mr. Speaker, I applaud the Minister of Justice for getting up and answering and responding to the question. I think more of that sort of dialogue would be a positive thing.

Having said that, you know, I would indicate to the Minister of Justice that I will be more than happy in my very next speech, the sooner the Minister of

Justice can provide the details, what I had indicated was in regard to automobile thefts and the province of Manitoba. To the very best of my knowledge, since this, in the last three, four years, there hasn't even been a province that has been close on a per capita basis to the number of vehicles being stolen.

Now, I look forward to the Minister of Justice providing me the information; and, if he can get it to me before the session winds, or before December 6, I'd be more than happy to say on the record, extend my apologies for doubting the minister on that particular point, Mr. Speaker. I hope I am wrong. I don't think I am, but I'll wait. Per capita for Alberta versus Manitoba is what I hear from the Minister of Justice.

An Honourable Member: How about Calgary and Winnipeg?

Mr. Lamoureux: Yes, well, I was going province-by-province. If you want to break it down also to city-to-city you can do that, but—[interjection] That's right, but in my speech I was talking about the province.

Mr. Speaker, the issue that the Minister of Justice makes reference to is you have to take into consideration the social-economic climate of our province when looking at the issue of crime. Well, I agree with the Minister of Justice, but I would suggest to you that, based on the record, the past record of the government, that we haven't seen a proactive government in dealing with those social-economic issues.

One of the bills that I feel very passionate about, as I've talked about on several occasions, is the fetal alcohol syndrome disorder bill, Mr. Speaker. I know the Minister of Justice (Mr. Chomiak), he and I represent North End constituencies. Judy Wasylcyia-Leis is our Member of Parliament, and Judy has been advocating for the need to have labels put on alcohol beverages.

Mr. Speaker, in part that's what my bill does. When you talk about some of the correlations that are there with FASD and some of the problems that we have with that social-economic community, maybe we should be passing legislation of that nature that has been introduced by myself that's sitting on the Order Paper, that has been there in the past. Why don't we recognize that?

The Minister of Justice at the beginning talked about how wonderful Bill 3 is. The principle of Bill 3 is good. It's very good. The other day I'm driving

down Portage Avenue. It must have been sometime within 24 hours when I was actually doing the driving, I had heard—and I don't know, I think it was CJOB. It might have been a different radio station, but, anyway, they were talking about the forfeiture of vehicles for drag racing and I thought, you know, I was encouraged to hear that on the radio.

The ironic thing is, I'm sitting at a red light on Portage Avenue in an automobile that I just recently bought, based on my daughter's recommendation, I must say. But, having said that, Mr. Speaker, this person kind of pulled up beside us, and I looked over and he's kind of revving his motor and engine implying that he wants to have a race. I just kind of instantly reflected on what I had heard on the radio, and it kind of made me feel good, being a member of the Legislative Assembly and I was going to be able to talk about that particular incident.

Well, people will not be disappointed. Of course, I didn't race or anything of that nature, but, you know, I think that that happens a great deal in our communities. I was out knocking on doors in The Maples, and along Ritchie Avenue there is a drag—quite a few cars will use it as a drag strip, Ritchie Avenue, and the individual constituent in this case had indicated that we need to do something in regard to it.

So I look at Bill 3 and the principle of Bill 3 as being a positive measure. Not only is it the Province of Manitoba that's recognizing the severity of the problem or the need for us to deal with street racing because, as it's been pointed out, it's happening across the country, the federal government has recognized it. I believe that it supersedes the interests of political parties. I think that members of all political parties have seen the value in doing what we can to minimize the types of damages that are caused as a direct result of street racing.

We have all heard the horror stories, the loss of life, the damage or permanent ailments where individuals are paralyzed, have broken arms or other limbs, Mr. Speaker. These are the types of things that you have to ask the question, well, why? Why does it happen? What can government do to minimize these sorts of tragic situations? I believe that the principle of Bill 3 will go a long way in addressing that need.

I look to promote, encourage the passage of this bill. We'll wait and see what might happen at the committee stage, if, in fact, there is anything else that can be done to provide more strength to the bill. But the principle of the bill is very good. I'm not too sure

in terms of when it will pass. Hopefully, it will pass before our roads are all dried up and we see more and more because, generally speaking, we tend to see more street racing in the warmer weather.

* (15:20)

You know, I have had opportunity to have interviews with groups of young people and others. One of the issues that came out of a discussion was, well, is there not an alternative facility where some of our racing enthusiasts, if I can put it that way, can go and test their vehicles in terms of that speed or doing that racing, where it is a sanctioned place to go? I know that there are some places, some speedways in the province, but I think that that seems to be a reasonable suggestion. Maybe this is something that government can, indeed, look at.

It wasn't that long ago, a few months back, it was on a television documentary or program. I'm sure if one was to YouTube it, Mr. Speaker, you would find that you have some speed enthusiasts racing vehicles at just phenomenal speeds. There was one, in particular, that I had seen where it exceeded 200 miles an hour, and that was in the province of Alberta on one of the highways. These vehicles are built, in good part, with some very scary speeds if, in fact, it's not driven properly in the appropriate places.

I'd like to conclude my remarks by saying that the principle of this bill is good. We ultimately want to see it go to committee, Mr. Speaker, and, ultimately, anything that makes our streets safer is something that's worthy of passage after providing due diligence.

With those few words, I look to the minister to provide some of the answers, hopefully, by the end of the week. I know it might be a little tight, but if he can, that would be great. Thank you.

Mr. Gerald Hawranik (Lac du Bonnet): I move, seconded by the Member for Morris (Mrs. Taillieu), that debate on Bill 3 be adjourned.

Motion agreed to.

**Bill 7—The Child and Family Services
Amendment Act (Child Pornography Reporting)**

Hon. Gord Mackintosh (Minister of Family Services and Housing): I move, seconded by the Attorney General (Mr. Chomiak), that Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting); Loi modifiant la Loi sur les services à l'enfant et à la famille (obligation de signaler la pornographie juvénile), be now read a

second time and be referred to a committee of this House.

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

Motion presented.

Mr. Speaker: His Honour the Lieutenant-Governor has been advised of the bill, and the message has been tabled.

Mr. Mackintosh: I'm honoured to be in a position to have worked on this legislation, Mr. Speaker. I look forward to working with members now to move this forward.

Mr. Speaker, I want to just begin by saying what I'm sure all members will agree and that is that child pornography, in any of its forms, is no less than an affront to humanity. Now, we've long recognized that, of course, but what has become different over the last number of years is the advent of the Internet. Although the Internet has provided great benefits for humankind in general terms, it has posed new dangers that we never anticipated and, indeed, what, often, current laws and procedures have not anticipated. Indeed, when it comes to child pornography, it is now being brought directly into our homes, into our workplaces and into our schools. I understand that child pornography on the Internet is the fastest growing Internet business, and, indeed, there have been estimates of the billions and billions that is being reaped in profits as a result of this unfortunate and recent development.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

The impact of child pornography is most serious and affects far too many, Madam Deputy Speaker. For example, we know, and I won't dwell on this, that studies have shown the destabilizing impact that it can have on adult relationships. More critically, it has been shown that it has a role as a blueprint for action by adults and that is most concerning. Indeed, it has been brought to my attention that child pornography is a common element in all forms of sexual exploitation. It works to normalize sexual offences, and it is used to groom very young victims.

It also, Madam Deputy Speaker, impacts on youth who come across images. We don't even know all of the impacts of child pornography on youth who see these images. But, surely, it undermines the respect of youth for healthy and enduring relationships.

But, Madam Deputy Speaker, the main reason that we're having this discussion here today in this Legislature is the impact of child pornography, particularly on youth, who are exploited, the impact on the children who are brought into this sleazy business. There is immense harm to the children who are used to create child pornography. Indeed, both the industry and its viewers are no less than subsidizing the rape of children. Each viewing is a re-victimization of a child.

