

**Second Session - Thirty-Ninth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**DEBATES**  
**and**  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

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

**Vol. LX No. 44 – 1:30 p.m., Wednesday, May 21, 2008**

ISSN 0542-5492

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

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**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, May 21, 2008**

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

*PRAYER*

**ROUTINE PROCEEDINGS**

**INTRODUCTION OF BILLS**

**Bill 235—The Public Interest Disclosure  
(Whistleblower Protection) Amendment Act**

**Mr. David Faurschou (Portage la Prairie):** It is my pleasure to rise today to introduce Bill 235, The Public Interest Disclosure (Whistleblower Protection) Amendment Act, be now read a first time, seconded by the honourable Member for Emerson (Mr. Graydon).

*Motion presented.*

**Mr. Faurschou:** This is very important legislation being brought forward to the attention of all members in regard to the obvious errors and omissions that took place when the introduction of this legislation first took place. This amendment brings to the floor of the Legislative Assembly the inclusion of MLAs, elected officials of Manitoba, being able to essentially be in receipt of information of wrongdoing within the province of Manitoba.

As well, this legislation protects those individuals from civil litigation which is a concern that has been brought forward over the number of years that we've had this legislation here in the province of Manitoba. Thank you.

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

**PETITIONS**

**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 southwestern 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 a result of this nursing shortage.

To urge the Minister of Health to consider prioritizing the needs of those citizens 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 Doug Volk, Jon Draper, Tom Kolosky, Carol Monroe and many, many others.

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

### Child-Care Centres

**Mrs. Myrna Driedger (Charleswood):** I wish to present the following petition to the Legislative Assembly:

These are the reasons for this petition:

There is an ongoing critical shortage of child-care spaces throughout Manitoba, particularly in fast-growing regions such as south Winnipeg.

The provincial government has not adequately planned for the child-care needs of growing communities like Waverley West where the construction of thousands of homes will place immense pressure on an already overburdened child-care system.

The severe shortage of early childhood educators compounds the difficulty parents have finding licensed child care and has forced numerous centres to operate with licensing exemptions due to a lack of qualified staff.

Child-care centres are finding it increasingly difficult to operate within the funding constraints set by the provincial government to the point that they are unable to provide wages and benefits sufficient to retain child-care workers.

As a result of these deficiencies in Manitoba's child-care system, many families and parents are growing increasingly frustrated and desperate, fearing that they will be unable to find licensed child care and may be forced to stop working as a result. In an economy where labour shortages are common, the provision of sustainable and accessible child care is critical.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Family Services and Housing (Mr. Mackintosh) to consider addressing the shortage of early childhood educators by enabling child-care centres to provide competitive wages and benefits.

To urge the Minister of Family Services and Housing to consider adequately planning for the future child-care needs of growing communities and to consider making the development of a sustainable and accessible child-care system a priority.

To urge the Minister of Family Services and Housing to consider the development of a governance body that would provide direction and support to the volunteer boards of child-care centres

and to consider the development of regionalized central wait lists for child care.

To encourage all members of the Legislative Assembly to consider becoming more closely involved with the operations of the licensed day-care facilities in their constituencies.

This is signed by Harry Albertson, Nhien Tu, Ruth Vezeau and many, many others.

### Long-Term Care Facility—Morden

**Mr. Peter Dyck (Pembina):** I wish to present the following petition to the Legislative Assembly.

The background for this petition is as follows:

Tabor Home Incorporated is a time-expired personal care home in Morden with safety, environmental and space deficiencies.

The seniors of Manitoba are valuable members of the community with increasing health-care needs requiring long-term care.

The community of Morden and the surrounding area are experiencing substantial population growth.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to strongly consider giving priority for funding to develop and staff a new 100-bed long-term care facility so that clients are not exposed to unsafe conditions and so that Boundary Trails Health Centre beds remain available for acute-care patients instead of waiting placement clients.

This is signed by Liz Unrau, Mary Enns, Tina Enns, Dorothy Lepage and many, many others.

### 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 today a group of students from the Politics and Mass Media class at the University of Winnipeg under the direction of their instructor, Donald Benham.

Also in the public gallery we have from Sunflower Valley Christian School nine students under the direction of Mr. Peter Funk. This school is located in the constituency of the honourable Member for Emerson (Mr. Graydon).

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

## ORAL QUESTIONS

### Cree Nation Child and Family Caring Agency Staff Retreats

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Over the last period of time, some serious concerns have arisen regarding the care of children under this NDP government. It's come to light previously that there was serious misspending in the 2006-2007 fiscal year that appears to have resulted in the curtailment of services to the children who were most in need of those services, the children in care.

\* (13:40)

The minister, in response to questions, has made reference to retreats in Kelowna and Niagara Falls. It turns out, Mr. Speaker, that, on further review, the Niagara Falls retreat took place in September 2005, a full two and a half years ago under the watch of his predecessor, the Member for Riel (Ms. Melnick). The all-expenses-paid retreat took place five months after the appointment of the current director of the Cree Nation agency, some two and a half years ago. We're advised that this all-expenses-paid retreat to Niagara Falls involved an exclusive charter on a cruise boat with catered meals, an exclusive deejay, free massages for board and senior staff, pre-paid tickets to the *Maid of the Mist* and speedboat rides and spending money for board and senior management of the agency on top of having their expenses covered.

Most alarming of all, Mr. Speaker, almost the entire board and senior management of the agency were away from the province for a significant period of time on this retreat in Niagara Falls, leaving the children that they're entrusted to care for at risk.

I want to ask the minister: How can it be that almost an entire agency under his watch charged with the care of children can take off to Niagara Falls for days at a time and nobody in his department noticed?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** Well, indeed, Mr. Speaker, I find that this aspect that is set out in the draft report that I received last Tuesday, in my view, is one of the most maddening and unacceptable findings that came from this review as it heads to conclusion.

It is for that reason that last week a directive was issued by the Province to the authorities and the agencies to make it absolutely clear that we will not

support any provincial funding going to annual general meetings or these mass retreats outside of the province of Manitoba for two reasons: No. 1, I think it undermines all the great work that is happening; and, No. 2, it puts at risk children who are left behind without workers.

**Mr. McFadyen:** Mr. Speaker, the minister makes it sound as though he just learned of these things within the past couple of days. The retreat took place two and a half years ago to Niagara Falls. We still don't have all the details around the Kelowna retreat. In addition to that, he and his department were having discussions about issues around this agency 11 months ago when a recommendation was made to him to undertake a mandate review of this agency.

I want to ask the minister why, when he was presented with this evidence some 11 months ago, he didn't act at that time. Why is he acting now when things are emerging in question period?

**Mr. Mackintosh:** First of all, and I don't know if this will help my answer, quite frankly, but there are enough challenges and problems in child welfare without making some up, Mr. Speaker, as the member just did.

I can tell you this that when this issue came to my attention which was on May 13, I believe that was last Tuesday, we took immediate action by sending out a directive, an historical directive that provincial dollars should not be used.

Mr. Speaker, yesterday we got in some discussion both here and in the hallway about federal—there's dual financial accountability in child welfare. As a result, we also have sent a letter to the federal minister asking that they change their policies in terms of the federal flow of dollars to not support out-of-province AGMs and retreats as well.

**Mr. McFadyen:** Mr. Speaker, and the NDP spin of blaming the federal government may work on some things, but it is not going to work when it comes to the care of children in the province of Manitoba. Under the provincial legislation, The Child and Family Services Act vests responsibility in this minister for the care of children under his watch regardless of where the money comes from. He cannot evade personal responsibility.

Secondly, Mr. Speaker, he was provided in August of last year with much of the detail that has come out over the past number of days. Prior to that, in June of last year, there were discussions within his

department, at the department level about whether or not to undertake a mandate review.

Now, the cruise took place two and a half years ago. The other issues that have come to light took place in 2006-2007. His department was discussing the potential for a mandate review in June of 2007. He was provided with a detailed package in August of 2007.

I want to ask the minister why it is now that he's attempting to pass the buck to the federal government when this problem has been sitting on his lap for almost a year.

**Mr. Mackintosh:** First of all, I understand why members opposite wouldn't want the federal government to be part of this. It was only when the Liberals were in office in Ottawa they would want the federal government to be in this picture.

But, Mr. Speaker, this is not about blame. There was dual accountability, but the ultimate accountability for the services in child welfare rest with the Province. That is why we have a real concern about the flow of federal dollars, as well as provincial dollars. We're all in this together.

Now, when it comes to the knowledge of the government, there was, indeed, a complaint written on July 17. The member knows that. It came into the child welfare branch on July 20, and within weeks a joint review with the federal government, headed by the northern authority, was launched.

That is how this matter came to light, Mr. Speaker, and I'm glad it has. We're going to bear down on it and rout out these shortcomings.

#### **Cree Nation Child and Family Caring Agency Review of Complaints**

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

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, on a new question. The review that the minister is referring to I believe is the one referenced in the letter dated November 2007, two years and two months after the cruise, more than a year after the other issues. That review focuses on a review of case files from March of 2007 and July of 2007, long after the agency was put on notice, long after issues that we're discussing today came to light.

I want to ask the minister: Why would they focus on two periods of time when they knew they weren't going to find any problems, when all the

other issues that have come to light had been brought forward? Why are they undertaking a review that would find to be a sham when he should have been taking action to protect children?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** The member opposite wants to make shoulda-woulda-coulda questions. What we did as a government, Mr. Speaker, with the leadership of the northern authority, was launch a review on the receipt of complaints. I was advised that the complaints were about the misuse and mismanagement of agency funds, patronage, nepotism, chronic failure to provide basic service delivery. That was the information provided to the minister's office knowing full well that a review had, in fact, been launched.

So that was the proper thing to do. It was done on a timely basis. I look forward to the outcome of that one, as does the federal government. In the meantime, there is a new directive in terms of travel, Mr. Speaker, and we think that's important. It's very important for educational purposes for front-line workers to have access to that one. Conferences can be very important. Going on these retreats—

**Mr. Speaker:** Order.

**Mr. McFadyen:** We certainly acknowledge and agree that there are challenges in Child and Family Services. That will always be the case. The issue though is whether he and his department are doing things to make things better or are they doing things to make them worse, Mr. Speaker.

Now, the issue here is that very disturbing information was brought to the attention of the minister some 11 months ago, not 11 days ago, not 11 weeks ago, 11 months ago. Given the lack of action today, given that all the players involved surrounding these allegations continue to hold their positions, I want to ask the minister, given that he has been on notice, if he will accept personal responsibility for any case of neglect or abuse that took place under his watch while he was aware of these problems at this agency.

**Mr. Mackintosh:** First I'll just say that a review was launched, an outside independent review, Mr. Speaker. There are actually five reviews ongoing in child welfare. There are 32 in Housing. We're into a new era of accountability. There's a housecleaning that's under way.

Mr. Speaker, the child welfare system has been described as broken. It's in for an overhaul and this

review is part of it. We have to uncover these shortcomings and take corrective action. I would say if the member opposite is truly interested in corrective action, instead of every day coming in with a gotcha game and putting one more document on the table, maybe he wants to provide them all to make sure that the review team has, in fact, seen all those documents and they can get the job done. That's about accountability.

\* (13:50)

**Mr. McFadyen:** Mr. Speaker, he's the one who's had them all for some 11 months. I don't know why he didn't feel compelled to bring them forward at the time. He's had the opportunity to be open and up front about it.

He can attempt to try to deflect blame to the federal government. He can try to deflect blame to the official opposition. He can try to deflect blame to his predecessors. I want to ask the minister if he will accept responsibility for what has gone on under his watch since he was put on notice of the issues within his department, or is he going to continue to play the blame game which will have the effect of putting children at risk?

**Mr. Mackintosh:** Well, Mr. Speaker, in 1998 there was a survey done of social workers in the child welfare system, and 93 percent of them told the incumbent government that they could not fulfil their duties under the law because of mismanagement, because of lack of resources. That was their record.

Mr. Speaker, this is a system that's in dire need of an overhaul, and through devolution, through Changes for Children and these ongoing reviews, we are going to make sure that we take every step that we can to strengthen the child welfare system to serve children and their families.

If the member opposite is truly interested in children, because there is a greater good for us being in here than getting *[inaudible]* he might want to provide all of the information that he does have for the review team.

#### **Cree Nation Child and Family Caring Agency Case Awareness**

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, I just heard the minister refer to the new directive. I've been asking for days for the old directive.

Mr. Speaker, we read in today's *Winnipeg Free Press* a story about a foster parent who is caring for a

special needs child. Four years ago, Cree Nation Child and Family Caring Agency took over this child's file. No worker has seen this child in over four years.

Will the minister confirm for the House that he was first made aware of this case more than nine months ago?

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** While I understand that some early response was that, well, the child was seen in the community with the mother, and so on, Mr. Speaker, I don't think that's sufficient. The standards do require regular visits. That is, I think, one example. Sometimes it's more powerful to have an actual single case than figures, numbers and system reviews to show the shortcomings in the system.

There are shortcomings. The system has been broken. It needs work, and at Cree Nation the support for foster parents and foster children was identified as one of those areas in need of repair.

**Mr. Briese:** Mr. Speaker, the minister was first made aware of this case file last August, more than nine months ago. The foster parent in question hasn't received so much as a phone call since then.

The minister cannot continue to deflect responsibility. He is responsible for the protection of children. How can the minister justify his failure to act?

**Mr. Mackintosh:** Mr. Speaker, I know members opposite, when they were in office, they said, oh, that is an arm's length; that's an externally managed agency; don't raise that in this Legislature.

Members on this side, Mr. Speaker, they take these matters seriously. We've been working with our partners, with the authorities, to rout out the shortcomings. We brought in Changes for Children to add more resources. There's 91 more staff added. There's 900 more foster beds. There's enhancements to training. The standards are all being rewritten and strengthened.

That is the kind of action that we need to put in place in this province, Mr. Speaker. There's a lot more work to do. The three-year Changes for Children initiative is nearing the halfway mark now, and there's some good action that's already been taken, more to do.

### Leaf Rapids Crime Reduction Strategy

**Mrs. Leanne Rowat (Minnedosa):** Yesterday in the House the Minister of Justice responded to a question in the House by saying that whenever a problem comes to our attention, to deal with it and to deal with it as quickly as possible.

Well, Mr. Speaker, in January of this year the mayor of Leaf Rapids wrote the Premier (Mr. Doer) a seven-page letter asking him to take steps to ensure that the social, judicial and health-care issues facing the community were addressed. The mayor stated, and I quote: "Our needs are great."

Mr. Speaker, I ask the Minister of Justice why the NDP has failed the serious social and judicial issues facing this community.

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, Leaf Rapids is in a period of transition with numerous issues ranging—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order.

**Mr. Chomiak:** Members laugh. You know, Mr. Speaker, one wonders.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order.

**Mr. Chomiak:** Yes, thank you, Mr. Speaker.

Officials from Manitoba Agriculture, Food and Rural Initiatives met with Mayor Charrier to discuss the regional court revitalization proposal. Another meeting was held on this issue last week. We have contacted the mayor. The mayor outlined two specific issues to our office yesterday with respect to, one, the circuit court and we've indicated that that is, in fact, the responsibility of the Chief Justice, but he has indicated there will be eight circuit court rulings.

The other issue the member raised with me is a matter that is *res judicata* that I cannot comment on with respect to a case and the disposition of a case in Leaf Rapids.

**Mrs. Rowat:** Yesterday the mayor of Leaf Rapids stated that his council is preparing to put forward a resolution supporting a state of readiness. Now, this is obviously a community in crisis, and I was looking for this government to show some leadership in

January. Leaf Rapids is a community of 540 people. In 2007, the court logged over 500 criminal charges.

I ask the Minister of Justice: Why must a community declare a state of readiness to get this Premier's (Mr. Doer) and his government's attention?

**Mr. Chomiak:** Yesterday the mayor contacted my office with respect to two issues, the number of sittings of the court which are going up this year on a relative basis. Based with other circuit sittings of other communities, it's relatively fewer compared to other communities.

Secondly, there were concerns about *res judicata* about a case that occurred and people in the community being concerned about the disposition of a case. If I were to discuss or comment on the disposition of the case, it's possible that that case, if appealed or was dealt with, could be thrown out and justice would not be done. So I'm not in a position to talk about the specifics of a case. My officials are discussing issues with the mayor of Leaf Rapids. Officials will meet with them regarding any issues that are outstanding.

**Mrs. Rowat:** Again, this letter was sent to the Premier and five or six of the ministers of the Crown on the other side of the House in January.

