

Third Session - Fortieth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

Official Report
(Hansard)

*Published under the
authority of
The Honourable Daryl Reid
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy	St. Vital	NDP
ALLUM, James, Hon.	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BJORNSON, Peter, Hon.	Gimli	NDP
BLADY, Sharon, Hon.	Kirkfield Park	NDP
BRAUN, Erna, Hon.	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Gregory	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer, Hon.	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MELNICK, Christine	Riel	Ind.
MITCHELSON, Bonnie	River East	PC
NEVAKSHONOFF, Tom	Interlake	NDP
OSWALD, Theresa, Hon.	Seine River	NDP
PALLISTER, Brian	Fort Whyte	PC
PEDERSEN, Blaine	Midland	PC
PETTERSEN, Clarence	Flin Flon	NDP
PIWNIUK, Doyle	Arthur-Virden	PC
REID, Daryl, Hon.	Transcona	NDP
ROBINSON, Eric, Hon.	Kewatinook	NDP
RONDEAU, Jim	Assiniboia	NDP
ROWAT, Leanne	Riding Mountain	PC
SARAN, Mohinder	The Maples	NDP
SCHULER, Ron	St. Paul	PC
SELBY, Erin, Hon.	Southdale	NDP
SELINGER, Greg, Hon.	St. Boniface	NDP
SMOOK, Dennis	La Verendrye	PC
STEFANSON, Heather	Tuxedo	PC
STRUTHERS, Stan, Hon.	Dauphin	NDP
SWAN, Andrew, Hon.	Minto	NDP
WIEBE, Matt	Concordia	NDP
WIGHT, Melanie	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC
<i>Vacant</i>	The Pas	

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 26, 2014

The House met at 1:30 p.m.

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

Good afternoon, everyone. Please be seated.

ROUTINE PROCEEDINGS

Mr. Speaker: Introduction of bills?

PETITIONS

Mr. Speaker: Seeing no bills, petitions?

Neurofibromatosis Awareness Month

Mrs. Leanne Rowat (Riding Mountain): I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

Neurofibromatosis is a genetic disorder that causes tumours to form on nerves anywhere in the body.

NF also causes complications such as disfigurement, bone deformities, learning disabilities, epilepsy and cancer.

NF is a neurological disorder affecting one in every 3,000 births.

NF affects more than 10,000 Canadians, making it more prevalent than cystic fibrosis, Duchenne muscular dystrophy and Huntington's disease combined.

The Manitoba Neurofibromatosis Support Group, MBNF, is a support group that provides much needed support to individuals and their families who are living with NF.

We petition the Legislative Assembly as follows:

To proclaim that the month of May of each year is to be known throughout Manitoba as neurofibromatosis, NF, awareness month.

This petition is signed by M. Gebhardt, D. Lasko, D. Jubinville and many more concerned Manitobans.

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

Further petitions?

Tabor Home—Construction Delays

Mr. Cameron Friesen (Morden-Winkler): I wish to present the following petition to the Legislative Assembly.

And the background to this petition is as follows:

(1) Morden's population has grown nearly 20 per cent in five years.

(2) Twenty-three per cent of Morden's population is over the age of 65.

(3) The community worked for years to get the provincial government's commitment to build a new personal-care home and, as a result, construction of the new Tabor Home was finally promised in 2010.

(4) The Minister of Health initially indicated that construction of the new Tabor Home would commence in 2013.

(5) The Minister of Health subsequently broke her promise and delayed construction until spring 2014.

(6) The Minister of Health broke that promise as well, delaying construction again until fall 2014.

(7) In March of 2014, the Minister of Health again broke her promise, once more delaying construction of Tabor Home until 2015.

(8) Too many seniors continue to live out their final days and months in facilities far from home and family because of a shortage of personal-care-home beds in the area.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to stop breaking their promises, stop the delays and keep their commitment to proceed with the construction of Tabor Home in 2014.

And this petition is signed by M. Penner, R. Dyck, J. Wiebe and many fine Manitobans.

Provincial Sales Tax Increase—Referendum

Mr. Ralph Eichler (Lakeside): Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase retail sales tax, known as the PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

This petition's submitted on behalf of M. Mailman, J. Peitsch, S. Keller and many other fine Manitobans.

Provincial Sales Tax Increase— Effects on Manitoba Economy

Mr. Cliff Cullen (Spruce Woods): I wish to present the following petition to the Legislative Assembly.

The background to the petition is as follows:

The Premier of Manitoba is on record calling the idea of a hike in the PST ridiculous.

Economists calculate that the PST hike has cost the average family \$437 more in taxes after only six months.