Cypertip.ca has reported that 93 percent of confirmed child pornography reports are images of children under the age of eight. I, for one, find that so dismaying that it just calls out for any kind of action that we can rally, in addition to all the action that is happening out there, to better protect children.

So I earlier alluded to this fast growing industry, the new threats to our well-being and the fact that public policy, I don't think, has kept up to the changes, particularly the Internet. The current law, as expressed in The Child and Family Services Act, first of all, has to be referenced. I think that this is generally known, but not as widespread known as we would like, and that is the obligation in law that everyone is required to report child abuse or child maltreatment.

This isn't only a law directed at professionals, and some think it may be. It's not just a law directed at teachers and health-care professionals, for example. It's a law directed at each and every Manitoban. We are enlisted under The Child and Family Services Act in reporting suspected child abuse. That is for good reason, Madam Deputy Speaker. It is because it is the role of the family, the friend and the neighbour, which is the safeguard, which comprises the eyes and the ears for both child protection and law enforcement services. So we are reminded of that important reality in law today, and we hope, as a result of this exercise that we're going through with this legislation, that Manitobans will be reminded of that obligation.

But it is our view that that legislation has just not kept up with either the reality or the technology, and I'll explain. I think all members will agree that child pornography goes beyond traditional notions of neglect or abuse. When people think of child abuse, they usually will think of a child that they actually may know as a neighbour or a friend, someone that they come across at school, perhaps someone who lives down the street and not someone who is portrayed in videos or written material. So, in other

words, child pornography, in our view, is not usually thought of as child abuse, but it is exactly that. Child pornography, I'm afraid, has too often been thought of as adult entertainment or photos or videos, but there are real children who are impacted by this horrible reality. In fact, child pornography is the crime scene. The video or the photograph is the crime scene of a heinous sexual assault where rape and child molestation are taking place.

* (15:30)

So, given that observation, it is very important to tackle any obstacles that may exist in the understanding of Manitobans or in the current law, any obstacle to the reporting and interventions as a result of child pornography. This is really pronounced when you consider the information that I have received that child pornography is already the most under-reported form of child abuse. Indeed, there are experts who will say that child pornography, that form of exploitation, is rarely disclosed because of feelings of guilt or denial or perhaps even the inability of a child to verbalize because that child is so young.

Now, we all recognize that child pornography and the Internet, albeit this legislation deals with all forms of child pornography, but on the Internet is now a more serious challenge because it exists in a global medium. So you look to see what can be done differently by the Province of Manitoba in light of the international aspects of on-line pornography, child pornography and the existence of the criminal law that, of course, rests within federal jurisdiction.

Well, we have discovered that there is an ability under child protection laws which is within provincial jurisdiction to proceed by way of an innovative statute. As well, we recognize that south of the border, for example, there are about half a dozen jurisdictions that have legislated legislation explicitly and specifically with regard to the reporting of child pornography. But the efforts there have been focussed on the Internet service provider industry and on the computer repair industry. We looked at that as one option, but we concluded with this serious question: Why, on the one hand, would you require every person who suspects child abuse in its general form to report, but not require that same whole population to report child pornography? So, as a result, we are introducing this legislation that will enlist and enrol all Manitobans to report child pornography.

But the legislation also will have some very other important features. First of all, child pornography would be defined the same as in the Criminal Code and would include on-line or printed representations and any advocating of criminal sexual activity with a child. We thought it was important not to create a different definition of child pornography but base the definition on the national definition so that there is a better understanding on behalf of Manitobans and Canadians generally.

Of course, the legislation sets out that no person would be required or authorized to seek out child pornography because, if Manitobans did that, there would be another problem. An informant's identity would be confidential except as required in judicial proceedings or by consent. That has symmetry, of course, with the provisions with regard to child abuse generally.

The next provision is very important, and that is the section that makes it illegal to retaliate against an informant. I think a very critical feature of the bill is the whistleblower protection. I think this could make all the difference between, for example, a computer repair person reporting or not reporting, where there may have been expectations on that kind of worker to maintain the confidentiality of whoever brought in the computer for repair. But this, of course, by not only protecting the identity of the informant, but also guarding against retaliation, I think, will result in a greater likelihood of reporting.

Similar to the general child abuse reporting scheme, police would have to report to an employer when an employee who has access to children in the workplace is charged with a related offence. The designated entity in the legislation would be primarily Cybertip.ca, and they would have to report to the Legislature annually on its actions under the bill.

I might just add as an added piece of information, the first six months of this bill's proclamation will be very closely scrutinized by Cybertip and the Province, and we will look very carefully at any implementation issues that may arise, any trends, patterns. I might just add that, under the act itself, penalties for violating the act is a maximum fine of \$50,000 and imprisonment of not more than 24 months. What I might also add, as a point of interest, is that there was some questioning from some media about the record of Prosecutions under that provision in the act when it comes to the mandatory reporting of child abuse. I think it's

generally known that there are challenges rallying evidence as to whether someone, indeed, had suspicions of child abuse or not.

But I think, more importantly, the intention and the objective of the legislation was the subject then of some considerable discussion, that being the intention to prevent child abuse, to prevent, indeed, child pornography and to save children. I think if you are going to ask questions about what measures of success should accompany the proclamation of this legislation, I would suggest that if this bill rescues so much as one child, shuts down so much as one Web site, it will be successful.

I will just note as well that accompanying the legislation, because it has a message from the Lieutenant-Governor, is budgetary allocation. That will go to Cybertip.ca in order to assist with expanding the infrastructure to deal with complaints which Cybertip advises they believe will be manageable with additional staff and, as well, though, a public awareness campaign which should accompany the proclamation of the legislation.

I've seen over the last several days some widespread support for this legislation. This, I understand, is a first in the country and I believe is a first in either Canada or the United States. We see here from out west, reports where it says, "Manitoba child porn law praised," a legal expert praising that as well. We see from the Chatham-Kent Police Service, the deputy chief saying in the last several hours: I think this type of law makes perfect common sense. We see from the Manitoba RCMP Internet Child Exploitation Unit, Corporal Lindy Yeo saying, I think the new law is excellent.

*(15:40)

We've had people in the industry, as well, welcome the legislation. Toronto's police force which, of course, along with Manitoba, has provided some leadership on the investigation and related techniques for routing out child pornography. The following statement from Detective Sergeant Kim Scanlan saying that these are real children and these are real photos and we can never forget that; it's evidence and should be treated that way. I understand Ontario's Attorney General is also very interested in this kind of legislation. I think the more supports we can have across the country, the better Canadian children can be.

I think those comprise my remarks, Madam Deputy Speaker. I look forward to discussions on

this legislation as it proceeds through this Legislature. Thank you.

Madam Deputy Speaker: The honourable Member—for Inkster.

Mr. Kevin Lamoureux (Inkster): Yes, I'm standing.

Madam Deputy Speaker: Are you speaking to the—

Mr. Lamoureux: To speak on the bill.

Madam Deputy Speaker, it's with pleasure to be able to rise and put a few words on the record in regard to Bill 7. I think, as previously, I was speaking about Bill 3 and talking about the principle of it. Like Bill 3, the principle of Bill 7 is something that we want to see move forward, at least to the committee stage.

There are a number of concerns that we have in regard to Bill 7. One of them I'd like to share with the House at this time because I would be interested in hearing from the minister in terms of a response as to what the government is thinking in regard to, in particular, private sector. The hypothetical example that was given to myself by another individual was, well, how does it apply to the private sector? Let's use a specific example. If you are a business owner, X, and one of your employees is discovered to have been viewing or having, whether it's a computer bank or it's a video tape or any other material related to child pornography—as an employer, you have come to be aware that this particular employee has this type of material in possession. What is the obligation of the employer? You know, as I went through the legislation, I was unclear as to what it is that I could say in regard to it.