Mr. Speaker, Leaf Rapids is overwhelmed with justice issues. It has become known that there is an alleged serious offender who has returned to Leaf Rapids. The Crown dropped the charges, but the town has been told that there is a no-contact order in place. Leaf Rapids is home to more than 200 children.

What is the Minister of Justice going to do to ensure that these children are safe in their own community?

**Mr. Chomiak:** Let me outline the way the member's question was. A letter came in January 21. There has been constant contact between this government and Leaf Rapids about all of those issues raised on January 21. A phone call came in yesterday about two specific justice issues: One, the circuit court which is meeting more; secondly, a case that the member's talking about that I cannot talk about lest a matter be thrown out of court by discussing it in the Legislature, Mr. Speaker.

The Crown is under a moral obligation to press charges if there's a possibility of a conviction. If the Crown does not have a possibility of conviction, the



Crown is under an obligation—if there's no charge, a Crown will, in cases, not raise a charge. That's basic law, not dealing with that specific case, the—

**Mr. Speaker:** Order.

### **Crocus Investment Fund Independent Investigation**

**Mr. David Faurichou (Portage la Prairie):** We heard earlier in question period that this NDP government is now, and I'll quote here, operating in the new age of accountability involving outside reviews.

I'd like to ask the minister responsible for the Manitoba Securities Commission today to confirm, as it has been reported this morning, that there has been an out-of-court settlement involving investors with the Crocus Investment Fund class action lawsuit, and, if so, there is now nothing standing in the way of the minister ordering an external review under section 23 of The Manitoba Securities Act.

I would like then to ask the minister when indeed he intends to call for an external review.

**Hon. Greg Selinger (Minister of Finance):** I'm informed, as the member is, that there was a settlement agreed to in the courts with respect to the Securities Commission and the government of Manitoba.

With respect to an outside review, the section he's quoting in the act is one that allows to appoint an outside investigator but after the investigator does the report, it's still the Securities Commission that makes any final judgments with respect to that investigation.

The reality is that the quasi-judicial body called the Manitoba Securities Commission is an arm's-length body from government. It has been found guilty of no wrongdoing and it has, only by members opposite, been impugned, and the reality is that even if that outside investigation is done, it would still be the commission itself who makes the final judgment.

\*(14:00)

**Mr. Faurichou:** Well, I appreciate the minister's response, indeed, though the information coming forward about the undertakings of the Manitoba Securities Commission evaluated by an external reviewing body will allow for Manitobans to rest assured that there was no element of wrongdoing.

So I ask the minister once again: If he truly wants to assure Manitobans that there were no

wrongdoings, when will he call for an external review?

**Mr. Selinger:** I've already answered that question in my first answer so I don't want to be redundant, but I do want to add additional information to the record. Justice Hanssen did approve the settlement this morning between the plaintiffs, the Securities Commission and the Province. However, there are still additional legal hurdles to be crossed before the settlement agreement is passed. The next step is for the court to issue a formal order and for the plaintiffs' lawyers to circulate the settlement agreement among the shareholders. The reality is, Mr. Speaker, proper legal processes are being followed here. The settlement is moving forward.

The member opposite, who on many occasions among his colleagues has demanded that we not interfere with arm's-length bodies, and, in particular, we have never thought it *[inaudible]*

**Mr. Speaker:** Order.

**Mr. Selinger:** —to interfere with the quasi-judicial body, is now asking us to interfere with a quasi-judicial body. At least be consistent in the demands you make on the government.

**Mr. Faurichou:** The minister continues to say that it is a very costly endeavour to have an external review conducted. However, the monies that have been announced as far as an out-of-court settlement far exceed the costs of an external review. In fact, more than 20 years of investigations could be covered off by this out-of-court settlement as has been reported.

I would like to ask the minister, though, as he stated the other day that the RCMP were looking into this Crocus fiasco. However, the RCMP is concentrating on elements of wrongdoing under the Criminal Code. We have yet to understand why this government will not undertake an external review under the Manitoba Securities Commission.

**Mr. Selinger:** The member will remember that we actually passed a new Auditor General's Act in 2001, which had specific language which allowed the Auditor General to pursue tax dollars into labour-sponsored venture capital funds. That Auditor General of the day proceeded under that legislative authority to do a very thorough review of the Crocus Fund. I think the report was over 250 pages long. That was an external review. We know that the court-ordered receiver also conducted an independent review of the Crocus Fund and reported that back to the court. We know that there are

ongoing criminal reviews going on, and we know that the Securities Commission has the legislative responsibility to do a review as a quasi-judicial body.

I ask the member: Has he at least read the first couple of reports before he asks for more reviews again?

### **City of Winnipeg Waste-Water Treatment Plant Funding**

**Mrs. Heather Stefanson (Tuxedo):** Two weeks ago in this House I asked the Minister of Finance (Mr. Selinger), I asked the Minister of Infrastructure (Mr. Lemieux), I asked the Minister responsible for Intergovernmental Affairs as to where in the budget we could find the \$235 million that is apparently earmarked towards the upgrade of the waste-water treatment facilities in the city of Winnipeg.

It wasn't a trick question at the time, but, two weeks later, I'm wondering if the ministers have had a chance to get together, figure out where we might be able to find in this budget that line item.

**Hon. Steve Ashton (Minister of Intergovernmental Affairs):** The member opposite asked this question in Estimates. I answered. I pointed to the line where the funding this year is in place as part of our strategic infrastructure commitment to waste water. The member knows that the \$235-million commitment is over the time period in which it's going to be constructed.

The member also knows, by the way, that we have already put funding towards the city. In fact, we're very proud of the fact that we have licensed for the first time waste-water treatment in the city of Winnipeg with the west end plant, and we will continue to be there as the project builds over the next number of years. In fact, the peak construction is going to be taking place probably in about two years through to 2012.

So the money that is this year's portion of the \$235-million commitment, which goes until 2012, is in the budget—

**Mr. Speaker:** Order.

**Mrs. Stefanson:** I guess what the minister is saying is that he's relying on yet more and further federal government transfer payments to fund their announcement, and I think that's extremely unfortunate.

Mr. Speaker, the City of Winnipeg has been directed by the provincial government to control

combined sewer overflows, also known as the dumping of raw sewage into our rivers. They have also been directed to upgrade the three waste-water treatment facilities.

The cost of the overall project, Mr. Speaker, is in the range of \$1.8 billion. Is the provincial government seriously committed to stopping the dumping of raw sewage into our rivers and lakes and making the necessary upgrades to the waste-water treatment facilities in the city of Winnipeg? Are they serious?

**Mr. Ashton:** Mr. Speaker, I think what the member doesn't get—and I think the member does really get it but wants to play some political theatre on this—is the fact that we have pre-committed our \$235-million share—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. I need to be able to hear the questions and the answers, please.

The honourable minister has the floor.

**Mr. Ashton:** —not only pre-committed our entire share of the waste-water treatment upgrade—and, by the way, this member in Estimates said it would cost \$1.8 billion, maybe 2 billion or 3 billion or 4 billion. The estimated cost currently, Mr. Speaker, that 235, is one-third of the cost. That's the City's numbers.

Now, in terms of the combined sewer overflow, the member will know that before it went to the Clean Environment Commission the City had a 50-year plan to phase it out. The Clean Environment Commission rejected that, and what the Clean Environment Commission report stated and we as a government accepted, Mr. Speaker, the first priority was waste-water treatment.

We have our money on the table. It's being constructed. We'll have the same waste-water treatment as other major cities in western Canada in combined sewer—

**Mr. Speaker:** Order.

**Mrs. Stefanson:** Mr. Speaker, the \$1.8 billion has been reported out there time and time again for several months in the past year. What we're asking is whether or not this government is willing to put its money where its mouth is and actually put up the one-third necessary to make sure that we stop the dumping of raw sewage into our lakes and rivers in the city and in our province.

Will they put their money where their mouth is and commit to the one-third of the \$1.8 billion—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. I can't hear the question. Let's have a little respect for the people that have the floor. I can't even hear the question that's being asked. Order. I need to be able to hear the questions and the answers in case there is a breach of a rule.

The honourable Member for Tuxedo has the floor.

**Mrs. Stefanson:** Thank you very much, Mr. Speaker.

I'll put my question again and I'll ask the minister and members opposite, if they're seriously committed towards cleaning up Lake Winnipeg like they have said that they are, will they foot the one-third funding necessary towards the upgrading of the waste-water treatment facilities and the stopping of the dumping of the raw sewage into the rivers? Will they commit? Will they put their money where their mouth is, Mr. Speaker, and make that commitment today?

**Mr. Ashton:** Mr. Speaker, this is incredible. This question comes from a party that did absolutely nothing when it was in government, didn't license the waste-water treatment plant. When the CEC—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Please, one question at a time and one answer at a time, please, please. Let's have some decorum here.

The honourable minister has the floor.

**Mr. Ashton:** Well, Mr. Speaker, when the Clean Environment Commission came down with its recommendations, we adopted removing both nitrogen and phosphorus. This opposition party believes that we should only be removing one of the nutrients that is causing the problems in Lake Winnipeg. So they have no credibility in terms of waste-water treatment. They had a 50-year plan in terms of combined sewer overflow. We not only are licensing waste-water treatment, we've got our money on the table. We're flowing money this year.

Mr. Speaker, when they were in government, they did nothing. If they were ever to form government again, God help us if they think we should have less waste-water treatment than Saskatoon, Calgary, Edmonton and every other major western Canadian city. That's their position.

### **Leaf Rapids Crime Reduction Strategy**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, Leaf Rapids is a community in crisis. The social infrastructure has totally collapsed. I'd like to table a letter that the Premier (Mr. Doer) and many members of his Cabinet were sent back in January describing the situation, basically pleading for assistance of any sort.

My question to the Minister of Justice: Given the fact that they have known for months of the situation that's in Leaf Rapids, why has the government sat back and ignored the problem and only in the last 24 hours has actually started to give any real attention to the community of Leaf Rapids?

\* (14:10)

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** With regard to the overall infrastructure and support to Leaf Rapids, there has been ongoing work, grants and meetings that have taken place.

With respect to the two specific issues that the member raised yesterday and said were in crisis, I received a phone call from their mayor yesterday with regard to court sittings. Court was held seven times in 2005, five in 2006, Mr. Speaker. The average number of accused per sitting was 17 in 2005, 31 in 2006, 48 in 2007 and the Chief Justice committed to eight sittings of the court in 2008.

The other issue that was raised is with respect to a case that was dealt with, Mr. Speaker, that I cannot comment on.

Those were the two specific legal justice questions that came up with respect to Leaf Rapids yesterday that the member said was in crisis. Now, the member—

**Mr. Speaker:** Order.

**Mr. Lamoureux:** Mr. Speaker, I'd like to quote directly from the letter from the mayor, and it states, and I quote: "... the current state of affairs in our town is unnervingly grave. I fear that it is getting more and more desperate with each passing day."

Mr. Speaker, what does a mayor of a community in Manitoba have to do to garner attention by this provincial government, in particular the Minister of Justice? We have a community in crisis where people are in fear of walking out in front of their own

yards. What has the government done to address the crisis in Leaf Rapids today?

**Mr. Chomiak:** Mr. Speaker, the reference to the situation in Leaf Rapids that was referred to in the letter of January 21 was in regard to the overall situation in Leaf Rapids as regarded the decreased housing, some of the population issues, the economic issues, the school issues, the health issues and all the related issues.

Yesterday, the mayor phoned about two specific issues that we've referred to. He said there would be increased sitting of the court in Leaf Rapids, Mr. Speaker, and there's been ongoing contact and discussion with Leaf Rapids with respect to the other related issues.

If the member is suggesting there is something new or something that has not been referred to by the mayor in his conversation with us yesterday, he could advise me, and the officials will continue the discussions on—

**Mr. Speaker:** Order.

**Mr. Lamoureux:** Mr. Speaker, Manitobans want a caring government, a government that's going to care for the 200 children that are living in Leaf Rapids. These children are being compromised because of this government's failure to recognize that Leaf Rapids is in a crisis situation.

We are asking the government to do the honourable thing and to immediately send top civil servants to Leaf Rapids to address the crisis today, Mr. Speaker.

When is the government going to act on the crisis situation facing the citizens of Leaf Rapids today?

**Mr. Chomiak:** Mr. Speaker, we met with the mayor. Government officials met with the mayor last week.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. The honourable Member for Inkster was allowed a question. Let's allow the minister to respond.

**Mr. Chomiak:** Mr. Speaker, if my walking the streets of Leaf Rapids would bring calm and peace to Leaf Rapids, I'd be happy to go. I don't think that would solve the problem. We have officials that are prepared to discuss community options and other related issues.

The court has already said they're going to increase the number of sittings in Leaf Rapids. From what I understand, a court case that was disposed of in Leaf Rapids has caused concern in the community, Mr. Speaker, and anything that can be done to ease those concerns within the rule of law of course will be done.

But the member's attempting to twist an overall letter that came in January discussing some of the major economic problems in Leaf Rapids and turning it into a crisis today with respect to justice, and I think he's doing—

**Mr. Speaker:** Order.

### **Mining Industry Economic Growth**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, since this week is designated as Mining Week, and since the mining industry has a huge positive impact on the Manitoba economy, could the Minister of Science, Technology, Energy and Mines update the House on the current state of growth of our province's mining sector?

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** What we've done is we've focussed on creating economic opportunities in the north. So, whereas in the 1990s when exploration was between \$15 million and \$20 million, I am pleased to say that this year we hit a record at about \$117 million, which will create long-term jobs in communities like Leaf Rapids, Lynn Lake, Sherridon, Cold Lake, et cetera.

We also reached a plateau. We're over \$2.5 billion in production which creates lots of jobs, lots of economic opportunities. What we're trying to do is build the economy, build true jobs, sustainable jobs, and I'm pleased that the mining organizations have done a great job.

We have new exploration for potash, new exploration near Lynn Lake—or, sorry, Snow Lake, which is Lawlor Lake which is going to be our biggest zinc—

**Mr. Speaker:** Order.

### **City of Winnipeg Waste-Water Treatment Plant Funding**

**Mrs. Bonnie Mitchelson (River East):** The Minister of Intergovernmental Affairs just confirmed in the House today that the \$235 million supposedly that's in the budget till 2013 is only for one portion of

the problem that's been addressed to the Clean Environment Commission.

He just confirmed today that there isn't a penny in the budget to stop the dumping of raw sewage into the river until after 2003. Why would they try to mislead Manitobans into believing that they're trying to [inaudible] 2013, Mr. Speaker. Why are they trying to mislead Manitobans in saying their money is on the table?

**Hon. Steve Ashton (Minister of Intergovernmental Affairs):** Mr. Speaker, I think the opposition members are all over the map here. We had one member getting up, saying there's no money in the budget. Now we have the next member getting up and saying, well, there's only money in the budget to 2012.

Well, you know what, Mr. Speaker? Right now the City of Winnipeg has begun the upgrading of its waste-water system. It has licensed the first plant through the provincial requirement. There are two other plants. We are funding money as we speak. There's money in the budget this year. I even in Estimates told the Member for Tuxedo (Mrs. Stefanson) where to find it.

It's not, Mr. Speaker, going to cost \$3 billion to \$4 billion. I gave the exact amount of money, and to the Member for River East, the bottom line here is the City, according with the Clean Environment Commission, is proceeding with removing nutrients, including both nitrogen and phosphorus.

We know they don't agree with that on the opposite side, Mr. Speaker. They don't agree with the removal of nitrogen and—

**Mr. Speaker:** Order.

**Mrs. Mitchelson:** But the minister, again, has just confirmed that there isn't a penny available from the Province of Manitoba to stop raw sewage being dumped into the river on a regular basis. There's no money anywhere until after 2013, if then, for that piece of the equation.

Mr. Speaker, will the minister come clean today? Will he indicate that they have done nothing to reduce the dumping of raw sewage into the river by the City's intake, put some money where their mouth is and begin to fund that piece of the equation?

**Mr. Ashton:** I can't believe the Member for River East standing in this House and talking about doing nothing. She was a member of the Filmon Cabinet from 1988 through to 2001. Not only did they not

license City of Winnipeg waste-water treatment facilities; they were supposed to go to Clean Environment Commission hearings in 1993. It took an NDP government to refer them to the Clean Environment Commission. The end result, Mr. Speaker, we have licensed the west-end plant. We're licensing the two other plants.

She may know about doing nothing. Under the NDP, we are doing something. We are cleaning up the waste-water system and cleaning up Lake Winnipeg, Mr. Speaker.