Seventy-five per cent of small businesses in Manitoba agree that provincial taxes are discouraging them from growing their businesses.

The Canadian Restaurant and Foodservices Association estimates that a 1 per cent increase in the

PST will result in a loss to the economy of \$42 million and threaten hundreds of jobs in that sector.

Partly due to the PST, overall taxes on new investment in Manitoba recently stood at 26.3 per cent whereas the Alberta rate was 16.2 per cent and the Ontario rate was 17.9 per cent, according to the Manitoba Chambers of Commerce.

The Manitoba Chambers of Commerce are concerned that the PST hike will make an already uncompetitive tax framework even more unattractive to job creators in the province.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to reverse the job-killing PST increase.

To urge the provincial government to restore the right of Manitobans to reject or approve any increases to the PST through a referendum.

This petition is signed by M. Jamieson, B. Jewsbury, T. Drinkwater and many other fine Manitobans.

Beausejour District Hospital— Weekend and Holiday Physician Availability

Mr. Wayne Ewasko (Lac du Bonnet): I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

(1) The Beausejour District Hospital is a 30-bed, acute-care facility that serves the communities of Beausejour and Brokenhead.

(2) The hospital and the primary-care centre have had no doctor available on weekends and holidays for many months, jeopardizing the health and livelihoods of those in the Interlake-Eastern Regional Health Authority region.

(3) During the 2011 election, the provincial government promised to provide every Manitoban with access to a family doctor by 2015.

(4) This promise is far from being realized, and Manitobans are witnessing many emergency rooms limiting services or closing temporarily, with the majority of these reductions taking place in rural Manitoba.

* (13:40)

(5) According to the Health Council of Canada, only 25 per cent of doctors in Manitoba reported that their patients had access to care on evenings and weekends.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government and the Minister of Health to ensure that the Beausejour District Hospital and primary-care centre have had a primary-care physician available on weekends and holidays to better provide area residents with this essential service.

This petition is signed by J. Calmen, D. Wersturk, M. Debruyne and many, many more fine Manitobans.

Mr. Speaker: Any further petitions?

COMMITTEE REPORTS

Mr. Speaker: Seeing none, committee reports.

Standing Committee on Social and Economic Development First Report

Ms. Nancy Allan (Chairperson): Mr. Speaker, I wish to present the First Report of the Standing Committee on Social and Economic Development.

Clerk (Ms. Patricia Chaychuk): Your Standing Committee on Social–

An Honourable Member: Dispense.

Mr. Speaker: Dispense? Dispense.

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

Meetings

Your Committee met on May 22, 2014 at 6:00 p.m. in Room 254 of the Legislative Building.

Matters under Consideration

- **Bill (No. 18)** – *The Business Practices Amendment Act (Improved Consumer Protection and Enforcement)/Loi modifiant la Loi sur les pratiques commerciales (mesures de protection et d'exécution améliorées à l'intention du consommateur)*
- **Bill (No. 34)** – *The Consumer Protection Amendment Act (High-Cost Credit Products)/Loi*

modifiant la Loi sur la protection du consommateur (produits de crédit à coût élevé)

- **Bill (No. 59)** – *The Adoption Amendment and Vital Statistics Amendment Act (Opening Birth and Adoption Records)/Loi modifiant la Loi sur l'adoption et la Loi sur les statistiques de l'état civil (accès aux documents de naissance et d'adoption)*
- **Bill (No. 62)** – *The Consumer Protection Amendment Act (Contracts for Distance Communication Services)/Loi modifiant la Loi sur la protection du consommateur (contrats de services de communication à distance)*

Committee Membership

- Ms. ALLAN (Chairperson)
- Mr. CULLEN
- Mr. GAUDREAU
- Hon. Ms. IRVIN-ROSS
- Hon. Mr. LEMIEUX
- Hon. Ms. MARCELINO (Logan)
- Mr. MARCELINO (Tyndall-Park)
- Mr. MARTIN
- Mrs. MITCHELSON
- Mr. RONDEAU
- Mr. WISHART

Your Committee elected Mr. MARCELINO (Tyndall-Park) as the Vice-Chairperson.