Now, we really haven't had the paper bill for that long. Maybe there could be some answer to that through the regulation, possibly, or when the minister amends one part of the bill and that part of the bill isn't necessarily referenced in terms of inside Bill 7 itself. But I think it's a legitimate concern. You know, I look to the minister to try to provide some information to the House as to how that particular issue is going to be resolved.

You know, there are certain issues that strike very deep in the hearts of our communities. Our children are our passion, our future. We want to be there to protect our children. We've all heard of the phrase that it takes a village to raise a child. All of us have a role to play in protecting our children. That is the essence of why it is I don't have a problem in

terms of standing today, saying that the principle, the principle of what we're talking about is worthy of support. But I think that we need better definition in terms of what it is that the government is hoping to do. You know, you can read the explanatory notes and it kind of states the obvious, but it's the details that we are concerned about, Madam Deputy Speaker.

If you take a look at technology and how, in particular, the Internet has grown over the years and the problems that are out there in our Internet in a very real way. It was interesting, the minister made reference to some of the children. I believe he said the average age of under eight involved in child pornography. You know, it's so sad to hear that because, quite frankly, I've had the opportunity to work with a lot of young people over the years in different roles, whether it's within my own church, with the kids' clubs, youth groups, whether it's in the community as a Justice critic or as being involved with some of the friends of my children, Madam Deputy Speaker. I, for the life of me, just don't understand and find it very difficult to understand how it is people can exploit our children, especially at those young vulnerable ages. I've had discussions with foster parents where they are fostering a baby and that baby has been molested. I've heard through informed individuals as to what type of pornographic material is out there and the ages of these children that are participating in it, and it just totally amazes me. I don't understand how people of any intelligence in a civil society could abuse our children in such a fashion.

I think that we do need to be aggressive at dealing with these people in the best ways that we can. I recognize that the Internet is one of the fastest growing pornography distribution centres in terms of making it so much available. You know, I was interested when I had brought a laptop down to LBIS—is it LBIS?—our computer people downstairs, and they had indicated to me that you've got to be very careful. When they go through, they go through the computers and they do have reporting mechanisms so that if there is something that's on computers that's inappropriate, there is a reporting thing that they have to go through. You know, I thought that was great. I was really encouraged to hear that, Madam Deputy Speaker. It is so prevalent on the Internet and in many different forms, whether it's the DVDs, WAV files, the VHS tapes, magazines, it's out there and it's out there in a very real way.

I am not naive enough to believe that Manitoba children are not being exploited. I do believe that there are children in Manitoba that are being sexually exploited, and it concerns, I'm sure, each and every one of us inside this Legislature. That is the reason why, as I say, the principle of the legislation and what it's purporting to do is something that's worthy of supporting in terms of going to the committee; but, as I say, there are issues in regard to this whole report—you know, what are the reporting entities? What sort of impact does it have with the Department of Family Services? I understand that there is going to be an annual report that would come to the Legislature, and I do believe that that is the appropriate place.

* (15:50)

You know, it was just a few months ago I was talking about an immigration bill, where we were talking about recognizing some of those credentials and having a fair practices commissioner and arguing back then that, if we really believe that you want accountability and you want to provide teeth and ensure that there is something very strong, you need to have reports coming to the Manitoba Legislature. You need to have these independent offices reporting to the Legislature, as opposed to just the minister. You know, I don't know in terms of how, for example, or if there are other roles with the minister's thinking in terms of whether it's the Child Advocate's office. You know, we had a bill that we had passed; it involved the Chief Medical Officer and it was a bit of power shift that was shifted over to the child advocacy office.

What about the Department of Family Services? I'm assuming that they are going to, in essence, be the author of the report. I appreciate the fact that today the minister has introduced it for second reading. I know that we are provided an opportunity to be given some briefing notes on it. Maybe those briefing notes might have been able to provide us some answers to the questions that I've posed to the minister. Hopefully, they will. But, having seen the bill or the minister debating on the bill, I wanted to get on the record today in support of the principle.

I look forward to going over some of the briefing notes that the minister will be, I understand, providing. I look forward to ultimately seeing what might come out of the bill in committee stage. With those few words, Madam Deputy Speaker, I'll leave it at that.

Mr. Stuart Briese (Ste. Rose): I move, seconded by the Member for Pembina (Mr. Dyck), that debate on Bill 7 be adjourned.

Motion agreed to.

**Bill 4—The Provincial Court Amendment Act
(Family Mediators and Evaluators)**

Hon. Dave Chomiak (Minister of Justice and Attorney General): I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 4, The Provincial Court Amendment Act (Family Mediators and Evaluators); Loi modifiant la Loi sur la Cour provinciale (médiateurs et enquêteurs familiaux), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Chomiak: I'm pleased to introduce The Provincial Court Amendment Act (Family Mediators and Evaluators). This bill contains important amendments which will give the Provincial Court specific power in a dispute about custody, access or a related family matter to refer the parties for mediation or a family evaluator's report.

Custody access and related proceedings are heard in the Court of Queen's Bench and in certain northern and rural areas in the Provincial Court. Family conciliation of Manitoba's Department of Family Services and Housing provides services for families involved in such disputes by offering mediation and preparing court-ordered assessment reports at no cost. Additionally, some families may choose to participate in mediation with private mediators.

The court proceedings can be financially and emotionally costly for families, Madam Deputy Speaker. Mediation is a way to assist parents and families in resolving issues in a collaborative way. The court respects the confidentiality of the mediation process and recognizes that the assurance of confidentiality is essential to ensure that participants in mediation feel comfortable to freely discuss their issues.

Assessment reports ordered by the court and prepared by professional family evaluators can provide families and the court with valuable input and recommendations into developing parenting plans for children that are in their best interests.

Madam Deputy Speaker, in May 2007, the Family Conciliation's well-regarded parent information program, quote, For the Sake of the Children,

was expanded to become a mandatory program throughout the province. The program looks at ways to reduce the conflict between parents and the stress they experience so as to minimize the harmful effects separation and divorce may have on their children. Given that the expansion of the program may result in more Provincial Court cases proceeding to mediation, it is timely and appropriate to amend The Provincial Court Act to clarify issues respecting both mediation and assessment reports. Accordingly, that is one of the major rationales behind the amendment of this particular act.

Another important aspect of the bill is amendments to The Provincial Court Act which will clarify that information acquired during mediation cannot be disclosed to Provincial Court proceedings. This is consistent with the treatment of information acquired during mediation where the parties are engaged in a proceeding in the Court of Queen's Bench. Confidentiality of the mediation process is important.

Mr. Speaker in the Chair

Parties need to feel confident about freely engaging in this non-adversarial form of dispute resolution and thereby avoid possible costly and extremely unpleasant—and I say that from experience of having done family law in practice. I know members who have been involved in legal proceedings and have done family law know how difficult situations can become under these most trying of circumstances.

These proposed legislative changes reflect our commitment to support children and families and to enhance the process which will assist them in resolving issues regarding custody, access and related matters in a collaborative and a co-operative way.

Now, Mr. Speaker, just in general for clarification of the members, this bill clarifies the power of the Provincial Court to refer parties in a dispute about custody, access or related matters. It also clarifies the confidentiality of the information acquired during mediation. As members may know, custody, access and related proceedings are heard in the Court of Queen's Bench, but, in other instances, they are heard in some instances in northern and rural areas through the Provincial Court. So the Court of Queen's Bench Act governs these proceedings in the Court of Queen's Bench, and now The Provincial Court Act can govern proceedings similar in The Provincial Court Act.

The changes will apply to certain services offered by the Family Conciliation branch, which are mediation and comprehensive co-mediation and, also, conciliation regarding court-ordered assessments reports. The court can also refer parties to mediation with a designated mediator from Family Conciliation or direct a family evaluator from Family Conciliation to prepare a report containing information and opinion regarding custody, access or a related family matter that is an issue in proceeding.