\* (14:20)

**Mrs. Mitchelson:** It appears that the government can stand up and say, we don't know what we're doing but we're doing something.

Will the minister today come clean and indicate to all Manitobans that there's not a penny in this government's plans to clean up the overflow of raw sewage into our rivers in the city of Winnipeg anytime in the future?

**Mr. Ashton:** Mr. Speaker, they didn't get it in the '90s; they don't get it in the year 2008. This is a party, the Conservative Party, that wants to overrule the Clean Environment Commission and not remove one of the key elements in terms of nutrients that's destroying Lake Winnipeg, only phosphorus. They don't want to remove nitrogen.

Mr. Speaker, this is a Conservative Party who has a leader who said he would scrap border regulations under The Water Protection Act, and I won't even get into the debate on Bill 17. We'll see where the members stand on Bill 17. Will they stand up for Lake Winnipeg and our waterways in this province? We will see where they stand.

The NDP stands for clean water. We're cleaning up Manitoba's water. We're saving Lake Winnipeg.

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

## MEMBERS' STATEMENTS

### Alexander "Jack" MacIver

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, on behalf of the Progressive Conservative caucus, I would like to express our condolences to the family and friends of Mr. Alexander "Jack" MacIver who passed away Sunday, May 11, at the age of 83. To his family and friends, Mr. MacIver will doubtlessly be remembered as a caring, selfless individual.

For everyone else, he will be remembered for what he gave to his community and to his country.

In 1943, at 19 years of age, he was prepared to make the ultimate sacrifice and join the navy, seeing active duty during the Second World War. Returning home, Jack married Mary Butchart and started his family, which would eventually grow to seven children: Sandy, Ian, Laura-Leigh, Douglas, Tracy, Kim and Jackie.

*Mr. Daryl Reid, Acting Speaker, in the Chair*

During his time, Jack would go on to become an owner and operator of the Midway Chrysler Plymouth dealership and would be recognized for a number of prestigious awards, including the Time Life Dealer of the Year in 1985 as a result of his business success. The success he experienced and the skills he acquired in the business world placed him in a favourable position to contribute to his community and throughout his adult life. Jack would come to epitomize this important principle of giving back. He would often carry out his work as an anonymous benefactor to those less fortunate, especially for children's causes. He was an active volunteer and community leader which included tenures as president of the Winnipeg Lions Club, the St. Andrews Society of Winnipeg, the Manitoba Motor Dealers Association, as well as a litany of other community, church, university and charitable organizations.

Indeed, his contributions to his country, his community were too numerous to count. What is important, rather, is remembering the spirit of this model individual so that we may preserve his memory in our continual effort to employing those same fundamental principles that guided him throughout his life. Jack MacIver was a great man and will be deeply missed by many in his community.

To my friend Jackie, her husband, Mike, and children, Jonmikal and Seth, you will miss your granddad and your father immensely. May you find peace in the many fond memories you share as a family. God bless.

### **Rachel Browne**

**Ms. Jennifer Howard (Fort Rouge):** Mr. Acting Speaker, I would like to recognize a very special guest in the gallery today and a constituent of mine. Rachel Browne, a founder of the very successful Winnipeg Contemporary Dancers, had the company's theatre named after her in recognition of her long and

distinguished career. The former WCD Studio Theatre will now be known as the Rachel Browne Theatre. Rachel founded the company 44 years ago and in its modest beginnings served as artistic director, administrator, fundraiser, publicist, as well as main dancer and choreographer. Winnipeg's Contemporary Dancers has the distinction of being Canada's first professional modern dance company and is internationally renowned.

Rachel was born in Philadelphia and trained as a ballet dancer. She came to Winnipeg from New York City in 1957 to join the Royal Winnipeg Ballet. In 1964, she founded the Contemporary Dancers and soon after, the School of Contemporary Dancers, which recently marked its 35th anniversary.

As Brent Lott, current artistic director of the company who is also here with us today, remarked at the dedication ceremony, generations of dancers owe their careers to Rachel Browne.

Known as a matriarch of modern dance, Rachel Browne has been recognized for her artistic contributions with several honours, including an appointment to the Order of Canada in 1997. She is, indeed, a humble person and we all owe her a debt of gratitude for the cultural treasure that she has helped nurture in Winnipeg.

Mr. Acting Speaker, Rachel continues to dance as beautifully as ever. At the re-dedication ceremony, she danced with Odette Heyn-Penner, co-director of the School of Contemporary Dancers, in a duet entitled *Flowering*. She received an emotional standing ovation and high praise from all in attendance.

At the age of 73, she recently gave her final performance in the WCD's season ender. She continues to choreograph meaningful works of stunning beauty and strength. The new name of the theatre will be a timeless tribute to a truly remarkable and enduring legacy left by this most inspirational dancer. Thank you.

### **John Nicholis Cholakis**

**Mrs. Mavis Taillieu (Morris):** Mr. Acting Speaker, it's with sadness that I announce to this Assembly the peaceful passing of John Nicholis Cholakis on May 13. He was 85 years old, and he was a fixture at Nick's Inn in Headingley.

*Mr. Speaker in the Chair*

Nick's Inn has been an institution in Headingley for many, many years not only for the local people

but for Trans-Canada travellers. Even if you don't know where Headingley is, you know where Nick's Inn is. It has been a favourite stop for truckers, tourists and weekend-morning breakfasters from all over Winnipeg. I've never seen the parking lot when it was not full, except for last Friday when Nick's closed for John's funeral service.

John, along with his daughter, Bertha, and son-in-law, Jim Ganas, has always been a fixture at Nick's Inn, serving endless cups of coffee and chattering with everyone. He was a character and part of the charm of this little restaurant that has been so popular for so many years, not the original Nick of Nick's Inn, but certainly the one we all knew.

John was born in Varvitsa, Sparta, Greece, and came to Canada in 1951. He looked after the Broadway Florist greenhouses in St. James from 1951 until 1963 when he ventured into the restaurant business, going from flowers to hamburgers with the acquisition of Nick's Inn restaurant in Headingley where he spent 40 years of dedicated hard work.

John is survived by his loving wife, Garifalia, "Harriett"; daughters Panagiota, "Bertha," as we knew her, Dimosthenis "Jim" Ganas; and Angela, her husband Ed Forest; grandchildren John, wife Vicki; Nancy, husband Stelios; Christopher and Jeffrey; great-grandchildren Potoula, Lia, Stella, Alexandros, as well as brothers and sisters.

John "Nick" Cholakis will be sadly missed by his many patrons who will remember him with his coffee urn in his hand, chatting and teasing as he worked the tables at Nick's Inn. Thank you.

### **Mining Week**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, mining and mines are a part of the fabric of everyday life for a great many Manitobans and particularly northerners. This year's Provincial Mining Week is a wonderful way to celebrate the connection between mining and our high standard of living.

Mining is Manitoba's second-largest primary resource industry, with a production value of \$2.5 billion for 2007. Mining employs about 17,500 workers directly and indirectly. Mining contributes millions of dollars more in spin-off business.

We all want to have a mining industry that is environmentally friendly and safe for workers. I am pleased that there have been important strides to green the operations of mining. The mining industry has made significant improvements to environmental

management, emergency response preparedness and occupational health and safety. I would note that the most environmentally friendly zinc smelter used by HudBay is also the most profitable. I have always believed that going green is good for the bottom line as well as the environment.

Mr. Speaker, with new exploration happening all the time, we truly have a great deal to be proud of this Mining Week. Company spending intentions for 2008 are estimated at \$116.9 million, up from the preliminary expenditure for 2007 which are estimated at \$87.9 million.

Vale Inco has announced \$750 million capital spending over five years for the expansion of their Manitoba operations. Their capital spending for 2007 was estimated at \$135 million. Some of their new projects include smelter modernization, including a new dust-capturing system, and other improvements throughout their mines and processing plants.

\* (14:30)

HudBay Minerals continues to advance their new Lalor zinc discovery in Snow Lake. The company's early estimates for the potential for the Lalor Lake deposit is in the order of 18 to 20 million tonnes at 7 percent to 9 percent zinc. Five drills are marking out the orebody in advance of a formal resource estimate expected later in 2008.

Mr. Speaker, I recognize the collective effort of all participants in the mining industry and thank them for making Manitoba a world leader in mining.

### **Jordan's Principle**

**Hon. Jon Gerrard (River Heights):** Jordan Anderson was born October 22, 1999, with a complex genetic disorder and severe developmental delay. By 2003 Jordan's health was such that he was ready to be discharged from hospital to a specialized foster home near his home community, but due to intergovernmental and interdepartmental squabbling, Jordan was unable to go home. On February 5, 2005, Jordan passed away without ever going home.

Jordan's Principle, putting the rights of children first and then dealing with interdepartmental and intergovernmental bickering later, was first mentioned by Trudy Lavallee in an article in the journal of the Canadian Paediatric Society in November 2005. She called on governments to implement Jordan's Principle.

In early December 2005, I raised my concerns in the Manitoba Legislature about what happened to

Jordan Anderson and about the circumstances of other children in a similar situation to Jordan. I called on the NDP government to follow Jordan's Principle.

Although it has now been two and a half years since I first called on the Manitoba government to implement Jordan's Principle, it has not yet been achieved. We have therefore put forward Bill 233 to provide a way to break the impasse, to provide a legal basis for implementing Jordan's Principle and for resolving disputes. I call on all MLAs to support Bill 233 so that Jordan's Principle can be implemented as soon as possible and so that we can be sure that children are cared for first.

### MATTER OF URGENT PUBLIC IMPORTANCE

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I would move, seconded by the Member for River Heights (Mr. Gerrard), that, under rule 36(1), the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely, the current crisis that is taking place in the small northern community of Leaf Rapids in the province of Manitoba where uncontrollable crime and lack of safety have created a great deal of concern for the mayor who is contemplating issuing a state of emergency.

**Mr. Speaker:** Before recognizing the honourable Member for Inkster, I believe I should remind all members that, under our rule 36(2), the mover of a motion on a matter of urgent public importance and one member from the other parties in the House is allowed not more than 10 minutes to explain the urgency of debating the matter immediately. As stated in *Beauchesne* citation 390, urgency in this context means urgency of immediate debate, not of the subject matter of the motion. In their remarks, members should focus exclusively on whether or not there is urgency of debate and whether or not the ordinary opportunity for debate will enable the House to consider the matter early enough to ensure that the public interest will not suffer.

**Mr. Lamoureux:** Mr. Speaker, I would suggest to you that indeed this is a motion that does warrant the support of all members of this Legislature and I'd like to elaborate as to why.

We're not talking about a natural disaster of fire or flood. We're talking about a crisis situation that hit one of Manitoba's communities in a very serious way to the degree in which the local mayor has now

indicated that he is seriously looking at declaring a state of emergency. Mr. Speaker, in my many years of being a member of the opposition, never before have I come across a situation similar to this where you have a mayor of a rural community virtually pleading for help, pleading for assistance.

There was a letter that was sent back in January, and the letter was sent to the Premier (Mr. Doer) and other Cabinet ministers, one of the Cabinet ministers being the Minister of Justice (Mr. Chomiak), the individual I had questioned.

Mr. Speaker, there is a great deal of frustration that is coming from the community and from those individuals that are trying to change positively the environment in Leaf Rapids. They're feeling frustrated because they're not hearing anything from the government. They want to hear what the politicians inside this Chamber have to say, in particular those politicians that have been listed off.

I'd suggest to you why it is that an emergency debate is necessary today is that we've already passed budget debate, Throne Speech debate, which is wide open, which allows us all to comment on whatever it is that we would virtually like to be able to comment on. We've already gone through the department of Estimates, and what I want to highlight or bring to the attention of the Chamber is that we've put into place certain rules that will not necessarily allow for any additional time for things such as concurrence because of the way in which the session is winding up for June 12. So there is not going to be another opportunity for members of this Legislature to legitimately debate the crisis situation that's happening in Leaf Rapids.

There should be no doubt in the minds of all of us that there is a serious crisis, and if we had heard of a major flood of a community or a fire disaster and a government member was to move a motion of urgency, they would have, I believe, the support even if some of those mechanisms are there for us to allow us to continue debate.

For me personally I am further limited in the sense I've already used my grievance, and I suspect there are many others that have already used their grievances. So the opportunity to really debate the issue that I believe needs to be debated is not there, unless, of course, we allow for the debate to occur today in a motion that I have presented.

The Government House Leader (Mr. Chomiak) will talk about the one aspect of it, that being the



courts, and he doesn't want to prejudice one case in particular. I will be sensitive to what it is the minister is talking about, Mr. Speaker, but I'll suggest to you that there are many other things that can be done that would make a difference for the community of Leaf Rapids. What the citizens of Leaf Rapids want to hear is ideas, thoughts; they want to know what the government is proposing to do. The only way in which we can afford the government to get on the record inside this Chamber is to allow them the opportunity to stand up and speak on the matter of urgent public importance.

My fear is that, after reading the letter and having talked to the mayor and realizing just how serious a problem it is, you know, some of the things that the mayor had indicated to me in terms of drunken behaviour, lack of consequence, the backlogs in the courts, having a sense of security, what about the children of our community, these were, in my opinion, all pleas for help. If we are not here collectively to provide assurances to speak on such matters I would question why it is then we would even have the ability to have emergency debates.

We do have a community that is in crisis. The community wants to hear what in particular the government is saying about the crisis. They want them to address issues such as alcoholism that's in the community, that's rampant, other social issues, and the only way in which we can ensure that that takes place, given that we're going to be out of here by June 12, and most of those days, as I said, are already spoken for in terms of agenda items. We're already being somewhat limited in the amount of debate that we're going to have on major pieces of legislation. So I ask that all members recognize and vote in favour of allowing this debate to proceed.

\* (14:40)

For you, Mr. Speaker, I would emphasize the fact that this is, indeed, a matter of urgent public importance, especially when you put yourself in the position of those residents living in Leaf Rapids, especially if you take into consideration the stage of the session that we're in, especially if you take into consideration the rules or the agreement in terms of the wind-up of the session that we're having.

Mr. Speaker, if we don't have this debate, the only other alternative, I believe, would be things such as a member's statement, and ministers will not stand up and address this issue through members'

statements or question period. That principle could apply for any sort of issue that could ever come before the Legislature.

So what I'm suggesting to you is that this is a very unique situation that deserves the attention of this Legislature, and I provided, hopefully, enough information so that you'll be able to see the merit of recognizing that this is a valid, urgent matter of importance and we are allowed to have the debate which the citizens of Leaf Rapids so desperately want to see, in particular the mayor, who's really trying to make a difference. We should be applauding the efforts that this particular mayor has put forward.

Thank you, Mr. Speaker.

**Mrs. Leanne Rowat (Minnedosa):** I would also like to speak to the motion that was put forward by the Member for Inkster. There must be sufficient reason to warrant setting aside the business of the House to debate a matter of urgent public importance.

Sometimes the question would be, are there other opportunities to debate this motion, and certainly, there are. There is question period, members' statements, Estimates, budget debates, bill debates, debates on the Speech from the Throne, private members' resolutions, and private members' bills. There's always an opportunity, Mr. Speaker, so this consideration should not determine the issue. Other opportunities for debate should not be the only reason to determine whether the debate should proceed.

The question really should be, will the public interest be harmed if the business of the House is not set aside to debate the motion today? I believe the public interest may be harmed unless debate proceeds. This matter is urgent. Debate can change the government's approach, its programs, and its policies. Debate will convince government, or could convince government, to deploy more resources to more appropriate places to deal with this issue. Changes can be made, Mr. Speaker, so I consider this matter urgent and the facts being that we've asked questions of the minister in the House, and the minister has not been able or willing to answer the questions.

As a quote from the mayor of Leaf Rapids has indicated, "If justice delayed is justice denied, then it would be prudent for us to take immediate action on this matter." So we, on this side of the House, are asking for the minister to take immediate action, to

pay attention to the concerns that have been raised by the community leaders, by the community of Leaf Rapids, and to respond to the community's concerns regarding the state of readiness that they are looking at implementing, Mr. Speaker.

The mayor has indicated that he's very upset. He's asking, where is the justice? There are too many remands. There are too many people in the community that are in a difficult situation. They're scared for their personal safety. They're scared for individuals of their family. The RCMP, who are doing an excellent job, there are seven members there who are working very hard to bring rule and order into the community, but, when the individuals are in custody—locked into custody, Mr. Speaker, there seems to be concerns of backlog and remands occurring that just do not move the cases forward.