Public Presentations

*Your Committee heard the following two presentations on **Bill (No. 34)** – The Consumer Protection Amendment Act (High-Cost Credit Products)/Loi modifiant la Loi sur la protection du consommateur (produits de crédit à coût élevé):*

*John Silver, Community Financial Counselling Services
Gloria Desorcy, Consumer Association of Canada – Manitoba Branch*

*Your Committee heard the following two presentations on **Bill (No. 59)** – The Adoption Amendment and Vital Statistics Amendment Act (Opening Birth and Adoption Records)/Loi modifiant la Loi sur l'adoption et la Loi sur les statistiques de l'état civil (accès aux documents de naissance et d'adoption):*

*Kirk Stanley, Private Citizen
Roy Kading, LINKS*

Bills Considered and Reported

- **Bill (No. 18)** – *The Business Practices Amendment Act (Improved Consumer Protection and Enforcement)/Loi modifiant la Loi sur les pratiques commerciales (mesures de protection et d'exécution améliorées à l'intention du consommateur)*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 34)** – *The Consumer Protection Amendment Act (High-Cost Credit Products)/Loi modifiant la Loi sur la protection du consommateur (produits de crédit à coût élevé)*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 59)** – *The Adoption Amendment and Vital Statistics Amendment Act (Opening Birth and Adoption Records)/Loi modifiant la Loi sur l'adoption et la Loi sur les statistiques de l'état civil (accès aux documents de naissance et d'adoption)*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 62)** – *The Consumer Protection Amendment Act (Contracts for Distance Communication Services)/Loi modifiant la Loi sur la protection du consommateur (contrats de services de communication à distance)*

Your Committee agreed to report this Bill without amendment.

Ms. Allan: Mr. Speaker, I move, seconded by the honourable member for Tyndall Park (Mr. Marcelino), that the report of the committee be received.

Motion agreed to.

**Standing Committee on Justice
First Report**

Mr. Mohinder Saran (Vice-Chairperson): Mr. Speaker, I wish to present the First Report of the Standing Committee on Justice.

Clerk: Your Standing Committee on Justice presents the following—

Some Honourable Members: Dispense.

Mr. Speaker: Dispense? Dispense.

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

Meetings

Your Committee met on May 22, 2014 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 3)** – *The Witness Security Amendment Act/Loi modifiant la Loi sur la sécurité des témoins*
- **Bill (No. 31)** – *The Police Services Amendment Act (Community Safety Officers)/Loi modifiant la Loi sur les services de police (agents de sécurité communautaire)*
- **Bill (No. 50)** – *The Protection for Temporary Help Workers Act (Worker Recruitment and Protection Act and Employment Standards Code Amended)/Loi sur la protection des travailleurs temporaires (modification de la Loi sur le recrutement et la protection des travailleurs et du Code des normes d'emploi)*
- **Bill (No. 51)** – *The Legislative Assembly Amendment Act/Loi modifiant la Loi sur l'Assemblée législative*

Committee Membership

- Hon. Ms. BRAUN
- Mr. CALDWELL
- Hon. Mr. CHOMIAK
- Mr. GOERTZEN
- Mr. GRAYDON
- Mr. JHA
- Hon. Mr. KOSTYSHYN
- Mr. PEDERSEN
- Mr. SARAN
- Mr. SMOOK
- Hon. Mr. SWAN

Your Committee elected Mr. JHA as the Chairperson.

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

Written Submissions

Your Committee received the following written submission on **Bill (No. 31)** – *The Police Services Amendment Act (Community Safety Officers)/Loi modifiant la Loi sur les services de police (agents de sécurité communautaire):*

Doug Dobrowolski, Association of Manitoba Municipalities

Your Committee received the following written submission on **Bill (No. 50) – The Protection for Temporary Help Workers Act (Worker Recruitment and Protection Act and Employment Standards Code Amended)/Loi sur la protection des travailleurs temporaires (modification de la Loi sur le recrutement et la protection des travailleurs et du Code des normes d'emploi)**:

Ron Gauthier, Human Resources Management Association of Manitoba

Bills Considered and Reported

- **Bill (No. 3) – The Witness Security Amendment Act/Loi modifiant la Loi sur la sécurité des témoins**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 31) – The Police Services Amendment Act (Community Safety Officers)/Loi modifiant la Loi sur les services de police (agents de sécurité communautaire)**

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

THAT Clause 2 of the Bill be amended in the proposed subsection 77.4(3) by adding ", victim and social services" after "public safety".

- **Bill (No. 50) – The Protection for Temporary Help Workers Act (Worker Recruitment and Protection Act and Employment Standards Code Amended)/Loi sur la protection des travailleurs temporaires (modification de la Loi sur le recrutement et la protection des travailleurs et du Code des normes d'emploi)**

Your Committee agreed to report this Bill, without amendment on a recorded vote of yeas 6, nays 4.

- **Bill (No. 51) – The Legislative Assembly Amendment Act/Loi modifiant la Loi sur l'Assemblée législative**

Your Committee agreed to report this Bill without amendment.