The provisions of this bill very strongly protect confidentiality, Mr. Speaker. As I mentioned earlier in my comments, the parent information program, For the Sake of the Children, has been expanded so that it can be mandatory across the province. It's a way to reduce conflict between parents and the ensuing stress. This program notes one way to achieve that is in mediation. The expansion of For the Sake of the Children can result in more Provincial Court cases proceeding to mediation, which I think everyone in this Chamber would realize is preferable in almost all instances, certainly in principle to court-related matters. Of course, the confidentiality is considered and is provided for in this legislation to provide the same protection through the Provincial Court that already provides in the confidentiality provisions of The Court of Queen's Bench Act.

So, with those few comments, Mr. Speaker, I conclude my comments. These are somewhat technical amendments to expand capacity to areas of the Provincial Court. It's done on the principle, of course, of actions that are already undertaken and already a philosophy of both mediation and conciliation that is paramount in our court system. I suggest to all members that this is a much preferred route to go. These amendments will enhance the capacity of the Provincial Court, through Child and Family Services, to offer these very valuable services to a wider range of the population, thereby, hopefully, reducing stress and reducing dispute for the sake of the children in our court process. Thank you.

* (16:00)

Mr. Peter Dyck (Pembina): Mr. Speaker, I move, seconded by the honourable Member for Springfield (Mr. Schuler), that we adjourn debate.

Motion agreed to.

**Bill 8—The Phosphorus Reduction Act
(Water Protection Act Amended)**

Hon. Christine Melnick (Minister of Water Stewardship): Mr. Speaker, I'm very pleased to—

Mr. Speaker: Order. Would you please move the motion first?

Ms. Melnick: Oh, yes. Mr. Speaker, I move, seconded by the Minister of Conservation (Mr. Struthers), that Bill 8, The Phosphorus Reduction Act (Water Protection Act Amended); Loi sur la réduction du phosphore (modification de la Loi sur la protection des eaux), be now read a second time and be referred to a committee of this House.

Motion presented.

Ms. Melnick: Mr. Speaker, I am very, very pleased to stand in the House today and talk about The Phosphorus Reduction Act. I was very pleased to table this in the Legislature last week. It will be the first of its kind legislation in Canada. We are leading the pack with a few other jurisdictions in the United States, in North America as well. So I think it's a very great privilege to stand here today and have second reading.

The purpose of this bill is to restrict the level of phosphorus in automatic household dishwasher detergents. Phosphorus is, of course, one of the key ingredients that contributes to the excessive growth of algae in our lakes, our rivers and our streams. I was very pleased, again, to introduce this comprehensive legislation that will protect our waterways in the province of Manitoba by reducing the phosphorus content of dishwasher detergents and enable future actions on protecting our waterways.

I was also very, very pleased to have with us at our announcement last week Shannon Coombs, the executive director of the Canadian Consumer Specialty Products Association. This is the professional association of the producers of 84 percent or 86 percent of the dishwashing detergents now used in the country of Canada. They have voluntarily chosen to go to a limit of 0.5 percent phosphate content in their products by the year 2010, and I want to applaud this organization for their very forward thinking. I know they're also working with the other jurisdictions in the United States. When you have an industry that is willing to change their whole chemical regime to meet a deadline which, again, is July 1, 2010, which our bill speaks to, I think we have really a very strong partnership.

The reason that we have brought this bill forward in the Legislature in Manitoba is because we were hoping for a national strategy. We were hoping that the federal Minister of the Environment would be tabling a bill in this session in Parliament in Ottawa. Unfortunately, that has not happened so we are working within the jurisdiction of Manitoba. We are leading by example. We believe that other jurisdictions will come onside with us.

In particular, Mr. Speaker, there have been good discussions with the Province of Québec, so I am very much hoping that they will be tabling a bill in the near future in their Assembly. I'm also going to be talking to other jurisdictions. So one jurisdiction by one jurisdiction, eventually, I believe that we will have the country of Canada covered in this.

I was also very pleased that Mayor Bell of Selkirk attended on behalf of all the mayors and reeves of the southern basin of Lake Winnipeg. They, of course, were here to be supportive of our initiative here. Mayor Bell was on CBC last week talking about the fact that this will make a real great and positive difference for Lake Winnipeg. I'd like to thank him for his support. Shannon Coombs of the CCSPA said that the Canadian Consumer Specialty Products Association is pleased that the government of Manitoba is leading the way in Canada by significantly reducing the phosphorus content in household automatic dishwasher detergent.

I also want to make sure that the House knows that we have made sure that this bill is open in terms of the inclusion of other products, which we will bring in as we move forward on phosphorus reduction. These products would be personal care products, shampoos, soaps, body washes, chemical water conditioners that people may be using in their homes, and also additional cleaning products. We're talking today specifically about automatic dishwasher detergents, but there will be other products that will be coming on line. We've made sure that our legislation will be able to meet the needs of restriction of phosphate in those two.

Currently, the products that many of us are finding on our shelves, put on the shelves by local retailers, contain a phosphorus content of some 3.7 percent to some 8.7 percent. So, when we look at a reduction from the 3.7 percent or even better, 8.7 percent down to 0.5, we see that there is real teeth in this legislation. Again, to have an encompassing piece of legislation that would be welcoming in other products is very, very good for the water in

Manitoba, but the interjurisdictional agreements are really what is needed. Again, the national strategy would, of course, be the most effective way to go along with this.

If I could talk for a moment or two about why we are looking at a July 1, 2010, date for this regulation to come in force, there are several reasons. One is, of course, working with the industry. Their voluntary action is very positive, and we felt that it was important to continue our very good relationship with them and not try to bring in legislation that would pre-empt their voluntary move, Mr. Speaker. It's really important that we work in a way that is realistic time-wise and that makes sure that consumers will have the products on the shelves when the lower phosphorus-containing products are available.

The other area that we're looking at is we want to make sure that Manitobans are able to afford these products. When we look at the jurisdictions in the States who have already passed similar legislation—those are Illinois, Maryland, Minnesota, Vermont and Washington State—we see that all but Maryland have gone with the July 1 date, July 1, 2010. We are also watching what's happening in the states of Massachusetts and Michigan. Very important for the Great Lakes, Mr. Speaker. They have proposed legislation. Again, both of their dates respectively are July 1, 2010. When we add up the population bases of Illinois, some 12 million, almost 13 million; Maryland, just over 5.5 million; Minnesota, 5.1 million; Vermont, 624,000; Washington, 6.3 million; Massachusetts, 6.4 million; Michigan, over 10 million. When we add all these up, we see that there is about a combined population of some 47 million folks who are living in those jurisdictions, respectively. This, of course, is larger than the population of Canada. That means that the products will be available in these areas on those dates. Again, we want to respect that date. We want to be working with the other jurisdictions that are progressing along with this.

*(16:10)

In Lake Winnipeg, in the watershed, the problem is that there are large amounts of nutrients coming from several different sources. We've looked at water quality management zones. We've worked with our agricultural producers, our livestock producers to establish water quality management zones, Mr. Speaker. I'd like to thank the folks in KAP, in the Manitoba Pork Council, in the Cattle Producers,

the Chicken Producers of Manitoba, et cetera, and all of our agricultural folks for their involvement in this. They've given us very, very good advice around the water quality management zone regulations, and we'll be pleased to bring those in early in the new year.

This, of course, is part of a comprehensive plan. When the new year comes, we will be bringing in action on limiting the use of lawn and garden fertilizers. Again, we held open houses throughout the fall on the household cleaning products, as well as on cosmetic fertilizers. The big message coming from that, Mr. Speaker, from Manitobans, over 200 of whom actually attended the sessions—we got several more handwritten comments, as well as e-mailed comments. The big message there was, yes, we agree with what the Province of Manitoba, this government is doing on water and that we all want to play our role, we all want to be a part of this.