Leaf Rapids is a community of 540 people, Mr. Speaker, and at least 500 people logged into custody in 2007. That is a number that scares the daylight out of me. I cannot believe that a community facing 500 custody logs is something to be proud of and that's something to be ignored.

Mr. Speaker, in 2006 there were over 375. These kinds of situations are increasing and they are increasing at a state that has the mayor very concerned about the well-being of his community.

Mr. Speaker, there have to be more court dates and there have to be more court visits in the community. What we're looking for from this minister and from this government is a response to something that has been requested by the mayor and by the community. The letter of January 21, 2008, was a clear indication, seven pages of heart-wrenching reasons why we need this government to pay attention.

Mr. Speaker, I support this matter of urgent public importance. I support the debate, and I support this government taking action and responding to what this community is asking.

**Hon. Dave Chomiak (Government House Leader):** There are other opportunities in this Chamber, grievances being one of them, to discuss matters of this kind. There are opportunities in private members' business, in private members' hours to deal with these matters, firstly.

Secondly, Mr. Speaker, with respect to the House business, we are now dealing with some significant bills dealing with the entire province, of

significance, including expenditures, programs that deal with all communities that we're debating at this moment, which are of primary importance.

Thirdly, Mr. Speaker, members are so wrong on their statements that, I daresay, it's almost perverse. For example, the member just indicated that we did not respond in Question Period.

I want to deal with the issue of the seven-page letter that's been purportedly documented. There was one paragraph on justice; there was one paragraph on a justice issue that said there ought to be more court sittings, and we've responded. The Chief Justice has responded by saying there will be more court sittings in Leaf Rapids.

On this specific point of justice, the two members—the member who is going to resign if something was wrong and didn't find out, the other Member for Minnedosa (Mrs. Rowat) who has been known to bring not-so-accurate information to this Chamber—are attempting to take a situation at a community that's been reduced by two-thirds.

I daresay, if the Member for Minnedosa or the Member for Inkster (Mr. Lamoureux) had their communities reduced by two-thirds, there would be social adjustment problems, and there are, which is why the government's pumped over \$2 million into that community and which is one of the reasons why the Minister of Agriculture (Ms. Wowchuk) was meeting on economic development opportunities in Leaf Rapids as recently as meetings scheduled for last week. There are a number of projects that have been worked on. It's very clear from the mayor's letter the amount of resources and funding and information that's gone in.

The specific issues that the members attempted to dovetail into the, quote, crisis at Leaf Rapids, were two points that were raised by the mayor yesterday: one, more court sittings which has already been responded to; secondly, a disposition of a particular case that I've already indicated.

The Member for Minnedosa walked around, is going around saying, there is a pedophile on the loose, or something like that, if I quote her correctly. That is just the type of statement, Mr. Speaker, that a member ought to be careful about saying in this Chamber.

There are consequences for that and there are things that, if the member said that outside of this Chamber, the member might be subject to criminal

sanctions or at least civil sanctions with respect to those kinds of comments.

Mr. Speaker, there are problems in Leaf Rapids; we've met with Leaf Rapids. There has been over \$2 million put in Leaf Rapids. The member who represents Leaf Rapids has been there dozens, hundreds of times. It's a community that's downsized significantly from 1,500 to 500—it started many years ago—that has projects on the go. It has ongoing relationships with the government.

In one paragraph in one letter mentioned one justice issue, it's already been resolved, and the Member for Inkster called that a crisis. The Member for Minnedosa called that a crisis and attempted to put one paragraph from one letter into an overall picture.

That is dishonest of the members opposite, inappropriate—I'll take back dishonest—inappropriate and unfair, Mr. Speaker, of that community to attempt to mould one paragraph from a letter of concern raised by the mayor into a major crisis.

\* (14:50)

There are social problems in a community like that. There are ongoing mechanisms in place. Our department, as a Justice Department, is prepared to meet and put in additional resources, community services, as necessary. Child resources—Child and Family have some co-ordinators in there. There are health deficits and some facilities working on that, Mr. Speaker. So there is action ongoing as we speak.

But this House requires us to debate; we're on a limited schedule in a limited time frame going into a fixed schedule that was agreed to by all members of this Chamber, and we're going to hold all members of this Chamber to their word.

We're going to have committee meetings. We've got a lot of committee meetings to schedule for next week. We have a lot of services, a lot of information that has to be provided and opportunities to speak. I suggest that both in question period by just confining the questions to the justice matter, those issues have been dealt with, contrary to what was said by members opposite. With respect to the ongoing socio-economic problems of Leaf Rapids, we are working on that as we speak. With respect to any additional justice problems, my officials are in contact with Leaf Rapids and will deal with those specific justice issues.

Notwithstanding that Leaf Rapids has been in turmoil and difficulty since the shutdown, there has been an ongoing communication, ongoing funding and ongoing programming. For members to use one justice issue to dovetail this into an overall community crisis, Mr. Speaker, I think is not fair to the people of Leaf Rapids. It's not appropriate. Matters of specific concern can be dealt with specifically.

But, Mr. Speaker, I think that the members, firstly, have mischaracterized the issue; secondly, the questions have been answered with respect, specifically the questions that were asked were addressed specifically regarding justice. Ongoing issues and ongoing contact occurs between the government and Leaf Rapids, meetings as recently as last week; there'll be ongoing meetings. Our department has already talked to Leaf Rapids, will continue to talk to Leaf Rapids.

So, as important as that issue is to the people and the community of Leaf Rapids, and I know the mayor talked to the Member for Minnedosa (Mrs. Rowat), I know the mayor talked to the Member for Inkster (Mr. Lamoureux), I know the mayor phoned my office and mentioned those two specific issues as I've addressed and there will be ongoing contact. As important as those issues are, we have a fixed schedule of ongoing business in the House. Members, all members of that side, there's a number that haven't utilized their grievances, could discuss it during their grievances.

The Member for Inkster has been known to have creative ways of speaking in the House on very many occasions and very many different issues. There are all kinds of private members' time and business in order to deal with it. There is question period. The members have had questions every single day, every single day in this Chamber and I daresay that's because of the co-operation that goes on in this Chamber and allows us to move things forward. We have co-operated and negotiated this entire session. I think we ought to continue to work on working towards a timely disposal of the bills that are very important. We have 28, at least, important bills: climate change, environmental issues, issues of the hog moratorium, issues of the election act, balanced budget legislation. All that has significance to the province. We have a fixed period of time in which to deal with this. I think that we ought to get down to debate as soon as possible, and we will continue on

this side of the government to deal with the town of Leaf Rapids as we have in the past with the MLA, with the mayor, with the community, with all of the ministers who've met, and they'll be continuing contact with that community.

Thank you, Mr. Speaker.

**Mr. Speaker:** Order. I thank the honourable members for their advice to the Chair on whether the motion proposed by the honourable Member for Inkster should be debated today. The notice required by rule 36(1) was provided. Under our rules and practices the subject matter requiring urgent consideration must be so pressing that the public interest will suffer if the matter is not given immediate attention. There must also be no other reasonable opportunities to raise the matter.

I have listened very carefully to the arguments put forward; however, I was not persuaded that the ordinary business of the House should be set aside to deal with this issue today. Although there is an issue that some members do have concern about, I do not believe that the public interest will be harmed if the business of the House is not set aside to debate the motion today. Additionally, I would like to note that there are other avenues for members to raise this issue, which include questions in question period, members' statements, grievances and questions raised during the concurrence process when consideration of concurrence takes place.

Therefore, with the greatest of respect, I must rule that this matter does not meet the criteria set by our rules and precedents, and I rule the motion out of order as a matter of urgent public importance.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, would you call a debate on second reading of Bills 17, 37 and 38? If we get through those today, or past those today, the rest of the bills in order.

### DEBATE ON SECOND READINGS

#### Bill 17—The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities)

**Mr. Speaker:** Okay. Resume debate on second reading of Bill 17, The Environment Amendment Act, (Permanent Ban on Building or Expanding Hog Facilities), standing in the name of the honourable

Member for Steinbach (Mr. Goertzen), who has 27 minutes remaining.

**Mr. Kelvin Goertzen (Steinbach):** Thank you very much, Mr. Speaker. I'm pleased to conclude my comments that I began yesterday. I was prepared, actually, to speak about half an hour ago, but the Minister of Justice (Mr. Chomiak) was interested in filibustering the debates in the Legislature here and slowing down procedures. I was hopeful that he would be brief in his comments, but he decided that he wants to slow down the procedures of this House.

Maybe that willingness to slow down this House was because he's having second thoughts about bills like Bill 17. There may be other pieces of legislation that he's reconsidering, having seen the sober thought of a second day, in having people come and put their remarks or their willingness to come and speak to committee on the record. I understand that there are now over 100 presenters for Bill 17, and so the Minister of Conservation (Mr. Struthers) and the Minister of Agriculture (Ms. Wowchuk) and, really, any minister who's willing to listen to Manitobans will have that opportunity, even though they clearly did not listen to Manitobans before bringing forward this legislation. They will, in fact, have the opportunity to face individual Manitobans and hear their very personal stories about how this moratorium is going to impact and affect their lives.

I do want to put on the record, Mr. Speaker, a little bit of background regarding my region and the growth that's happening in the region, not completely, but partially as a result of agriculture, and the pork industry in particular.

The Premier (Mr. Doer), a few days ago in question period, referred to the region as hog alley. I know that inflections and tone often aren't picked up. *[interjection]* Well, the Member for Transcona (Mr. Reid) disputes that; he can certainly stand up and put that on the record. But I think if you review his *Hansard* he'll see that that is in fact what the Premier said. Sometimes inflections and how things are said are important in terms of the reflections on a community, Mr. Speaker.

I would say to the Premier—and I would invite any of the members opposite to come to my region. I know they have one member from the Legislature that represents southern Manitoba, and so I'll exclude him from the comments. But for the vast majority of members of that side I know that going to southern Manitoba is sort of like going to Starbucks in

Osborne Village and having a coffee. That's as far south as many of them ever get here in Manitoba. So they don't really understand what it's like to be in areas in my region and in other regions throughout southern Manitoba. But, if they would come to the communities, the city of Steinbach, the R.M. of Hanover, the town of Niverville, and really, all the communities that surround the region, they would see that it is one of the few success stories that we have in the province of Manitoba. It is a growing region.

There aren't many places that the government can point to that are having that sort of success, that are having that sort of growth in the province. They should be proud of that. Certainly, I, as a representative, am proud of that growth. The government, who have a hard time pointing to any real economic success stories in the province, should not try to shut that success down, but should try to emulate it and should try to ensure that it expands into other areas of the province. In fact, I've often said that all of us, as legislators, should look at what communities and regions are doing well and try to take those good ideas and bring them to other areas of the province.

Certainly, I think if members would come to the region that I represent, they would see that there's good economic development going on there, and want to learn how they can have that success story go to other parts of Manitoba. But, instead of doing that, it seems what the government has decided to do is, well, there is a lot of success going on in one region, so let's try to shut it down and make them less successful, as opposed to trying to make them more successful.

\* (15:00)

We know, Mr. Speaker, that in the 1990s, with the elimination of the Crow rate, there was a desire and a need to expand and to diversify agriculture to ensure that grain products wouldn't necessarily have to be shipped to other parts of the country and other parts of the world, there would be a market for them here. That was part of the reason and part of the desire to diversify livestock in the province of Manitoba and really it worked quite well and was a success.

I would say that, when you look at the specific areas of success in the region that I represent, which has significant pork industries in it, you would see the good charitable work and the other good work that the pork industry does within the region. In fact,

you'd be hard pressed to come to the region and not, even with a tertiary, a small look around, see the different contributions that different pork industries and different producers have made to the region, whether it's charities, whether it's day cares, whether it's things like the aquatic centre in the community.

Really, around the region, there are a number of specific things that the pork industry has said: We're going to give back to our community. There's no doubt that they are good corporate citizens. I don't know that any members would dispute that. They might treat them differently than we think that they should be treated, but all of these industries are good corporate citizens. They're a part of the community. They want to see the growth of the community. They give back, and I would hope that almost all businesses would try to have that same sort of altruistic attitude when it comes to giving back to the community, but I would say that the pork industry probably goes above and beyond, that they are a leading and a shining example of how you not only become part of the community but you give back to the community, that the success that you've had as an industry, as a province, you also turn it around.

I had the opportunity to speak to a number of pastors in the region representing churches throughout southeastern Manitoba, and one of them made a comment to me that the donations in their church were down because of what was going on in the pork industry, and they were concerned specifically about the moratorium and what the future would be. I would say that that, in some ways, was a surprise to me because I hadn't heard that before, but it certainly makes sense. If charities are going to be impacted and charities will be impacted as a result of the hurts in the hog industry, then certainly, all charities, including our churches, would be hurt as well, the point being, Mr. Speaker, that it really permeates throughout the community, that there won't be any area that's untouched by what this government is doing in trying to kill a billion-dollar industry that has 15,000 people employed in it throughout Manitoba.

I don't think that any region, any constituency won't be touched. Certainly, some will be touched more than others. There's no doubt about that. But I'm sure as I travel throughout, whether it's the MLA for La Verendrye's (Mr. Lemieux), whether it's his area, or other regions throughout Manitoba, there'll be a story in each one of those areas and communities like Landmark and other places where

they're concerned about what the moratorium will do to the economic wherewithal of their region and their specific communities.

Now, you know, Mr. Speaker, there are even sometimes different things the government doesn't like to talk about. You know, I know they like to come into the—well, they don't usually visit the area very often, but they'll send out notices and put things in the budget about how there are certain expansions going on. I know the government likes to trumpet the new CancerCare centre at the Bethesda Hospital in Steinbach. It's a great project. The CancerCare project is something that the Bethesda Foundation championed and took on as a cause and they had great success in fundraising. Certainly, some of the fundraising, the success of that fundraising was a result of people who were employed directly or companies who were contributing to the CancerCare campaign from the pork industry. In fact, I understand that almost half, nearly half of the money that was used to build the CancerCare facility at the Bethesda Hospital in Steinbach was as a result of private donations.

So, on the one hand, the government likes to say, well, we don't like to have any sort of private interplay with health care in Manitoba, and yet, on the other hand, they're more than happy to have their hand out and take the money that comes from these foundations. Some of the money, a lot of the money, in this particular situation, would have come from the economic success of the pork industry in southeastern Manitoba.

So, when the government looks to shut this industry down, when they look to kill a billion-dollar industry and the 15,000 jobs that are associated with it, it's more than simply those individuals. I mean, that's enough, Mr. Speaker. I think that any Manitoban would look at it and go, well, why would you take that sort of arbitrary action on an industry that impacts 15,000 people?

But, it's more than them, and it goes beyond that. There are all the different things that the pork industry contributes to our communities and our regions that'll also be impacted. It will be harder to fundraise. There'll be impacts on our faith institutions; there will be impacts on charities. All of these things will be affected by this government's decision.

I don't purport, Mr. Speaker, to suggest that there is—but to leave the notion that there aren't other

challenges in the pork industry. Certainly, all members who represent rural areas and those who represent urban areas which would have an interest in what's going on in rural Manitoba know that there are challenges beyond the moratorium in the pork industry.

We know, with the country-of-origin legislation that's being proposed in the United States that'll likely pass their government process soon, that's a significant concern for those who are operating in the pork industry. We have faith and we have confidence in our producers to know that we are producing the best pork in the world; we think that we can compete on that basis and will be able to have a specific market for Canadian pork, even with country-of-origin labelling. We also know that that does have an impact and it's had a cooling effect on the industry, Mr. Speaker.

The high value of the Canadian dollar over the last year and a half has impacted a number of different industries, and the pork industry is certainly no exception. The contracts that many of the producers sign will have had some variations for the American dollar; some of them certainly aren't doing as well as they would have before, when the American dollar compared to the Canadian dollar was much stronger than it is today. That is certainly something that's impacting the pork industry as well.

I also know the high input costs that are happening in the industry have an impact. We know that the cost of oil is related to—the per-barrel cost of oil is impacting all farmers really, not just the pork industry because that's an input cost for them. That's something they have to account for in their bottom line. So that is impacting them.

Feed costs, we can have probably a more extensive debate about the future of ethanol, corn- and wheat-based ethanol, in North America. I know there have been a great deal of scholastic editorials and experts' opinions about whether or not corn- and wheat-based ethanol is in the long term, the long run, a sustainable way to go and whether or not it's beneficial for the environment. There have been lots of discussion about second-generation ethanol and cellulosic ethanol.