So I'd like to take the opportunity to thank the folks who came out to attend the open houses or who took the time to actually put pen to paper and write about this issue, as well as those who sat at their computer and took the time to send us the e-mails. I want to make sure that everyone knows that we take their comments very, very seriously and we are incorporating their comments into the regulations on the cosmetic fertilizers that we will be bringing in, again, early in the new year.

Also, my colleague the Minister of Conservation (Mr. Struthers) will be bringing in measures to address the use of septic fields in urban and cottage areas, as well as provincial parks, Mr. Speaker. We are focussing on the urban areas. We know where the Manitoba economy is strong. We all know that housing prices are going up and we know that there is development in urban areas. We want to make sure that this development is done in a way that respects the water, that respects not only the needs for today, but also the needs for the future. So we'll be working with Intergovernmental Affairs. We'll be working with the Department of Conservation as they bring in the measures to address the use of septic fields in urban areas.

Cottage areas, Mr. Speaker, I've had several cottagers who—you know, in Manitoba we really enjoy our summers. We really enjoy our cottages and people use their cottages very well. They, too, not only in their permanent residence, but in the recreational residence that they can go to either through the summer, spring, fall, some winterized—

more people are winterizing their cottages—they want to make sure that they, too, are playing their role wherever they are in Manitoba.

Our approach, Mr. Speaker, is comprehensive. We in Manitoba are committed to taking the necessary steps to protect our water. The recent Throne Speech included commitments of over \$350 million for improved waste-water infrastructure in Winnipeg, rural and northern Manitoba. Again, being the government of all of Manitoba, we are working with all of Manitoba. I think it's important to note that we've already put, I believe it's over \$160 million on the table and into communities throughout Manitoba, including over a hundred northern communities, around waste-water treatment and drinking-water treatment. This has been, of course, through my colleague the Minister of Infrastructure and Transportation (Mr. Lemieux), through the Water Services Board. This is part of our commitment to infrastructure development throughout our province. As well, it's part of our commitment to improving our water here in our province.

Budget 2007 also committed over \$10 million for water protection initiatives, and this is no small amount, Mr. Speaker. I know the federal government was in town a few weeks ago and they promised some \$18 million over five years throughout the entire basin. This was a re-announcement of \$11 million plus an additional \$7 million. This amount will be spread over five years. So we applaud the federal government for putting money on the table. We applaud the federal government for wanting to be part of the solution, and we welcome that. It's more money in the pot. It's always very good.

But we have committed over \$10 million. I think the answer to would we match what the feds are doing, the answer is no because we don't want to go down from \$10 million to \$3.5 million, but we do encourage the federal government to come up to the \$10 million to be spent in Manitoba right where Lake Winnipeg resides and really work with our scientific community here, as well as our conservation districts, as well as the many, many groups that are now working together around the lake.

I was very, very pleased to go to a beach clean-up. I was invited by the mayor of Dunnottar, Mr. Speaker. If anyone knows anything about Dunnottar, they know that there are very, very progressive initiatives going on there. I was invited to a lake

clean-up. Then I went up to Winnipeg Beach for another lake clean-up, and they were both very successful. So kudos to Audra Taylor for her initiative in Winnipeg Beach, and kudos to the mayor of Dunnottar for all the work that he and the council of Dunnottar have done. Our government recognizes the critical role that water plays in the environment, in the economic health and well-being of our province of Manitoba and in the social well-being of Manitobans, not only today, but also tomorrow.

Our objective in the short term, in the long term is that we have abundant clean water for generations to come, and that we work with our partners here in Manitoba today and also beyond our borders to meet that goal. So, again, we continue to look forward together with everyone at the table to preserve this precious national resource, our water. I also would like to say that I think that the actions that we're taking today are going to be very effective, and, in the short term, Mr. Speaker, which could mean a couple of years from now, we will start to see, hopefully, some reduction in the phosphorus content and in the nitrogen content now going into Lake Winnipeg. But, by working co-operatively and having a national perspective as the Canadian Consumer Specialty Products Association has, actually I would say an international perspective, a North American perspective, I know that we will see real progress.

You know, Mr. Speaker, there have been studies done on Lake Winnipeg since 1929 around algal blooms. Certainly, there are studies going on today. It's taken some 30 or 40 years to get to the current state that we're at. Things will not change overnight, but we're laying the groundwork to halt the current trend of excessive nutrient loading into Lake Winnipeg. Slowly but surely, year by year, we will be able to, having halted the current trend, we will be able to start reducing it and start to turn that ship around. So we will be saving the lake for our children.

I would also like to very much thank the commercial fishers association, the inland fishers and the Lake Winnipeg advisory board. They have come forward with very good suggestions on how to work with the lake. They know first-hand. I was very pleased to award the long-service commercial fishers award, the Minister of Water Stewardship long-service commercial fishers award, the first award of its kind in the history of our province. It is not a competitive award. It's an award that recognizes commitment to the fishery, the commercial fishery in

Manitoba, the only criteria being that one would have to be fishing for 50 years plus, and I was very pleased to award some 99 commercial fishers in the province of Manitoba.

There was a man at the event who came up to me and told me that he had his fishing licence, his father's fishing licence and his grandfather's fishing licence. I think that's a real testament to commitment to the inland fishery here in Manitoba. I also think that there is tremendous, tremendous knowledge there of the lake, of what is happening in the lake, of what we need to do. So I want to thank the Manitoba Commercial Inland Fishers Federation headed by Ken Campbell. I also want to thank the Lake Winnipeg advisory board that's made up specifically of the fishers around the lake, all 12 districts for their input. I would also like to thank the recreational fishers for the work that they do. We have the, it's called the FEI, the Fisheries Enhancement Initiative. There are some seven groups headed by Dave Carrick, who represent recreational fishing throughout the province of Manitoba. They work very, very well together, and we work very, very well with them as a government, Mr. Speaker.

* (16:20)

We have some \$600,000 this year in the pot for proposals around how to improve recreational fishing throughout the province of Manitoba. I can tell you that's been fully allotted and then some. Manitobans are looking at their communities. They're looking at recreational fishing. They're coming up with very, very interesting proposals as to how to improve recreational fishing, how to make sure we maintain it. It's an incredibly lucrative although somewhat hidden industry in our province, Mr. Speaker.

I would like to also say that for a lot of these proposals, not only the development of the proposals, but also the actual work done once proposal funding has been administered to the groups, a lot is done by individuals, by volunteers who simply come forward with a passion to keep the pristine waters of Manitoba or to help us clean up some of the waters to return them to their pristine state. That's a very, very important part of our community here.

I would also like to thank the department for the good work that they've done around this legislation. You know when you're cutting your teeth, when you're crawling, not yet walking, there are a lot of questions. There's no cookie-cutter way of doing things. You can't simply take what's been done in

another jurisdiction in Canada and put the word "Manitoba" in. So there's been an awful lot of very good research, an awful lot of very good honing to the Manitoba community, and I think they've done a job. I'm very honoured to be their minister to bring forward this legislation.

So I think, Mr. Speaker, I will conclude by saying it is truly an honour to be a member of the government that has so many firsts in Canada. This is yet another one, and I look forward to going to committee to hearing what the people of Manitoba have to say and continually moving forward on our agenda on water protection in the province of Manitoba. Thank you.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I did want to put a few words on the record in regard to Bill 8.

Bill 8 is an interesting bill, especially when you take a look at why it is that we might have it here.

I was really intrigued when the minister said that it's the first of its kind. Well, Mr. Speaker, we know that's not true. The bill that was the first of its kind actually came a little bit earlier, and it was introduced by the Leader of the Liberal Party. That was the first of its kind, and how did the NDP treat that particular bill? They killed it. They let it hang in second reading. That was the first-of-its-kind legislation that this Legislature actually had the opportunity to pass.