We know that other countries are almost self-sufficient on their fuel production, as biofuels productions, by using things like sugar cane. There are lots of good discussions that can go on about the future of ethanol and how that will then impact prices for feed, but we do know today, as we stand

here today and debate the issue, that there is a significant impact on farmers, particularly those in the livestock industry because of those input costs changing.

The minister has sometimes used this as a shield. She's used this as a deflector to say, there are all these other issues going on in the industry. There's the issue of COOL and the issue of the high dollar; there are the input costs and what ethanol is doing to the feed costs. So you really shouldn't worry about the moratorium; you really shouldn't care about the moratorium because it really doesn't have any sort of impact.

That's where the minister misses the point. That's where she is completely wrong on this particular issue, Mr. Speaker. I think, if she would talk to farmers, whether they're young farmers or those who've been in the industry longer, she would see why her argument fails on so many levels. The primary level that it fails on is the moratorium. What the moratorium does is remove hope from the industry.

It steals those—the individuals who are having other challenges now and who are trying to decide, should I encourage my offspring to go into this particular line of work? Should we continue to keep the farm going so that they can inherit it in the future or, even for their own individual situation, should we try to hang on for six months or a year to hope that pricing on hogs improve, to hope that there's some easing on the input costs, to hope that the effects of COOL will go through the system?

They're trying to make those calculations. Should we hang on? Should we wait for another six months or a year? They're then faced with the moratorium. You put the moratorium in the mix—and I've had the question posed to me, Mr. Speaker, from individual producers who've come to me and said, maybe we can survive the short-term difficulties that we're having, maybe we can get past that—but then, what's on the other end of it?

Even if prices increase, even if we can get through the COOL legislation issues, even if we can get through the input costs and the industry stabilizes and straightens out, should we stay in an industry where the government seems determined to put us out of business in the long term?

\*(15:10)

That's a very compelling question, Mr. Speaker. It's difficult, as a representative of somebody who is concerned about the industry, to provide an answer because it certainly does look, it certainly does look like, with this legislation that the government is intent in the long run of putting pork producers out of business and driving this industry out of Manitoba.

So should those producers, as they look into their crystal ball for a year or two years ahead and say, is it worth the risk? Should we put another \$200,000 or \$300,000 of our capital and try to get—if they could get loans or whatever resources they can tap into—should we put that into an industry where it appears we have an NDP government of the province that doesn't want us to be there in the future anyway. We aren't going to be able to expand if they're in certain areas of the province. We're not going to be able to look for those expansion opportunities even if we get past the challenges of today. So should we stay?

Even trying to get investors is difficult, Mr. Speaker, because now you know when you look for investors they're not all from Manitoba. You might look for investors from other parts of Canada and those investors would be looking at the province and saying, well, is that a place we want to put our money because it looks like the NDP government is trying to drive the industry out of business? So should we try? Maybe it would be a wrong decision to put money there because the government doesn't seem to be friendly to the industry.

So the moratorium is really about the future of the industry. It's not as the minister says; it's not insignificant. It's not something that the farmers aren't concerned about because of the other issues that they're dealing with in the province. They are concerned about it because it speaks to their future in the industry, and when they're trying to make the decision about whether or not they should stay or whether or not they should go from the industry, that's a huge factor in it.

I hope that when the minister hears the presentations at committee—and I can tell you, Mr. Speaker, those are not going to be easy committee meetings. We're going to hear very personal and very real stories and I know that a number of members on this side of the House have heard those personal stories already. They're our friends. They're our neighbours. They've come to us and they've told us what's happening in the industry. It's easy for us to

talk about a billion-dollar industry or 15,000 people, but behind those numbers are very real and very personal stories.

I've had many, many producers come to my office or talk to me in the coffee shops or I've gone to their homes and sat at their kitchen tables and they've sort of laid it out for me in terms of what they're facing as a farmer. They ask about the moratorium and they want to know what it is that they should do. Of course, it's not a position that I can say often—I can offer more of my heart than advice, Mr. Speaker, in talking to them about their challenges, but I think we're going to hear a lot of those stories at committee.

I'm hopeful that the government is respectful of that and is respectful of the committee process. I know sometimes when the committees go on and the government just simply wants their legislation to pass and they're not interested in having an awful lot of debate on the legislation, they're disrespectful in some ways. They try to move the committees into times when it's difficult for presenters to come. They try to do things that make it less likely that people are going to be able to come and present and tell their real stories. I would caution the government against that because I think that it will reflect badly, very badly on them.

I do think this bill is reflecting badly on the government as it is, but I do think, if they try those sorts of tactics, those sorts of legislative tactics in committees, whenever they're called, I think it's going to reflect very, very poorly upon them because each of them is going to have constituents in one fashion or the other, some people who are going to be connected to their constituency who are going to come to this Legislature with very real and personal stories and are going to expect to be heard in a very real and personal way.

So I would caution all members that when those committees are held that it—*[interjection]*

**An Honourable Member:** Next week.

**Mr. Goertzen:** The Minister of Transportation (Mr. Lemieux) seems to know when the committees are being held. I don't know when they're going to be held, but whenever they're going to be held, Mr. Speaker, I hope that he is respectful. I know he will have some constituents here. I've heard from many of his constituents who are concerned about this particular issue and I expect that he'll be here. I'll be

honest, we don't always agree on policy, the Minister of Transportation and I, but I respect him as an individual. I think he will come and listen respectfully to the hearings and we look forward to having that sort of respectful decorum when the committees come forward.

You know, I think one of the greatest disappointments for many of the producers, when it comes to this particular piece of legislation, is that they weren't opposed to the CEC study. I think that that's probably something that might come as a surprise to some of the members opposite to hear that because, when the review was announced about the Clean Environment Commission, there was concern about the moratorium that the government placed on it because that sent a signal that they were going to give a judgment before there was actually a study done by the Minister of Agriculture (Ms. Wowchuk) and the Minister of Conservation (Mr. Struthers) placing a moratorium on the industry prior to the CEC even reporting, and, certainly, sent a very early signal that maybe this was more than about science for the government, that this may have been about politics.

There is no doubt that the industry and producers were concerned that the moratorium started when the announcement of the CEC review was put out into the public.

In terms of the CEC review itself, I can tell you, Mr. Speaker, that the vast majority of producers that I talked to, they said to me: We're okay with the CEC review; we're okay with the Clean Environment Commission doing their study because we believe in our industry. We believe that we're a clean industry. We know that our industry has been, probably more so than any industry, maybe even in agriculture, more regulated over the last number of years than any other industry that had to go through significant changes to the industry.

Sometimes I think there's an absence of knowledge, or a disconnect between members opposite and maybe the general public in terms of what goes on in some of these pork producers and some of the farms. When you go to one of the barns, you realize that it's a bio-security area; many of them have cameras on the outside because they're protecting their investment. It's not like 20 years ago, 30 years ago; you can't just walk into the barn and look around at the animals. These are multi-million-dollar—some of them—operations that have bio-



security regulations. You just can't walk in to them because they're trying to protect their investment.

I think that there's a disconnect between what maybe some of the perception of the members opposite is about agriculture and the pork industry and what's really happening on those operations. When the Clean Environment Commission was announced and when it was reported, the producers said to me, we believe that our industry will be proven to be a clean industry.

Ultimately, Mr. Speaker, they are proven to be correct. When you look at the Clean Environment Commission report, it doesn't say, it doesn't suggest that there should be a moratorium. The Minister of Conservation (Mr. Struthers) and the Minister of Agriculture (Ms. Wowchuk) played politics with this. They almost immediately tried to link the Clean Environment Commission report to the moratorium itself and tried to say that the two were related, never directly saying it but, certainly, giving the inference to all those who wouldn't look any further into the Clean Environment Commission report that the report itself recommended the moratorium.

Over the time, the day that we had the opportunity then to actually read the report, many of us were surprised to find out that that's not what the Clean Environment Commission said. In fact, the chairperson himself, I think, distinctly said this was a government decision; it wasn't the Clean Environment Commission which decided to have a permanent moratorium on certain areas of the province.

When you read the Clean Environment Commission report, to be sure there are things in there that not every producer would agree with. You're never going to have complete unanimity on these issues, Mr. Speaker. I think, as a whole, on balance, the producers that I've spoken to have looked at the Clean Environment report. Those that have read it have said, you know what, we don't agree with everything that's in the Clean Environment Commission report, but there are certainly some things that we can agree with. There are certainly some things that we think aren't bad.

As a whole, they said, the Clean Environment Commission report isn't that bad. They could live with it. It was a fair and balanced approach because it didn't talk about a moratorium. In fact, what the Clean Environment Commission report did was say that there should be more studies; there should be more analysis in terms of what the phosphate and

other environmental problems with Lake Winnipeg were. It was a study that actually recommended a series of more studies to find out what the evidence base was for the phosphates in Lake Winnipeg.

I've read, Mr. Speaker, some of the media reports. This is reflected—the notion that the Clean Environment Commission itself realized that there wasn't enough evidence to place a moratorium on the industry, it's reflected in some of the editorials.

The *Winnipeg Free Press* in March 27 of this year, their editorial made a specific statement, saying that agriculture itself only represents 15 percent of the nutrient-loading problem in Lake Winnipeg, and the pork industry had a very small portion of that. They questioned whether or not this government was doing it purely for political reasons, whether they were targeting an industry, a specific industry in the absence of science, but purely for political reasons.

\* (15:20)

I don't purport to say that I agree with everything that's ever reported in the *Winnipeg Free Press*. I can tell you there are times when I read that newspaper and other newspapers and I go, I'm not sure if I'm in complete agreement with how this is being presented. But I think it speaks volumes when one of the two daily newspapers in the Winnipeg market recognizes what this government doesn't recognize. It recognizes what urban members of the NDP caucus don't understand, that this is a decision that was based purely on politics. It was not based on evidence.

Those who are in the environmental movement who are doing good work in terms of trying to bring forward issues related to the environment, I think that they perhaps should be more concerned than anybody about what this government is doing by placing the moratorium on the industry without any evidence.

What it says is that a governing party can pretend that it's doing something to protect the environment, whether it's a lake or climate change or any other thing that impacts our environment. They can pretend to do something in the absence of evidence just simply for political reasons. They won't ever help the environment. They won't ever change anything in terms of how water is being protected or how climate is being impacted.

Those who are professionals in the environmental industry, they should be particularly

concerned because if the government can take this sort of action that doesn't really have any sort of impact in this area, they can do it in any other area. It doesn't serve any of us any purpose to have a disingenuous sort of legislation that doesn't do anything to address the environment and all it does is try to convince people that the environment is going to be improved. I think it does more harm than good in the long run, because it gives people a false sense of what's being done for the environment when truly nothing is being done for the environment.

Mr. Speaker, I say with all sincerity, when it comes to this legislation that this is a bill that will, for many years, be looked upon as one that hurt Manitoba, that hurt an industry and did nothing to help the environment.

The Clean Environment Commission stands, their report stands with us in not recommending a moratorium. A vote for this legislation is a vote against the Clean Environment Commission. It's against doing the right thing for the environment, and it's against an industry that's contributed a great deal to the province of Manitoba.

With that, Mr. Speaker, I look forward to hearing comments of others, and I heartfully look forward to the presentations at committee.

**Mr. Leonard Derkach (Russell):** Usually, I'm quite encouraged to speak to legislation, but today is kind of a different day, especially when we talk about a piece of legislation that is so restrictive and so regressive that it's actually putting a significant damper on the economic ability, not only of a region, but of this province. We can look across the land and not find any draconian legislation of this kind in front of any province in this country.

When the minister first put the moratorium on hog expansion in southeastern Manitoba, she said at the time and I would quote her, that this was only a pause and that the Clean Environment Commission would be requested to deal with this in an expedient manner so that, indeed, the business of the day could continue.

Well, we saw what resulted when the Clean Environment Commission came out with a report that didn't mirror what the government's agenda was. The government then moved quickly to put a moratorium on hog production in southeastern Manitoba on a permanent basis.

Usually, when a government acts in this way, you have to ask yourself the question about what science or what research was there behind the government's decision to act in such a very regressive way. It's not often that we act in these ways in this province, Mr. Speaker. Generally, as a society in Manitoba, we're cautious about how we proceed. We make sure that we do our studies ahead of time. We make sure that the research is solid and sound and then we move forward.

In this instance, Mr. Speaker, there was no science to back up the government decision. There was just the politicization of an issue that the government chose to make a decision on.

Mr. Speaker, this isn't even about clean water. This is not a bill about cleaning up Lake Winnipeg. This is simply a bill to give the right political spin to a government that is finding itself in somewhat of a dilemma. There are other ways that we can act proactively in making sure that the water that we have in our ecosystem, if you like, in the province is clean. You cannot point at the hog industry and say that they are to blame for the pollution that is causing difficulty in our lakes and streams.

I want to ask, Mr. Speaker, whether the minister could identify one, just one situation in agro-Manitoba where a hog lagoon or a hog activity has polluted a water supply, a water stream or, indeed, the surrounding water-holding areas. I know that the minister cannot find one example; I know that for a fact.

So, to act in this way is fairly regressive, and it's very severe on an industry that has been trying to do what it can to ensure that, in the public eye and indeed in their practices, they are viewed as a clean industry and one that all of us should be proud of.

I'm extremely proud of the efforts of individuals and also some of the larger corporations which have ventured into this agricultural industry in the production of hogs, because you can drive by a hog barn—and, Mr. Speaker, if we all think that hogs don't stink or people don't stink, then we have our heads screwed on backwards because, indeed, all living matter is going to create some sort of odour. When you conglomerate a lot of livestock into one area, you are going to have some odour in that area. For anybody to expect that they can drive by a hog barn

anywhere in this province and have absolutely no odour is just unfortunate.

I can come into this city from the rural areas and I can tell you that the odours of the city impact on me in a negative way but, Mr. Speaker, I don't complain about it because that's the way we as a society live. We try to mitigate a lot of those things as best we can through science, through technology and through our best efforts. To expect an industry, like pork, to survive in a province with absolutely zero impact on any part of our ecosystem is just unrealistic, and the minister knows this.

I think what the minister has shown to us as a province is that she has absolutely no power around that Cabinet table to fight against the urban interests of narrow-mindedness in terms of how this issue should play out.

I ask the minister why she would want to attack an agricultural industry that has done so much for this province. I go back to the 1990s—you know the government likes to take us back to the 1990s. Well, I'd like to take us back to the 1990s and take this government and this minister back to the 1990s when they were in opposition and, if you will recall, the fight they put up against the expansion of the hog industry in Manitoba at that time when they were in opposition.

As a matter of fact, they were the ones who funded Hog Watch; even when they became government, they funded Hog Watch. Mr. Speaker, why? Is that because they were supportive of the industry? Not at all. That just shows you the kind of attitude that side of the House has with regard to this industry, and nobody in this industry has done them any harm. Nobody in this industry has done this province harm; people in this industry have done a lot of good to this province.

Then the hypocrisy of it all again, Mr. Speaker, we watched first of all as the Premier announced the approval for a hog processing plant in northeast Winnipeg. The public cry and the city came out against the Premier and against the government for allowing this industry to establish. The government tried to find its way out of it and, lo and behold, Hytek then decided to abandon its plans because they were not getting any support. Then the government also supported them in buying Springhill hog processing plant in Neepawa.

Just a few months after that, they go and put a moratorium on an expansion of the hog industry in

southeastern Manitoba. Why such hypocrisy, Mr. Speaker? If you're going to support an industry, then you support it all the way through. You can't have the production of hogs without processing, and you can't have processing without hogs. I don't know what the government is thinking and I don't know what this minister is thinking in that regard.

\* (15:30)

We have watched as opposition at how this government manipulates the entire system that it has any control over. I can go at different sectors of the economy and show how this government has simply attacked the progress of this province. It's for that reason that we are considered as one of the few have-not provinces in Canada. While other jurisdictions are forging ahead, this province is stuck in the mud. We still rely on government handouts from Ottawa for a large portion of our budget, and why is that? Because this government is antibusiness, it is antiprogress, it is anti-agriculture. It is anti anything that will add to the economy of this province.

It is driving out business daily from this province to other jurisdictions. Saskatchewan is welcoming industry, welcoming opportunity in every way. Even under their former NDP government they were more progressive than this government is in Manitoba. Investors are not going to put their hard-earned money into this province with this government's present attitude. They are going to find places to invest their money in other jurisdictions, and Saskatchewan today is open for business. Saskatchewan is welcoming businesses. Saskatchewan is going to be the beneficiary of this government's lack of addressing the issues, the economic issues that are before it.

The other issue I want to talk about is not just hogs, but let's take a look at what's happening in the whole mineral industry. Today we had the Member for Flin Flon (Mr. Jennissen), who was embarrassed to get up at a question to begin with because of what is happening in his own community of Leaf Rapids. I regret that we weren't given the opportunity to debate this in a matter of urgent public importance, not for us in the House, Mr. Speaker, but for the citizens of Leaf Rapids. That's the tragedy. The tragedy isn't what goes on in this House. The tragedy is what is happening on a daily basis in Leaf Rapids where the mayor has been trying to get the attention of this Premier (Mr. Doer) and this government since January. Five and a half months and finally this has come to the floor of this Legislature. We wanted an

opportunity to debate this today for the benefit of the citizens of Leaf Rapids. The member who represents that area, the Member for Flin Flon, sat there. He was embarrassed by it to begin with. Then he stood up on a question, embarrassed himself further, and once again we see how this government is not addressing the issues that are important to people in this province.

When I talked about other opportunities, we have a tremendous resource in potash in this province. But what is this government doing about that? Not a thing, not a thing. Mr. Speaker, Saskatchewan, our neighbouring province, who has a majority of the potash reserves that have been identified to date, and they are identifying more resources, are ploughing ahead investing. Companies are finding their way into the Saskatchewan potash belt and are investing their money there. Why aren't they doing that in Manitoba?

We have the resource here. We have the ability to produce here, Mr. Speaker, but it's the government regime that is not allowing that kind of an industry to develop. Because if we had a different government, I can assure you that we would be digging potash in Manitoba today. Am I saying that because we only have potash on the west side of the province? No. That potash belt can extend beyond that, but we know that there are definite reserves on the west side of the province that can be and should be mined. But this government will never do it. They will sit on their hands until everything goes by, not unlike they did when BSE came.

Now, yesterday, I think, we celebrated the fifth anniversary of BSE. When we talk about the livestock industry and what's happening in it, a large part of that is the result of this government's mishandling of all of those issues. I remember when the BSE crisis hit. One of the issues that all provinces were facing was how we were going to start processing beef right here where it's raised so we could ship it out of this province, out of this country in box form rather than having to rely on the American market for our beef. So what was the minister's response to this? We had a number of companies who were looking at investing in Manitoba in the beef industry, but when they looked at our tax schedules and they looked at the way that this government's attitude was with regard to expansion of the beef processing industry, they decided to go elsewhere.

Yes, industries were expanded in Ontario, in Saskatchewan and in Alberta, while Manitoba stood by and watched the industries go to other jurisdictions, Mr. Speaker. The failed attempt at putting together a processing plant in Dauphin was because, again, this minister's political agenda was to only support one entity, and she didn't even give those people who were investing in that industry a fair chance because she was allowing somebody who invested in a grocery store to be able to get a 30 percent tax credit on their investment, but wouldn't allow that for the beef processing industry in Dauphin.

Now, can you imagine what might have happened had those investors had an ability to have a 30 percent tax credit on their money that they were investing in a beef plant in Dauphin? Do you think that one would not have come to fruition? I think it would have, but, Mr. Speaker, the narrow-mindedness of this minister and this government disallowed that to happen, and today, they sit on about \$4-million worth of equipment and expense that has been encountered by this government and a rusting pile of old equipment that'll never be used in this province or anywhere else.

People in southeastern Manitoba are going to stall. They're going to wait until this government is out of office before they go ahead and create an environment that is going to allow this whole part of the province to grow as it should. The people have the will. The people have the resources, but there has to be hope. There has to be a window of opportunity. There has to be a vision for where we are going as a province if people are going to invest in this province, and today, the government has cut that off from an area of the province that is probably one of the fastest-growing areas that we have in our province, that is faster-growing than even our city of Winnipeg here. It's growing, why? Because of the initiative of the people there. It is growing because people have seized an opportunity, are building their futures and their hope, and they're building their families on those opportunities.

This government has unilaterally moved, without consultation, without science, without giving anybody any opportunity. Did they even consult with one of the municipalities that they have put on that list of places that the moratorium is in effect? Did they consult with any one of the mayors, any one of the reeves of those communities that are the leaders of those communities in terms of what their real intent was and what they were going to do? No, Mr.

Speaker. They did it in a backdoor approach just like they do on all things, and then said, here's our plan. We believe in clean water. Well, I can tell you that nobody believes in clean water as much as people who live on the land. They believe in clean water because they depend on clean water.

I've often said in this House, I live on a farm, Mr. Speaker, and if I didn't have clean water where I live, I couldn't live there, so I make sure that I do everything I can within my power to protect my source of clean water on my farm, and I will not allow anybody to come in and pollute that source of water for my family and for my future. You know, somehow, this government has thought that it is the Big Brother and it is the only one that's interested in clean water, but they do everything opposite to what normal people do.

Mr. Speaker, today, the Member for Tuxedo (Mrs. Stefanson) raised the issue of dumping raw sewage into the Red River that floats down to Lake Winnipeg. The government is silent on this. Very silent on this. I can't even understand the press because, about a couple of weeks ago, I saw a picture in the *Free Press*. It was actually a sludge truck from the City of Winnipeg, spreading manure. The article in the paper was about farmers spreading manure. Well, if the government has its agenda right, then it'll stop the spreading of sludge on farmland in the wintertime just like we have a curtailment of spreading manure on farmland, but it'll also stop the dumping of raw sewage into the river so that, indeed, this is causing the health of the lake to deteriorate as well.

\* (15:40)

Mr. Speaker, why have they only chosen one sector? Why have they only chosen the moratorium on hogs as the big culprit in all of this? It is unfair. I contend that it is only political in its motive and the Premier (Mr. Doer) wants to be the Schwarzenegger of Canada, so he's putting this moratorium on just as a political ploy, nothing else.

Mr. Speaker, I think that hogs in this province have been an important element in ensuring that our population levels stay up. Southeastern Manitoba has enjoyed the increase in population. If we look at the electoral boundaries' map, the areas in southeastern Manitoba are shrinking in physical size. The populations are growing.

If we look at areas where you don't have that kind of economic activity, where you don't have that

intensity, those populations are getting fewer and fewer people. We are having problems in keeping our schools open, our hospitals open, because we don't have the ability to produce that kind of economic activity because we don't have the hog industry in that area, or the poultry industry, or the dairy industry for that matter.

Those should be viewed as Manitoba's strengths; that's what we should be building on. We should be building on the strengths of the regions that we have. Instead, this government is doing the opposite, Mr. Speaker. We don't know why, because there is no scientific data that can back up the actions that the government is taking.

Mr. Speaker, this government has had a propensity for attacking the agriculture industry in every way that it can. I've been a pretty avid observer of what has been happening on the rural landscape since this government has taken office. This minister has done nothing to protect or advocate for the agriculture and the rural industry since she took office.

You can hear this everywhere you go, no matter whether it's in Neepawa, or whether it's in Swan River, or whether it's in Ninette, or whether it's in Boissevain, or wherever it might be. People have the same attitude about this minister's inability to influence and advocate on behalf of agriculture producers and on behalf of rural people.

Mr. Speaker, this is a fairly serious issue because people in those areas want to see their opportunities come to fruition. They want to see their children find space in rural Manitoba to live, to work and to raise their families; they're not seeing that today. Today our youth are leaving Manitoba; they're going to Saskatchewan; they're going to Alberta. The minister says, not true.

I ask her to come to my community on a weekend when all the kids come back, on a long weekend when all the kids come back from Saskatchewan and from Alberta, bringing with them the things that they have been able to earn, the things that they have been able to purchase, the things that they have been able to gain in jurisdictions other than our own.

Mr. Speaker, where are rural Manitoba kids supposed to find work outside of the city of Winnipeg, in Manitoba, when a government moves to not only reduce the ability of people to expand

their hog operations, curtail it completely, and secondly, when there is absolutely no incentive from government for young people to stay in this province? What incentive is there for young people to stay in this province?

We have the highest taxes west of Québec or west of the—*[interjection]*—west of Québec, we have the highest taxes. Mr. Speaker, if you want to do anything in this province, you take a look at our sales tax. Compare it to the sales tax in Saskatchewan. Alberta, of course, has none, but compared to Saskatchewan, we're not even competitive that way. It doesn't matter what front you look at; we just cannot compete with other jurisdictions because we have a government that is not interested in that at all.

Mr. Speaker, this government's interest is to try and retain the votes that they have to hold on to power as desperately as they can. That's the wrong motive for being in government. That is the wrong motive for taking leadership in this province, and Manitobans are beginning to understand that. A couple of more moves, like they did with the hog industry, and I know this government will vote itself out of office very quickly.

Mr. Speaker, we talk about democracy. We live in this province; we enjoy a democracy, just like other jurisdictions do but, in one quick move, this Premier (Mr. Doer) and his Cabinet ministers have moved to even reduce the ability of us to communicate with our constituents. Why did they do that? What was there so fearful for them to disallow MLAs from being able to send out literature to their communities?

The government also now has moved to give political parties money based on the number of votes that they got each and every year in that four-year period of time between elections. What is the motive for that? Again, it is because they know that the people that they have supporting them are not going to flock to them with money, and therefore they can't raise the money by solicitation. So they have to force the taxpayer to pay for their campaigns.

At the same time, you know, what hypocrisy. They want to charge the taxpayer to pay for their political advertising, but on the other hand, they're going to curtail the ability of MLAs who have been elected in this House to communicate with their constituents. *[interjection]* Well, the Minister of Agriculture (Ms. Wowchuk) says, oh, that's not true, you can communicate. Yes, I know I can communicate. I'll communicate in many other ways.

I'll communicate in many other ways, Mr. Speaker. But she is sitting around that Cabinet table, made a decision that they're going to bring a bill forward that is going to disallow the freedom of expression, the freedom of speech, the freedom of communication with constituents that we have every right to do.

Now, Mr. Speaker, there's an article in the paper today by Preston Manning which describes it perfectly. He said that Tommy Douglas would roll over in his grave if he knew this kind of legislation was coming forward from a New Democratic Party. It is anything else but democratic. We will continue to lobby against what this government is doing, to fight this government as much as we can. We're in opposition, but we will continue to fight as hard as we can to ensure that the wrong ways that this government is headed is known by the public of this province.

I think Manitobans are starting to speak in numbers. When I look at the number of people that have now registered for presentation on Bill 17, this should be giving the government a signal in terms of how far they are off-track on this legislation. Mr. Speaker, they could have worked with the industry. They could have said to the industry, you know, we're going to give you five years and we're going to put some money in and we're going to want you to put some money in, and then we're going to ask perhaps the university to join us and together we will work towards finding out what it is we can do to reduce even further the levels of phosphate that might be in the soils that might be excess to what plants are grown. And maybe, for example, like the Member for Emerson (Mr. Graydon) has put forward on many occasions, there's plant material that can be grown on our prairie landscape that'll take up the phosphate and then can be used as a biomass for even the production of ethanol.

Did we ever think of those things? Well, Mr. Speaker, if you had done that, if the minister and her government had done that, that would have been a proactive way of addressing a problem. I mean, what solution are you going to find by putting a moratorium on the production of hogs in the province of Manitoba? What positive can happen out of that? All you're going to do is stop everything where it is today. Is there any incentive for producers to put any money into research on how to better the environment, how to better anything? No, because they've got a moratorium on them. You've got a moratorium, so why would you go ahead and spend anything? And then the moratorium goes further,

because if you reduce the number of hogs and your lagoon is not permitted, your family can't get back into that business. Now, how is that going to help anybody? How is that going to motivate anyone to invest money into research, to invest money into finding better ways to be better stewards of the landscape of animals and of our environment?

Mr. Speaker, this government didn't think through this legislation because, if it had thought a little ahead of time, there could have been actually support from the City of Winnipeg into that kind of research, because a lot of the jobs right here in the city of Winnipeg depend on a vibrant economy outside of the city. They tell me that 60 cents out of every dollar that is produced in rural Manitoba finds its way into the city of Winnipeg. Now, that's I think, a well-researched statistic that should be noted because, if you're going to curtail the activities in rural Manitoba, you're also curtailing what's happening in the city.

\* (15:50)

Mr. Speaker, we could talk about value-added in many different ways. We could talk about research. We could become a leader in the area of environmental research if we harness all of the players to try to find the solutions in a proper way.

We have, Mr. Speaker, I think, a centre of excellence at the University of Manitoba. We have the expertise in the agricultural producers who can tell you how we should be doing business out in the rural landscape. They have paid attention to this. Through their organization, through the manure management plans, they have ensured that they have put practices into place that are going to sustain their industry so that their children can make a living off it, too. What benefit would there be for someone to destroy his or her own environment and then not have anything to pass on to future generations?

Mr. Speaker, the motive for this legislation was all wrong. If the government had taken the time to listen to the Clean Environment Commission, the Clean Environment Commission did not, in any paragraph that was written, suggest that a moratorium should be put on the hog industry. The Clean Environment Commission was one that was adopted by the people in the hog industry. They said, we can live with this. We can learn from this. We can even better it, but the government didn't give them that opportunity. Instead, it slapped a moratorium. The first of its kind.

Have you ever heard, in Manitoba, a moratorium on the ability to make a living? This is what this is about, Mr. Speaker. The first time in the history of this province that a government has put a moratorium on a legitimate activity.

They would have probably done themselves a lot of good if they would have put a moratorium on gangs in the city. Today, we'd have more Manitobans perhaps still alive. Perhaps we'd have less deaths in the city. Perhaps we'd have less killings, less stabbings in the city if they had maybe moved to put a moratorium on an activity like that. Instead, they put a moratorium on a legitimate economic activity in this province where they had no science, where they had no research done to back up what they did.

Mr. Speaker, all they had was the political wind that said, if we do this, then we'll be viewed by the world as being on the politically correct side of the environment. Well, I say, you've done yourselves and you've done this province a huge disservice because you are not allowing the industry to find solutions to the challenges that lie ahead. You've stymied an institution. You've stymied an economic opportunity, and I think you'll regret the day that you did this. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to speak to Bill 17. It is our view that moratoria are generally poor public policy. Will this government put a moratorium on the airline industry because airlines produce greenhouse gases? We think it's not very likely, but they will put a moratorium on the hog industry. The first moratorium was a pause and now a moratorium in major areas.

I think that one of the problems with moratoriums is that they take away the ability to adapt and improve the flexibility that you need to make sure that we have forward thinking and, in fact, environmentally solid practices.

Moratoria in the past have been too often put on by governments when their own efforts at public policy have failed, and the NDP have failed in their own efforts to improve the water quality in Lake Winnipeg. There have been progressively more problems with algae in Lake Winnipeg; and, rather than set a target for phosphorus reduction in Lake Winnipeg, as I have been calling for, that's a rational, science-based target, the minister has been saying, well, we're okay if we reduce it by 10 percent, the phosphorus going into Lake Winnipeg, when really, we know that there's been a doubling of phosphorus

in the sediments over the last 50 years and that that number correlates with the flux calculations of phosphorus going into and out of Lake Winnipeg. We should have started with a target and then we should work back and reduce the phosphorus inputs in a scientific way so that we know that we're going to achieve the goal that we want to achieve.

*Mr. Rob Altemeyer, Acting Speaker, in the Chair*

It's not that the hog industry is perfect or without fault. The MLA for Russell (Mr. Derkach) has been travelling around with blinders on when he says that he's never seen an instance of problems from the hog industry. Mr. Acting Speaker, I am aware of instances where, in floods, there have been lagoons which have flooded and polluted waterways. There have been instances where manure has been put on frozen ground which then washes off in spring. We know that the phosphorus in the waterways peaks in the spring runoff and that one has to be very careful about what you put on the ground in the winter.

Certainly, there are instances where the hog industry has not been perfect, but we should have put in place those changes so that, in fact, the hog industry can meet good environmental standards all over the board. In many areas of the hog industry, there has been a lot of effort to improve the environmental standards that are being used and that needs to be acknowledged.

What is important fundamentally, though, is that the application of changes to improve the environment must not be arbitrary; it's got to be based on good science. We must ask, why has this government not invested the effort needed over the last eight and a half years to make sure there's a strong scientific basis for decision-making when it comes to our waterways and the changes that we need to make to reduce the phosphorus going into Lake Winnipeg and decrease the retention of phosphorus in Lake Winnipeg?

As Liberals, we've argued for many years for the need for governments to invest in the research to have the science base to make good decisions but, for eight and a half years, this government has consistently failed to invest adequately so that we don't right now have the adequate science base to be able to make really good decisions in a lot of areas.

There are some areas where we do have the science base and those are areas which I'll talk about

shortly where, in fact, we have been arguing and we have been leading in the effort to be able to reduce the phosphorus where it makes good science sense.