So I thought it was interesting how the current minister is trying to revise history by saying that this bill was the first of its kind—*[interjection]*—but I will acknowledge, as the Opposition House Leader has pointed out, she recognized a good idea when she saw it in the form of a Liberal bill. She actually—you know what, no. I'm thinking I might be giving the minister too much credit because you recall that we actually asked a question on it in Question Period. The Premier (Mr. Doer) then indicated that he was going to bring in legislation if the federal government doesn't do it.

So I think it was the Premier that actually acknowledged the good idea that was being brought forward by the Leader of the Liberal Party. So he then, no doubt through his hundreds of bureaucrats, kind of passed that message on and somehow the Minister of Water Stewardship (Ms. Melnick)—forced the Minister of Water Stewardship to bring in legislation that would—well, it hasn't quite gone as far

as the Liberal legislation would have gone, Mr. Speaker—

An Honourable Member: One line.

Mr. Lamoureux: One line she says, well, no. No, no, no. Here's where—now you've got to think. Madam Minister, you've got to think about this. You say it's the first of its kind. Then you say, well, we're not going to bring it in until all these American states have done it. You know, there's a little bit of irony? *[interjection]* Bring it in when the—that's right. I understand what it is the minister's saying. But, if you sit back and you look at it, she's saying that here we have this wonderful legislation. It's ground-breaking. In fact, she even used the word "ground-breaking," Mr. Speaker, right? But it's so ground-breaking, we're going to wait until eight or nine American states have it in law before we allow it to be in law. And why? And why? Because she's talking about product availability. Does she really think that? So she's prepared to surrender the copycat first. She's prepared—

An Honourable Member: It's called rational thought.

Mr. Lamoureux: Well, I'm going to go into the rational thought. I know the minister defies rational thought on it too.

Mr. Speaker, the point is is that she brings in this legislation and she says that it's ground-breaking, but we're going to wait until all these states in America go ahead and have it as their law. So, then, we can then have it as part of our law because she wants to be able to give the consumers a break. That's ultimately what it is that she's saying. Well, again, Manitobans are way ahead of this minister. I wonder if the minister actually told the Premier what the content of the bill was prior to introducing it to the Legislature. I think the Premier should have been—*[interjection]* Oh, you worked with it together with the Premier. I'm glad to hear the minister worked with the Premier on this because now we know the Premier was involved in the making of this particular bill and the flaws that it has.

An Honourable Member: We all work together.

Mr. Lamoureux: Together, I'm glad you're together. I don't know if that'll be the case four or five months from now after a Cabinet change, but Madam Minister, I'm happy that you're working with the Premier today.

Madam Minister, I would suggest to you that what you need to do is that, if you want to bring in something, if you want to do something ground-breaking, you might want to look at making some amendments to the legislation. Manitobans really don't mind if they have to pay an extra quarter or two in order to be a leader on this very important issue, right? So we didn't need to have it take effect a year and a half after the Liberal bill would have had it take effect. *[interjection]* Well, she wants to talk about product availability. It's there, and the private sector will have it there well before July of 2012 or 2010 when this minister is talking about—July 1, 2010. The product is there today. It is there today. Well, Madam Minister, I'm telling you that it is there today. You can go there today and you can buy the product. Today, it is available.

Again, we in the Liberal Party want to show leadership. We wanted it to be, not only a first of its kind, we wanted it to be ground-breaking. The minister still has a chance. You still have the chance to do that—*[interjection]*

That's right. Mr. Speaker, the minister needs to be aware that the product is there. The product would have been there. Even under the Liberal bill with its proclamation, it would have been there. But there's another major flaw to this legislation. Think about it. Virtually—and we don't really know for sure, but if we were to guesstimate, phosphorus that comes from dishwasher detergent—about 50 percent of it is residential, and we estimate or guesstimate that about 50 percent of it is commercial. It's not conclusive in this legislation that it deals with the commercial component to phosphorus dishwasher soap. That's a huge hole. Why didn't the minister attempt to address that issue?

* (16:30)

How do you bring in legislation and try to, you know, take the idea and to kind of twist it around? Because you've only come half way. You haven't quite gone far enough. There is the commercial component that needs to be addressed. Maybe during the break that we have the minister will reflect on that in terms of a possible amendment.

You know, it's interesting. We talk about cosmetic fertilizers, something in which the Liberal Party has been talking a lot about in terms of getting any out to see that banned, Mr. Speaker. Remember the answer from the Premier (Mr. Doer) when I had asked him the questions about the phosphorus in

dishwasher soap? Well, we don't want to limit our legislation; we want it to have broader; we're going to do more, is what the Premier was saying. Well, once again, this bill has fallen short. It doesn't deal with that issue. Why not? Why, when the Premier, in an answer to a question, when he talked about expanding the role? That's why I made the assumption that the minister wasn't talking to the Premier in regard to it. She just followed the direction to copy the Liberal bill. I figured that that's what she was going to do, but she tells us, no, that she did talk to the Premier. She worked with the Premier on it.

Well, what about the cosmetic fertilizers? Why the lack of action? *[interjection]* Well, the minister, she says she's going to bring in a regulation on it. Does that prevent her from incorporating it into the legislation? Why wouldn't you? You know, when you have ministers of varying degrees of what should be legislation versus regulation. You have a Minister of Family Services (Mr. Mackintosh), former Minister of Justice, who would do everything in legislation, and you have now a Minister of Water Stewardship (Ms. Melnick) saying, well, no, we can settle for regulation for the cosmetic fertilizer. *[interjection]*

Well, I don't want to claim to understand every aspect of life. Having said that, I do understand—*[interjection]* There you go. We can agree on that point too, I guess. I do acknowledge that the minister and this government are trying to give the impression to the public that they are green and they're moving forward in terms of protecting our environment. What they have proven, on this particular bill, is they know how to take an idea, a Liberal idea, and, somehow, through some form of distortion—*[interjection]* Distortion. I was at a loss for the actual word. I appreciate the tip. Mr. Speaker, they took a good Liberal bill and they didn't incorporate all the goodness in the bill. They took a portion of it. They distorted it, and now we have it before us.

I can assure the minister that the Leader of the Liberal Party has done far more. I suspect he's done far more reading on Lake Winnipeg, and has visited Lake Winnipeg, and has worked with and talked with and dealt with individuals around the Lake Winnipeg than this particular minister has. In fact, Mr. Speaker, I would go as far as to say that he's probably done more than the leader of her own political party in dealing with this particular issue. If I am wrong, well, then, why would I ask the question? Well, then

why did it take so many years before you would even bring this bill before us? Of course, I say that somewhat tongue-in-cheek. I know the answer. They're really not that environmentally sound. They really don't care to the degree in which they talk about caring for Lake Winnipeg. They saw an issue in which they figured that they could score some political points, and to a certain degree they will be successful. They will get some credit for using this particular idea, but, in reality, they could have done that much, so much better had they actually gone a little further, a little bit further and acted on what it was that the Liberal Party was talking about.

You know what, Mr. Speaker, we're not too late. You know, the minister can scrap her bill and support Bill 202 that's being introduced by the Liberal Party. That was the bill that the leader had talked about. If the minister really wants to help Lake Winnipeg, she'd be better off, Lake Winnipeg would be better off two years from now, if the Liberal bill passes, as opposed to her bill.

An Honourable Member: There'd be no products on the shelf.

Mr. Lamoureux: Again, we're back to rationalizing. That's right. She says there will be no product on the shelf. Well, prove the Liberal Party wrong. Accept the challenge and prove the Liberal Party wrong. You pass the Liberal bill, and I will argue that there will be enough product on the shelves and Lake Winnipeg will be healthier as a direct result because you know, Mr. Speaker, the minister isn't saying that I'm wrong on Lake Winnipeg, that, yes, two years from now, Lake Winnipeg would be healthier if the Liberal bill passed. She acknowledges that, but the problem with allowing our bill to pass is that there wouldn't be enough product on the shelf.

Well, you know what, Mr. Speaker? I believe that Manitobans would respond favourably to my suggestion that we allow the Liberal bill to pass. It'll be more effective. Lake Winnipeg would be healthier as a direct result. *[interjection]* Yes, there is that chance. The minister is right. There is that chance, but you know I believe that the private sector will meet the challenge and it will ensure that there's enough product for our consumers in the province of Manitoba.

I have confidence in Manitobans. If it means that the average consumer might have to pay a nickel or a quarter more, I believe that they won't mind doing

that. *[interjection]* That's right. We can have—I can't say the minister's name—but that is a good idea, you know. There are different names that we could associate to an amendment to the bill that would make it stronger. The challenge is, Will the minister have that open mind and allow for amendments that would make it a better bill? *[interjection]* Someone said we can't use the names of individuals, but John, question mark, bill would be very good, in terms of an amendment to it, Madam Minister. One should give it serious consideration.

I look to the Member for Selkirk (Mr. Dewar). You know, the Member for Selkirk listened to the debate—

An Honourable Member: Who?

Mr. Lamoureux: The Member for Selkirk. The Member for Selkirk had adjourned debate on the private members' bill. I think he had an expectation. The expectation was that the government was going to bring in legislation that would do better for Lake Winnipeg than what the Leader of the Liberal Party was bringing forward.

I know that the Member for Selkirk was very proud when he heard the Throne Speech and there was reference to this bill because it kind of made him feel good, I believe, because he thought, here the NDP are going to show you Liberals that not only can we steal your idea, but we can do a better job. I'm sure that's what the Member for Selkirk was thinking. But, Mr. Speaker, the minister fell short. I think she might have disappointed the Member for Selkirk.

An Honourable Member: No, I'm okay.

Mr. Lamoureux: He says he's okay, but he's got to say that in public. One on one, you should talk to the Member for Selkirk. I suspect that there might be a few people. The Member for Gimli (Mr. Bjornson), Lake Winnipeg's a major part of your constituency.

An Honourable Member: He says he's very happy.

Mr. Lamoureux: I would be very—of course, he's going to tell you he's happy. He's part of your Cabinet. *[interjection]* Well, Madam Minister, some say that he doesn't live there. I'm not too sure where his residence is. I would hope that he would still care about Lake Winnipeg. I don't live out in Gimli. It's a beautiful community. If I wasn't living in Winnipeg, that could be a community which I might want to live in.

Having said that, we're all concerned about Lake Winnipeg. Surely to goodness, the Minister of Education (Mr. Bjornson)—quote, unquote, "Education"—would realize the merits for Lake Winnipeg with the Leader of the Liberal Party's bill versus this minister's bill. Two years from now, which one's going to make Lake Winnipeg healthier? Hands down, it's the Liberal Party's bill, Mr. Speaker. It should be a no-brainer. It should be a no-brainer. Even the Minister of Education should be able to understand that Lake Winnipeg would be healthier if the Leader of the Liberal Party's bill passed as opposed to this particular government bill.

* (16:40)

An Honourable Member: The NDP has two sets of books.

Mr. Lamoureux: As has been pointed out, the Minister of Education has a couple of sets of books. Maybe his focus is on those books, as opposed to this particular bill. He should get his mind off the books there for just a moment and stay focussed on Lake Winnipeg and provide—

An Honourable Member: This is a microphone, so you don't have to yell.

Mr. Lamoureux: I appreciate that. My doctor advises me it relieves stress.

I do feel very comfortable and emotional about important issues, and Lake Winnipeg is a very important issue for Manitoba. I appeal to the Minister of Education to get focussed. Think about Lake Winnipeg and do what you truly believe is healthier for Lake Winnipeg.

An Honourable Member: I am.

Mr. Lamoureux: Well, if you do that, I'll warn you, Mr. Minister of Education. If you do that, you might not be Minister of Education after the next Cabinet shuffle because your Premier (Mr. Doer) expects you to behave closer to a seal—that's not appropriate, Mr. Speaker, I withdraw that comment.

Mr. Speaker, I do believe that the Minister of Education would realize that Lake Winnipeg would be healthier if the Liberal bill were to pass. I would ask members of the New Democratic caucus to reflect on that fact.

You have a choice. The Member for Wolseley (Mr. Altemeyer), who likes to be an environmentalist, and other members of the NDP caucus have a choice. You can be environmentally friendly

to Lake Winnipeg and do something wonderful for Lake Winnipeg. Talk to the minister of water strategy and say, either adopt some amendments that will better reflect what the intent of the Liberal leader's bill is or let's support the Leader of the Liberal Party's bill because in two years from now Lake Winnipeg will be a healthier lake. If that's what it is that we want to achieve by passing legislation, Mr. Speaker, I would highly recommend that that's what we should be doing, is comparing the two bills and doing what's right for Lake Winnipeg.

When the minister tells you that we're out of product, that there won't be enough product to meet the mandatory phosphorus-free dishwasher detergent, my suggestion to her NDP colleagues is don't believe her. Don't believe her, Mr. Speaker, because there will be enough. You can buy it today. *[interjection]* No, I care about the consumers. I care about the environment, too. You'll find that the consumers support what it is that the Liberal Party is proposing.

So, Mr. Speaker, with those few words, I hope that I've somewhat opened the mind of the minister, a few kind words that have been suggested, helpful words. You know, we're just trying to help. That's all we're trying to do, make the bill that much more better. That's really what I was trying to do.

So, Mr. Speaker, we look forward to what the minister might or might not do over the break, and we hope that she will do what's in the best interest of Lake Winnipeg. If the government wants to do what's in the best interest of Lake Winnipeg, actions speak louder than words. We look forward to what the government ultimately does. I say, go the full 10 yards.

The Member for Swan River (Ms. Wowchuk), I understand, gives the story a day about football in the NDP caucus. Well, using an analogy—

An Honourable Member: Minto.

Mr. Lamoureux: I'm sorry, the Member for Minto (Mr. Swan). I was corrected. What did I say, Swan River?

An Honourable Member: Yes.

Mr. Lamoureux: The Member for Minto gives lots of examples using football. The Member for Fort Rouge (Ms. Howard) is encouraging him to use—what is it?

An Honourable Member: Ballet.

Mr. Lamoureux: Not ballet, ice skating, figure skating analogies. Well, I'm not up on figure skating as much because of other reasons. But football, in keeping with the theme of the Member for Minto, go the full 10 yards on this. You'll get a touchdown if you go the full 10 yards. The minister is only bringing it five yards. So, wanting to steal a page from the Member for Minto, you can take that quote. You can read it verbatim, if you like, in caucus. Go the full 10 yards. You can score a touchdown. Do what's right for Lake Winnipeg. Out of respect for the Member for Fort Rouge, I'll see if I can get one of those figure-skating spinning, that thing for another speech. I'm sure I will be able to incorporate it in the future.

Thank you, Mr. Speaker, for allowing me the opportunity to say a few words.

Mr. Speaker: Is the House ready for—oh.

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, I move, seconded by the Member for Turtle Mountain (Mr. Cullen), that debate on this bill be adjourned.

Motion agreed to.

Bill 5—The Witness Security Act

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 5, The Witness Security Act; Loi sur la sécurité des témoins, be now read a second time and be referred to a committee of this House.

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

Motion presented.

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

Mr. Chomiak: Mr. Speaker, this particular bill is a part of a package of bills dealing with crime and, in particular, aimed in some way at organized crime, which has been a significant difficulty in this jurisdiction and other jurisdictions across the country, and has now become, thankfully, a focus of incredible more attention by all of society, and I think that's appropriate.

The particular act, Mr. Speaker, codifies our high-risk witness management program and, as I indicated earlier, is a component of our response to organized crime. It's not only a response to organized

crime, but it's a response to something that's always been present but, I suggest, unfortunately, we experience far too often. That's witness intimidation.