We also suggest and have been suggesting for some years that what desperately is needed and has been needed for eight and half years are intensive efforts on small watersheds—Killarney Lake, Lake Irwin, Seine River, Icelandic River would be examples—so that we can understand precisely the origins of the phosphorus, and we can take measures which will reduce the phosphorus in the watershed and also in areas, like Killarney Lake and Lake Irwin, reduce the algae blooms. We have an end marker which is similar to the marker that we've got in Lake Winnipeg; that is the algae and how they respond.

Mr. Acting Speaker, I've spent a lot of time and effort to work on solid measures to clean up Lake Winnipeg. I was the one who introduced the first legislation in Canada to remove phosphorus from automatic dishwasher detergents. This measure has been copied by the NDP, and we have a bill which will likely pass which will eliminate or reduce drastically the phosphorus in automatic dishwasher detergents. Because it's not clear that it's going to cover all commercial detergents, we have indicated and, with some reason, that this bill is going to do about half the job in about twice the time, but it's a start and it makes scientific sense.

We've argued for some time that we need to reduce phosphorus in cosmetic fertilizers. The government is starting finally to follow our lead and to move in this direction. We have argued for some time, we've even introduced bills more than once to decrease the phosphorus added by the City of Winnipeg to the water in the city. This phosphorus is added in substantial amounts; it's added to prevent the leaching of lead, but there are other approaches to doing this. Quite frankly, we should no longer be using phosphorus for this purpose because it then gets into Lake Winnipeg and contributes to the burden of phosphorus in Lake Winnipeg.

We have argued, indeed, we have brought in a bill on more than one occasion to end the spreading of manure in winter because we see this as a problem. Many hog operations have actually converted over. We should, as we've argued, make sure that this applies to the city of Winnipeg and municipalities, as well as to hog operations. This is something that we can do which will make a difference because the science is there.



\* (16:00)

We have argued, and this makes sense, that we should have an ALUS program province-wide, that we should have an initiative which extends what's happening in Blanshard municipality province-wide. The reason is that it makes sense. There is good scientific basis for believing that this will help in terms of the environment and good basis for believing that it will result in some reductions of phosphorus. Although, clearly, more science needs to be done even in this area.

There are substantive things that we can and should be doing. We do need to be working on reducing the phosphorus coming from the city of Winnipeg and other municipalities. We have provided strong arguments for why this can be done much faster and, in fact, less expensively with an effort which focusses on phosphorus, as opposed to targeting both phosphorus and nitrogen. But the NDP have been slow. It's eight and a half years and we still are a very small way along the way in terms of reducing the phosphorus coming from the city of Winnipeg and, indeed, other municipalities.

*Ms. Marilyn Brick, Acting Speaker, in the Chair*

There are flow issues which need to be addressed. The causeway at Hecla Island which needs to be investigated for its effects on algal blooms and phosphorus. The erosion on Lake Winnipeg may be contributing to phosphorus in the lake, that needs to be followed up. The operation of the hydro-electric dams, the power dams, at the north end of Lake Winnipeg may be a contributor, and there may be ways that we can improve that so we get greater removal of phosphorus downstream. So there are things that we should and must be looking at which this government is avoiding, and this government, instead of setting a target and having a precise plan and looking at how we, in fact, reduce the phosphorus in Lake Winnipeg by 50 percent, has decided that they're going to introduce Bill 17 as the be-all and end-all answer.

Madam Acting Speaker, this is going after the hog industry, but what is important here is that it's not based on solid science, and because it's not based on solid science, we will not be supporting Bill 17.

**Mr. Blaine Pedersen (Carman):** I'm pleased to rise and put a few words on the record on Bill 17, the permanent ban on building or expanding hog facilities, and while I'm pleased to stand and make a few remarks on the record about this, it really is

unfortunate that we even have to talk about moratoriums and bans, and that. It's so anti-business, anti-Manitoba, that it seems unfortunate that we have to do this. This permanent ban, moratorium, will cover a large tract of agricultural Manitoba and a significant portion of the hog-producing area of Manitoba.

This is probably one of the more significant pieces of legislation we will be debating in this session so it demands some comprehensive debate. It's unfortunate that government members are not willing to stand up and put anything on the record as to their support of this bill. I can understand urban members of the government standing up and supporting this out of just not realizing anything about it, not having any knowledge about the hog industry, but it seems unfortunate that the Minister of Agriculture (Ms. Wowchuk), Minister of Conservation (Mr. Struthers), neither one of them will stand up and defend farmers and defend hog farms in Manitoba. It certainly has left a lot of my producers asking, is there any support for them in government? I truthfully say that I don't believe there is any support at all for them.

I'd like to remind the government members again that there is a meeting in Morris tomorrow night if they would like to come and defend their position, defend Bill 17. I understand Manitoba Pork and a large group of hog producers will be there. It would certainly be nice to hear them come and present their side of this argument to try and justify this. Manitoba's currently the largest hog-producing and hog-exporting province in Canada; to have a moratorium put in place is certainly going to stop that very quickly.

It's just been emphasized over and over, and I don't believe we can emphasize it too much, that hog farms contribute over a billion dollars to our province each and every year; it's the largest source of farm cash receipts of any agricultural commodity in Manitoba. Now you're going to put a moratorium on it because you don't want it anymore. It's a sad day in Manitoba.

Just to reiterate, livestock farmers in general and all farmers in general are committed to producing safe high-quality food in order to feed a world. These days, when we hear of food shortages around the world and rising costs of food and it's going to become more acute as time goes on with our growing population in the world, here we are—we're actually cutting food production in Manitoba, in a province

where we have so much ability to produce so much food in a safe and friendly way.

We're already subject to some of the strictest environmental regulations in this province and apparently they just weren't strict enough because, if they're not strict enough now, what you're going to do is put a moratorium on, so you won't have any livestock industry.

The unfortunate part about it is—or fortunate, maybe, for the government—that by enacting Bill 17, they've done this purely in a political sense. There's no science. They've tried to link it to the Clean Environment Commission, but that's just patently false. There is no connection to the Clean Environment Commission. It did not recommend any sort of moratorium.

By enacting Bill 17, this government is trying to tell the general public that this is single-handedly going to clean up the algae bloom on Lake Winnipeg, which we know is just false. It's just not going to be that way. Protecting the environment and working on the pollutants in Lake Winnipeg is something that all Manitobans should be sharing in and not singling out just one sector.

Bill 17 will directly impact the hog industry. What it's done by targeting the hog industry, the other livestock and, in fact, all farming is very worried now that, if they can do this arbitrarily to the hog industry—the dairy industry is worried about it happening to them next. It's going to happen to cattle, the grain industry. Are they going to be putting on phosphorus limits, phosphorus caps or, perhaps, banning phosphorus for grain production? We're going to turn from a food basket into a wasteland in Manitoba if the moratorium mentality keeps at it.

This bill prohibits the construction or expansion of confined livestock areas. It does raise a lot of questions within the belt, includes a large number of areas in central Manitoba and all of eastern Manitoba, the Red River Special Management Zone which is really an area that could cease—which has significant growth potential in the hog industry because it has the soils that are well suited for this.

The producers in the areas affected by the moratorium will not be allowed to increase animal units, other operations, except under very limited circumstances of which we're still not sure what those circumstances would be. The Clean Environment Commission has come out with a

report—I'll touch on that a little bit later—but the proposals in the Clean Environment Commission report will affect all of Manitoba and could have touched on areas of concern in this moratorium area, if they had chosen that route instead.

\* (16:10)

By the way, there is still a moratorium in effect right now in Manitoba. You cannot build a hog operation right now in Manitoba. The Minister of Agriculture (Ms. Wowchuk) at that time referred to it as a pause. Now, I don't how you're going to coin a legislated moratorium. I guess that becomes an even longer pause, but we know that time is not a factor for them. When this moratorium on November 8, 2006, was enacted, we knew that this was a political manoeuvre related to an upcoming general election and it was aimed at winning votes. I guess, perhaps, they were successful at that. It's unfortunate you use one sector against—to play this.

Then they asked the Clean Environment Commission to examine the environmental sustainability of the hog production in the province at the same time. The CEC's report was released on March 3 and it made 48 recommendations focussing on areas such as research. It did not, however, in any way, shape or form, recommend the moratorium in hog production, that the moratorium be extended, or in fact, be permanent, as this Bill 17 will allow. In fact, at the AMM municipal officials meeting in April, the chairman, Terry Sargeant was asked this question directly. Did the Clean Environment Commission recommend in any way, shape or form, a moratorium? His reply was no. It begs you to wonder, obviously, there's no science behind this so what are the motives behind this?

Following introduction of Bill 17, I started going through the Clean Environment Commission report and there are a number of recommendations in it. I've been kind of wondering where the government is on this. There were 15 recommendations, and in their 9.4 on page 156: the Manitoba government immediately conduct, facilitate, collaborate on and commission research on soil test phosphorus and transport mechanisms to determine the threshold of Manitoba soils and climate conditions.

Has there been any work on this? Have we seen, is there any progress being made on this? We're seeing progress on a Bill 17 to have a hog moratorium, but is there any progress on conducting research on this?

Madam Acting Speaker, 9.5 says the Manitoba government should work with other organizations to develop science-based, environmentally, and economically sound beneficial management practices. Well, who in their right mind, when an industry is shrinking, how are you going to encourage other organizations to become involved with you when you have a shrinking industry?

Madam Acting Speaker, 9.6, the Manitoba government provide livestock operators with financial assistance or incentives to assist them in coming in compliance with the manure management regulations. Again, there is no movement on this. They've ignored their own report.

Madam Acting Speaker, 9.9 is that the Manitoba government facilitate, encourage and undertake further studies into cumulative effects of applying manure fertilizer to marginal lands. We heard the Member for Russell (Mr. Derkach) talking about this earlier. There are things that we could be doing on this, but there is absolutely no plan coming out of this government to do this.

Under 9.14, the Manitoba government facilitate, encourage and undertake further studies in the assessment of heavy metals in Manitoba agricultural soils. Is there any plan to do this? Again, I would take it as a no because there has been no notice being given from the Department of Agriculture on this, or Conservation or Water Stewardship or whoever it happens to be falling under. There is no movement on any of these. Instead, they've ignored the total report and brought in Bill 17 instead.

This bill is, in theory, about cleaning up and protecting the health of Lake Winnipeg. One of the quotes that I heard many years ago was the difference between an environmentalist and a naturalist. I think this government fits under the environmentalist because an environmentalist expects everyone else to change, but a naturalist practises changes. I think farmers are naturalists. I know farmers are naturalists because they practise changes, but this government seems to be an environmentalist where they expect everyone else to change.

We all agree that protecting the environment and abiding by principles of sustainable development should be key priorities, but we need a government to put this into practice, not just expect everyone else. The livestock industry, and particularly the hog

industry in itself, is one of the most highly regulated industries in Manitoba if not all of Canada, perhaps in North America.

What we're talking about is food production, and yet we've got things like the livestock manure and mortalities management regulations, the nutrient management regulation, The Planning Act. We've got all these, but yet we have no control on use of fertilizers, pesticides within urban areas. We know the City of Winnipeg continues to dump raw sewage into the river at times of the year. If the farm population was doing that, there would be a huge cry from that. But livestock people don't do that. They know that that's not the right thing to do, and yet they're getting painted as the villains in here and being penalized. Manitoba's livestock producers know that it's in their best interests to protect the natural resources on their farms, like soil and water. These families live on these farms. It's in their own best interests to protect the soil and water for their families, for their farms. Water is critical on any farm and, in particular, livestock operations. I know this from experience, that you do not take for granted your source of your water and the quality of your water. So you're not going to pollute your own water or anybody else's because you know how critical it is.

The healthy environment is critical for food production. We're talking about food production here. It's not just hog production or livestock. These barns, and we're talking about the hog barns, they maintain high health standards, nutrient standards and biosecurity. They've been able to comply with these nutrient management regulations, The Planning Act and all these because this is part and parcel of their operations. It's not something extra that they've doing because of the regulations; they're doing it because of food production. They do have a commitment to protecting the environment. It's every day. If you just would get out of the city and visit livestock producers, you would see that this happens.

The benefit from livestock producers in Manitoba, they're just worth billions of dollars to the Manitoba economy, yet we don't see any recognition out of this government about that. Producers have also willingly invested their own money in research aimed at protecting the environment for future generations. When I was farming, we did some manure studies and testing—and it was at my expense that we were doing this—but this was in part mainly to help the industry, to help our own farm, but also to help the industry.

So, if producers have been willing to invest their own money in research, now you're going to put a moratorium on, what about the future? Should they stop investing in research? Obviously, the industry is not important to this government. They're trying to consolidate best they can to apply to the new rules, and it becomes very difficult to justify continuing support for research. So where does that leave the people like the Pork Council who have invested a lot of money in research? Where does it leave universities? Should they invest more money in this or should they basically cut their losses and stop now investing in research? Any time you stop investing in research in any industry, you know it's the end of the line.

\* (16:20)

I was talking to one of the bosses at a Hutterite colony here a few weeks ago, and he told me that they were just in the midst of installing new equipment in a barn. It's for sorting hogs as they become closer to market weight, and they could sort them into pens.

On the outside, you don't think this is significant, but what this is doing, it's making them more efficient. They will actually get their hogs to market at peak condition, not wasting feed. When you don't waste feed, you have that much less manure. So now, he is openly questioning whether they should even continue to do that, invest money in this.

The other comment that he said to me the night I was talking to him, he said, this moratorium, Bill 17—it's like a punch in the gut. He says he feels like he's being held personally responsible for polluting Lake Winnipeg. If you know Hutterites at all, they are just not inclined at all like that, to be that way. So this was very hurtful to him; he expressed his hurt to me that night. What could I say? Well, obviously, there's a government there that really doesn't care about you.

Rather than seeking collective solutions to the issue of nutrient loading, this government just seems to be bent on singling out the hog industry and using it as their scapegoat for Lake Winnipeg. That's very unfortunate.

*Mr. Speaker in the Chair*

There have been a lot of different reports around. They've identified key sources of nutrients going into Winnipeg, such as waste-water sources, natural background such as decaying vegetation. On the subject of decaying vegetation, there's an outfit in my constituency called the Deerwood Soil and Water

Management group. They've done a tremendous amount of work on both conventional tillage, zero tillage; they even have run-off records off sloped land. They have some natural land that's never been cultivated, never been pastured; they have some significant findings about the phosphorus coming off of this decaying natural—if I can call it that—bush land. It's unfortunate that this government won't pick up on some of this information that's around there.

We also know that there's—the numbers keep getting thrown around, but there's something like 53 percent of the phosphorus loading in Lake Winnipeg which comes from upstream jurisdictions, including the U.S., Saskatchewan, Alberta, Ontario. We know that 51 percent of the nitrogen loading comes from those same upstream sources.

When you go and put a moratorium on, what you're doing is you're driving away business. Are you actually going to drive some of this business away into other jurisdictions, such as North Dakota and Saskatchewan? Perhaps they will have less. I don't know what the nutrient management regimes are in North Dakota and Saskatchewan, but you run the risk now, when it's outside of your jurisdiction, of working toward lowering these nutrient loads.

The University of Manitoba has great concerns about this bill and the impact it's going to have on the hog industry because they've done a tremendous amount of research with them. The university has identified that only a small percentage of the nutrients going into Lake Winnipeg are actually coming from the hog industry.

The hog industry itself has said that they're still willing to work to reduce this even further with research and production technologies, but you cannot do that in an environment that wants you to go away, wants to downsize you. So there's no way that they're going to invest money, and the research money is not going to be available. There's no way that people are going to invest in this if you don't continue to—if there's no investment in the hog industry. Mr. Speaker, this bill—it's just really sad to see, I guess, for the lack of other words, sad to see that we've come to this, that they've picked on a particular industry.

I was coming down the highway today, on No. 1 highway today, and I started counting the number of livestock trucks that I—and, in my world, they were called possum bellies; they're double-decker trailers. I've loaded many of them and I know, just driving the highway, I know which ones are hog trailers and

which ones are cattle trailers. I started counting and it's amazing the number of trailers that are going down the road. You start counting also the number of feed trucks that are on the road. You look at the veterinarian and, we in rural Manitoba understand what these trucks are with the caps on the back. That's our vet clinic. If you're going to downsize the hog industry and, in fact, try to get rid of the hog industry, you're going to take—we always talk about the economic drivers of the hog industry, but that's what they are. Those are the service industries that are going to be affected so hard from this moratorium.