The bill reflects our experience in imagining this program over the last four years and both input from police, prosecutors in consultations with national and international experts, and a review of legislation at the federal level in other countries has been addressed.

We're the first province to table legislation designed to promote the administration of justice and public safety by providing services to safeguard witnesses and persons associated with them who might be at risk of injury or death because of the witness involvement in the prosecution of criminal offences.

There will be an opportunity, Mr. Speaker, to discuss many of the key items in detail, but I'd just like to outline some of the frameworks of this program. It establishes a program within the Department of Justice. It provides services to witnesses and others who may be at risk because of the witness's involvement in the prosecution of offences under the Criminal Code of Canada. The bill identifies a director who is responsible for the administration of the program and outlines the responsibilities of this position. It also provides an application to have a person admitted into the program must be made by a law enforcement agency. The decision to admit a person into the program will be made by an assessment panel composed of senior officials from the Department of Justice. The bill identifies the factors this panel is to consider, such as the risk to the person, the importance of the witness to the prosecution and the seriousness of the offence.

Mr. Speaker, when the panel admits a person to the program, it must also decide what services will be provided to the person. Services available under the program include relocation in or outside the province, accommodation, reasonable financial support and change of identity.

This bill, Bill 5, requires persons admitted into the program to enter into a secured agreement which sets out the duration of the agreement and the services to be provided to the persons. As well, the agreement sets out their obligations, that is, the obligation of the services of the person to whom services are provided once admitted to the program. These obligations include matters such as giving complete and truthful evidence in the prosecution of the offence and meeting outstanding debts and

obligations, including child support obligations. Bill 5 also identifies that a director may apply to the panel to expel a protected person from the program for deliberately breaching a material term of the security agreement or other reasons listed in the bill.

* (16:50)

This bill also, Mr. Speaker, identifies that information about the program, and people admitted into the program must be treated in a confidential manner. The bill identifies when information can be disclosed, how information can be recorded by service providers to protect the identity of a protected person. It is an offence under Bill 5 for the director, a member of the assessment panel or person employed or retained by the department and anyone providing service in another program to contravene the confidentiality provisions in the act. The offence is punishable by up to \$50,000 or two years imprisonment.

Mr. Speaker, this bill's focus on the security of witnesses and persons related to or associated with witnesses who are at risk. Because of their involvement in certain criminal prosecutions, threats or attacks on witnesses or their families are designed to instil fear and silence their voices. These actions are also a direct attempt to undermine the administration of justice by intimidation. This bill codifies a successful high-risk witness management program, and it has been introduced to help enhance and manage the security of those testifying in criminal proceedings.

Mr. Speaker, it is somewhat unfortunate, I suppose, like so many other things that we have in our society, that we have to have a bill like this, but unfortunately it is a reality. The codification of this program provides for a very clear understanding in this province of what services are offered under what circumstances, et cetera, so, to that extent, the public will have accountability and a framework from which to understand.

Secondly, it will also, by codification, help protect and provide for, and this is very important, Mr. Speaker, the security information and other related information of those involved in the witness protection program from various forms of liability and obligation vis-à-vis a number of either statutes and/or professional ethical codes, et cetera, for obvious reasons. But also I think, and this is very important, it sends out a message that part of our aggressive stance on organized crime—and let us be

frank, organized crime preceded my birth; organized crime will continue long after I have left this planet.

But the key point here and I had occasion to talk to one of the lead prosecutors for the RICO, which is the racketeering act in the United States dealing with Mafia prosecutions. Again, we often say, is what we're doing, is the work of going after organized crime and making it difficult for them to operate accomplishing anything? He was totally convinced that their experience in the United States with respect to the Mafia in particular on the east coast of the United States had been worth all of the legislated efforts, the starts and the misstarts and the various issues. He was convinced that it was worth it, so it reinforces the fact that this is a task that goes back as long as the human race has existed, will continue to go. But everything that we can do to interdict and to prevent—oh, let me put it this way: every child that we keep out of prostitution, every kid that we keep off of the streets selling drugs, every person that's involved in a B&E for their drug purposes, everyone who's got a gambling debt that's paid in very difficult fashion—all of those vulnerable people will be protected a little bit more by every single action we take with respect to organized crime.

The House will know that Manitoba put before all Canadian ministers, including the federal minister, the most comprehensive approach to organized crime ever done. Again, I'm not taking credit for it; it was commenced by my predecessor. It was a comprehensive review. I'm happy to say that one-third to one-half of the recommendations have been accepted by the federal government and will see their way through legislation into criminal codification and related matters. The rest are being reviewed, hopefully, for concurrence by all ministers across the country at the end of the year. That in itself is a significant accomplishment because it's not just legislation that we're talking about. It's about actions; it's about knowledge; and it's about making people understand that \$50 billion a year is laundered in Canada as a result of organized crime; \$50 billion a year, way beyond the budget of the Province of Manitoba is laundered money. Many businesses, unfortunately, that we see on a regular basis, have behind it dirty money, Mr. Speaker.

Now, this is a small part of a larger strategy, which is part of a larger strategy that is before the FPT working groups to enhance Canada's, Manitoba's and our individual committee's ability to fight organized crime. This bill, by codifying Eyewitness Security program, makes it clear that

we're serious, deals with the legislative issues, sends out a message and is part of a larger package that we have adopted to deal with organized crime.

Just to close on this point, Mr. Speaker, we can talk in more detail about provisions of this bill in committee. I'll close with a comment that I said to the federal minister at the FPT, that part of the difficulty we face in this country is there's a concern about terrorism from abroad. I think we should be very concerned about terrorism from within. On that context, when I say that, I mean organized crime and the way that it gets its tentacles into every single aspect of our lives every day. Anything that we can do to prevent and lessen it is something that, I think, ought to be approached and adopted.

So, with those few words, I look for the swift and steady passage of this bill in the Legislature. Thank you.

Mr. Gerald Hawranik (Lac du Bonnet): I move, seconded by the Member for Portage la Prairie (Mr. Faurischou), that debate on Bill 5 be now adjourned.

Motion agreed to.

**Bill 2 –The Public Schools Amendment Act
(Trans Fats and Nutrition)**

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): I move, seconded by the Minister of Water Stewardship (Ms. Melnick), that Bill 2, The Public Schools Amendment Act (Trans Fats and Nutrition); Loi modifiant la Loi sur les écoles publiques (gras trans et nutrition), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Bjornson: I'm pleased to speak to Bill 2, an amendment to The Public Schools Act, which will encourage healthier food choices for students in our schools.

Mr. Speaker, certainly, I've had the privilege as Minister of Education, Citizenship and Youth to travel throughout this province of Manitoba. I've visited many schools where there are excellent examples that immediately come to mind with respect to the nutrition policies and practices that they have in place right now. For example, Frontier School Division has been practising healthy living choices for students for a number of years now, as is Seven Oaks School Division. In this neighbourhood alone, Gordon Bell collegiate has a fantastic assortment of foods available to students in their cafeteria.

Certainly, schools have been much more aware of this initiative than, perhaps, people are aware. For example, in my son's school, Mr. Speaker, there are very graphic displays of the fat and sugar content in a variety of popular foods that students like to eat. It's part of an approach that we've seen using graphic displays to address issues such as smoking cessation or initiatives of that ilk.

But this proposed legislation is part one of a series of steps that this government has taken in establishing that healthy eating and activity are key to healthy living for our school age children. When the Healthy Kids, Healthy Futures Task Force was launched in 2004, the aim was to enter into a dialogue with Manitobans on the promotion of healthy eating and active lifestyles for young people, Mr. Speaker.

A number of recommendations were developed as a result of the task force work, among them the requirement—

Mr. Speaker: Order. When this matter is again before the House, the honourable minister will continue with his comments.

The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, December 3, 2007

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