The whole principle of Bill 17 is, if you're in the hog business right now, you really have to seriously wonder whether it's time to cut and get out before you lose any more or before you're forced out. The rural municipalities are facing—particularly where there's a larger concentration of hog barns, and any municipality has hog barns for that matter. As these barns start being emptied out there's—and one municipality has already sent a letter to the Minister of Intergovernmental Affairs (Mr. Ashton) about the expected flood of reassessments to come because these barns are now empty. If you're in the moratorium area, they've basically lost their value, so there's going to be a series of reassessments in there and these property values—so what does this mean for the municipalities? As their lower assessments become more difficult, they still have to maintain services in the municipality, but with a smaller assessment base.

So, Mr. Speaker, there are just so many questions on Bill 17 that we know that are going to come. *[interjection]* Well, I think some debate on it would certainly be much more progressive. There are questions about whether a producer might be able to expand, but it's under technological advances. But what exactly is the technological advance? Does it qualify? Are you going to spend money on these and then find out that it doesn't qualify from a director who arbitrarily decides that this doesn't fit the bill? The uncertainty that the hog industry's gone through for the last couple of years from the market, and then now you've thrown this on top of them, it's no wonder that they're very depressed. There's no lack of a better word for it; these guys are depressed.

I have guys in my area that had invested a couple of million dollars in barns and now they're sitting empty. They said they can hold on for a year or so because they had a good crop in the past year,

but when they phone me and they tell me about this, what an I supposed to tell them? All I can say is, well, this government doesn't care. The Minister of Agriculture won't stand up and defend you on this, so who's out there? So, obviously, this government just doesn't care.

I think, Mr. Speaker, this is just a bad bill. It needs to be withdrawn completely. It needs to be forgotten about. We don't need moratoriums on; we have enough controls. We have a moratorium right now and they can't even seem to get rid of that one. Now they're going to legislate another one and it's just bad for Manitoba. It's bad for industry throughout all—and it's bad for Winnipeg, even though members from the urban centres may not realize that. So, with those words, I would just like to—I would hope at the very least this government would come to its senses and withdraw the bill and forget about it, but at the—I don't expect miracles so, to say the least, I will be voting against Bill 17. Thank you.

\* (16:30)

**Mr. David Faurichou (Portage la Prairie):** Thank you very much, Mr. Speaker, it's a pleasure. I will maybe qualify that term to rise in the Chamber this afternoon to participate in second reading debate of Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities).

Mr. Speaker, the legislation to which we are afforded the opportunity to debate is only six pages in length. However, it will impose devastation, and I'm not using that word lightly, upon individuals in this province who have undertaken to diversify and, indeed, farm in harmony with nature.

A very long time ago, as a very young man, I appreciated the need to conserve and to appreciate that I was only a keeper of the land, and for a very short time, as it would be related to all time, is considered. The land that I was the keeper of should be in the same shape or better when the land was ultimately transferred to, hopefully, another family member. I took my university education and coined, when I first started farming, a phrase that I felt I could live with and that I would be ultimately very proud of. The phrase that I took was innovation and technology in harmony with nature. Everything that I did on my farm had to be akin to that term. I'm very proud to say that the decisions I made, not one was in contravention of that earlier coined phrase.

I look around the Chamber and I know that there is virtually every member of this Assembly who is concerned about Mother Nature and the state of our environment, not only for our own best interests, but those that will come after us. But this piece of legislation is not in keeping with that sentiment. I, in this Chamber, am very proud to say that there are few that can match the undertakings that I have taken on throughout my life, and that includes not only making certain that the soil that I farmed was improved with increased organic matter, but also, too, to preserve the environment, not only for farming, but also for Mother Nature. That is why I personally have planted more than 100,000 trees. These trees are to afford the environment for wildlife, as well as to make certain that the soil that is exposed during farming is not eroded by the wind. As well, there is an aesthetics that I truly appreciate that can be only afforded by Mother Nature and the growing of trees.

Mr. Speaker, Bill 17 states that there will be a prohibition on the expansion and modification of existing hog facilities in a prescribed area. "No person shall construct, expand or modify a confined livestock area for pigs or a pig manure storage facility located or to be located in any of the areas listed in the Schedule, except as authorized by a permit under this section."

That statement is very clear that this government has no intentions of allowing persons to expand their operations, to diversify, to value add on their farm if they're in the area that is described by the schedule. But how unfair is that if the individuals that are located and farming within the prescribed area have done everything right? They have made sure that the environment to which they are the keepers of is truly better today than they were when they first started farming.

Mr. Speaker, why, then, would this government be undertaking such a legislation if individuals have complied, conformed and undertaken everything that is humanly possible to make absolutely certain that their operations are harmless to the environment?

I talk with members opposite one-on-one and ask questions and each and every individual that I've spoken to on a personal basis recognizes that persons should not be penalized for doing everything right, everything that has been asked of them, everything that they believe is in keeping with preserving and enhancing the environment not only for themselves

but for their children as well, should be put upon by legislation.

The question begs to be answered: If members opposite individually believe that Bill 17 is not—and I repeat, not—in good keeping with the understandings that persons that come to live in a free democracy come to rely on, then why collectively are the members opposite coming together to pass a piece of legislation that individually they do not support? Individually, they believe that this legislation contravenes everything to which they have come to be representative of in this Legislative Assembly. This goes against democracy. Persons that have the right to make their own decisions are being contravened by this legislation. What other countries in the world introduce legislation that contravenes the rights and freedoms of individuals living in a democracy? I ask the members opposite: please give me an answer to that question. What other countries in the world put forward legislation that contravenes the rights and freedoms of individuals living in a democracy? There is no answer, Mr. Speaker, coming from members opposite, so I would presume, then, that my own research is well founded in saying that I have no knowledge of any jurisdiction in the world that is going about curtailing the freedoms of individuals living in a democracy based upon no sound facts, no sound science.

I will state that the current investments in inputs in producing our products here in the province of Manitoba have seen an unprecedented escalation. I will use the example of phosphate fertilizer. Phosphate fertilizer is used quite extensively throughout the province of Manitoba because, yes, indeed, our soils are deficient and the crops that are grown are in need of phosphate in order to produce the grains and oil seeds that we make our living at. With the need for phosphate, we have experienced an escalation of the cost of that phosphate fertilizer from my farming days of in and about 160, 180, as much as perhaps \$300 per metric tonne. I ask the members opposite: Have you knowledge of what current-day phosphate fertilizer is being purchased for? [*interjection*] It's in the neighbourhood of \$1,400 Canadian, and I will say the difference, too, when that \$160, \$180, \$200 was when our dollar was trading in and about 80 cents U.S. Now our dollar is on par with the U.S., so not only are \$1,400 Canadian, you've also got to add more than 20 percent because of the escalating value of our currency internationally. So it truly is astounding as to the cost of phosphate fertilizer.

\* (16:40)

Well, how does the cost of phosphate fertilizer relate to Bill 17? Well, truly, if you're understanding the cycles of farming and Mother Nature, it is that when one produces a crop and in turn feeds it to livestock, livestock do produce manure and, within that manure, there is a nutrient value. This nutrient value has become even more valuable as supplemental fertilizer rises in price.

We should be looking at manure as a valuable resource, rather than looking to the mines of Florida, U.S.A. for the phosphate rock to supplement what we already have here in the province of Manitoba as a by-product of value-added processing through the intensive raising of livestock, in this particular case, hogs. I am so disappointed that other members of this legislative Chamber, especially those on the side of government that don't recognize the absolute importance of having a livestock operation and the ability to take the feed and livestock and ultimately work towards a well-balanced farming operation that doesn't require purchase of artificial nutrients.

Now, Mr. Speaker, if the members opposite don't appreciate that this is a concern of farmers, perhaps, maybe, I would like to reiterate in a different manner. If one is paying \$1,400 a metric tonne for phosphate fertilizer, you can rest assured that the individuals that are acquiring that fertilizer are going to make absolutely certain, to their greatest extent humanly possible, to preserve that purchase and to make certain that the phosphate that is applied for the production of crops is, indeed, utilized by that crop and not lost into the environment and through the waterways, which all of us have recognized is important to preserve.

This isn't the first time that this government has put an attack on the farmers here in Manitoba for doing nothing other than working in harmony with nature. They do what they do best and that is listen to the pollsters. That's why they continue to ride the wave of popularity, because they trust upon the naivety of individuals that are now, perhaps, two and three generations away from the farming community and do not recognize the changes that have come about in modern-day agriculture.

Modern-day agriculture, we that are engaged in farming make use of our inputs and, indeed, do not waste them. Truly, if you're wanting to make the most of your farming operation, you re-apply to the land the manure which is rich in phosphate and that

can tell you exactly how much value when you're looking to commercial value of artificial fertilizer application. So farmers are not going to want to lose any of that nutrient value that is applied through the manure application.

I cannot stress it enough to the individuals that are part of government that have proposed such ludicrous legislation as enshrined under the title Bill 17. It is just so devoid of support by fact and science that I do not understand how, collectively, the members of the New Democratic Party can support such legislation. I'm certain when they all stand and put their names to support of this legislation, because, without a doubt, this Bill 17 will come to a recorded vote, and then the individuals have to go back to their respective constituencies and say, well, because I was told. What kind of representative is that? I was told by the party Whip that I had to vote this way. What kind of representation do the constituents expect from individuals? I'm certain that this is not in keeping with that expectation, when individuals first try to attain the very honoured seat in this Assembly. When one goes back and tells persons, after they have had their tenure in this Chamber, why they voted as they did, and to give the explanation, I was told to, what kind of reflection is that upon your individual self-worth or self-respect at later years when this bill comes into effect and you see the devastation that is afforded individuals who currently are trying their very, very best, and understanding how they may work in harmony with nature?

Now, if the members don't want to take anything of what I've said thus far, I will ask them further questions: Can they go back to their constituents and answer the questions that are being asked about this bill, questions that have yet to be answered? And, how can you vote for a piece of legislation when you don't understand what that legislation truly means? How does it reflect on individuals farming within your respective constituencies? These questions are yet to be answered.

You know, when one asks the question as to whether the manure storage permit is transferable to future ownership of that intensive livestock operation, and the minister himself says, I don't know, well, if the sponsoring minister of this legislation doesn't know whether the intensive farm operation can be sold and a continued livestock operation on that farm, why, then, are we being asked to pass this legislation? These are the

questions that need to have answers before we are asked as legislators to vote on this legislation.

I look to the Minister of Conservation (Mr. Struthers), the sponsoring minister, who said he's not sure, he doesn't know about numerous questions posed to him, and that we'll have to look into it, we'll just have to see, we are currently investigating. These are the responses by the minister, but they're not an answer to the questions that have been posed. I look to the minister, and I know that he's an honourable individual, and if he was to take that back to his constituency and the questions are asked, do you think that he in his own timeframe and understanding of this would be asking us to vote on this legislation at this time? His answer would be, no, he would not ask any legislator to vote on this legislation until he had an answer to every question posed to the legislation.

\* (16:50)

I know the minister is listening. I know that he truly would not ask of his colleagues on the government's side of the House nor on the opposition benches to make up a decision until he was afforded the opportunity to answer all of the questions. Being that the minister has yet to be able to answer the questions, I'm looking forward to, actually, him standing in this House and asking that we delay passage of this bill, because he is an honourable individual.

**An Honourable Member:** Don't push it.

**Mr. Faurchou:** My colleagues are saying my expectations of the minister are far too inflated, but I would like to have my inflated expectations satisfied and recognized by the minister when he rises in the House and asks that Bill 17 be removed from the Order Paper, because he has yet to answer the questions that have been so proposed to him.

But there is no one that is more concerned about water quality than myself. In fact, I had lobbied long and hard through two administrations to see a separate ministry responsible for our greatest natural resource, that being water. I appreciate that the Minister of Water Stewardship (Ms. Melnick) is here listening this afternoon because she will receive the support of, I would suspect, almost every member in this House, if not all, that water quality should be of paramount concern to everyone, especially we as legislators.

But this bill does not speak to that. It speaks to individuals trying to make their way in this world by the most noble of occupations, that being farming. Everyone that I know that is engaged in the same industry to which I am does not take our responsibility of stewards of the land very lightly at all. We have grassed waterways, we have setback areas from water courses and water bodies to make absolutely certain that there is preservation of the water quality.

All of these are now enshrined in legislation. I'm pleased to see that these practices have been endorsed by our large umbrella agricultural organization, the Keystone Agricultural Producers, in their promotion of the program by the name of ALUS, Alternative Land Use strategy, which adopts setback areas to preserve the water quality.

But, Mr. Speaker, Bill 17 has nothing to do with water quality. It is a complete assault on hog producers here in the province of Manitoba. This piece of legislation is totally devoid of fact and science base. If, indeed, there are intensive hog producers that are polluting our waterways, then we already have legislation that will address that situation. We need not to take a full-out affront on freedom of a democracy, which I am very proud to say that I have been duly elected in the province of Manitoba, proud of the fact that my father in the service of his country preserved that democratic right to which this current government is trying to trample upon.

Thank you, Mr. Speaker.

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, I rise to put some words on the record about Bill 17 today, The Environment Amendment Act. It's a permanent ban on buildings and expanding hog facilities. It's also a permanent ban on food production in the province, and it's a ban on civil rights as well.

Perhaps before I go into the bill in itself, I believe that a little bit of history on hog production in the province is in order as it's important to understand where we came from in this industry, where we are today and where we would like to be tomorrow in the industry. In 1920, there were more hogs in the province of Manitoba than there are today. It's probably a little known fact, but I'm sure that the Minister of Conservation (Mr. Struthers) isn't aware of that. There are a number of things he's probably not aware of, Mr. Speaker. But there were



more hogs in the province in 1920 than there are today, and there was not the technology that we have to deal with the manure or with the actual fertilizer aspect. At that time, I would suggest that it was hauled with a unit called a stone boat, and likely one horse, sometimes two horses, and it wasn't hauled very far from the yard site and was spread on probably the greenest grass that you've seen grow.

However, in today's world, we have a lot more technology to deal with the effluent from the hogs that we have. That technology, Mr. Speaker, has been improved dramatically in the last few years. It came about because we all have a concern about the environment. The environment is important to the hog people.

Perhaps I'll just step back a little bit, why the industry has grown, why it shrank at one time and why it has grown again, Mr. Speaker. In the province, for a number of years, we had a program called the Crow benefit. That Crow benefit allowed grain to be shipped from Manitoba, Saskatchewan and Alberta to any port and to any place in the province, and it was at the same price as what we would have it in this province here. So the developments took place in provinces like Ontario, Québec, and in some cases in British Columbia, where it costs nothing to ship the grain there to grow the products. A few years back, the Crow rate was taken away and the true cost of shipping grain then became the responsibility of the other provinces, the feeding provinces, which put us in a situation where we could value-add the grain production of our province, and part of that would be through hogs.

It just so happened that at that time we had some of the best genetics in the world in hogs. They were world-recognized, and we were in a situation where we were the farthest from any of the ports. So it became a natural fit that we could value-add and create the industry that we have created today that generates over a billion dollars a year. It outperforms Manitoba Hydro, one of the crown jewels that we consider today to be something that we want to see expanded as well and developed to where it will

generate more capital, and hopefully not to balance an unbalanced budget.

At any rate, as the industry grew, regulations came into effect to better protect the environment, and we all agree that the environment does need to be protected, Mr. Speaker. The recommendations that came forward through a series of meetings over a period of time developed the manure nutrient management plan, it developed the livestock manure mortalities and management regulations, and The Planning Act, among other things.

Before I speak to the manure management regulations and mortalities regulations and the nutrient management regulations, I'd like to speak to The Planning Act. As I recall, back in 2003, the Minister of Agriculture (Ms. Wowchuk), who still is the Minister of Agriculture, said at that time all municipalities within our province would be controlled by a planning act, and these were the rules that she was setting out for them. That didn't take place in 2003, and so she procrastinated and said, in 2004, that shall take place in 2005. Because it didn't take place in 2005, she procrastinated and said, we will do that in 2006. But the municipalities failed to pay any attention to what the Minister of Agriculture was putting forward as far as the planning acts went. So there was a haphazard development of planning districts throughout the province.

However, there was one municipality, and I'll name that municipality, it was the R.M. of De Salaberry, which, Mr. Speaker, was in an envious position. They had the advantage of having a wonderful lake, a man-made lake, in their municipality which was well developed around the village of St. Malo.

**Mr. Speaker:** Order.

When this matter is again before the House, the honourable member will have 23 minutes remaining.

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, May 21, 2008**

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