Mr. Saran: I move, seconded by the honourable member for Brandon East (Mr. Caldwell), that the report of the committee be received.

Motion agreed to.

Mr. Speaker: Any further committee reports? Tabling of reports?

MINISTERIAL STATEMENTS

Komagata Maru

Hon. Erna Braun (Minister of Labour and Immigration): I have a ministerial statement to make.

This year marks the 100th anniversary of the tragic Komagata Maru event. The Komagata Maru was a Japanese ship carrying Indian immigrants that set sail on April 4th, 1914. On board were 376 passengers from Punjab, India, seeking new opportunities for a better life in Canada.

The ship arrived in Burrard Inlet near Vancouver only to face open discrimination. Instead of being welcomed into Canada as fellow members of the British Empire, the Canadian navy denied them entry and forced the Komagata Maru to sail back to India where some of the passengers were executed. It was a terrible demonstration of the kind of racism that was a tragic part of our country's history. Continued discrimination prevented many South Asians from immigrating to Canada in the early 20th century.

In a twist of karmic events, 100 years later, Harjit Singh Sajjan, a Sikh, now commands the same regiment that was involved in forcing the Komagata Maru out of Vancouver harbour. Hindus, Sikhs, Muslims and other South Asians have become an essential part of our nation.

Today we are moving forward. As diverse Canadian communities, we can continue to unite in our commitment to justice and live in respectful harmony with each other. In our province, we continue to work towards a future where everyone feels welcome. We know that in Manitoba our diversity is our strength.

Thank you, Mr. Speaker.

Mr. Dennis Smook (La Verendrye): It is my honour to rise today to speak about the Komagata Maru incident.

One hundred years ago, a Japanese sea ship named the Komagata Maru arrived on the shores of Vancouver, British Columbia. Aboard this ship were 376 people from Punjab, India, who had hopes and dreams of making a better life for themselves in Canada. Sadly, when the Komagata Maru arrived in Canadian waters, it was not allowed to dock. The premier of British Columbia at the time gave a

categoric statement that the passengers would not be allowed to disembark. A public meeting was organized by an MP allowing the ship's passenger—not allowing the ship's passengers to disembark and urged the government to refuse to allow the ship to remain. Two months later, the ship returned to India, but when it arrived, British India police in Calcutta shot 19 of the passengers.

Mr. Speaker, this was a blatant act of racism by the government of the day. To deny the passengers entry on the basis of ethnicity was an act of hatred that hurt some of the most vulnerable people in our society. It is a painful reminder of our past and an important lesson for us that we must value and respect immigrants in Manitoba.

Today is an opportunity to reflect on this lesson, a lesson of 'tolerism' and respect towards people who choose to build their lives here in Canada. Many levels of government, both the provincial and the federal level, have formally apologized for these atrocious actions. It is clear that over the last century we have made progress, but there's still much work to be done.

Immigrants have played a strong role in the development of Manitoba. We take great pride in our diversity and our determination to achieve equality of opportunity for all in our communities. A multicultural society provides great opportunities for all Manitobans, and I strongly believe that our future prosperity in Manitoba will be a testament to our ability to successfully welcome newcomers to our cultural mosaic.

Mr. Speaker, the tragic incident of the Komagata Maru marks a dark chapter in our history, but it should also inspire us to pursue a better and more equal Manitoba and Canada in the years to come.

Thank you.

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

Mr. Speaker: Does the honourable member for River Heights have leave to speak to the ministerial statement? *[Agreed]*

Mr. Gerrard: Mr. Speaker, it is important that we recognize the events, the sad events, related to the situation of what happened with the Komagata Maru, the Japanese ship carrying Indian immigrants that was pushed away from coming to Canada.

Mr. Speaker, it is important, as well, that we celebrate what is happening at the moment, that

instead of people being pushed away, we are welcoming large numbers of people from Japan, from India, from China, from Pakistan, Bangladesh, Laos, Thailand, Cambodia, Singapore, Malaysia and the Philippines, and these people who are coming to Canada and, of course, to Manitoba are making a tremendous contribution to our country, and that is something that we should celebrate.

I believe we should also celebrate today the fact that India is continuing to be a democratic country, that they have a new leader just recently elected and, most specifically, that the new Indian leader, Modi, has invited the leader from Pakistan to be there at the ceremony, which marks, perhaps, a turning point in relationships between these two wonderful countries. And, of course, we are so pleased to have so many from both of these countries and the others here in Canada and Manitoba now.

Thank you.

Mr. Speaker: Any further ministerial statements?

* (13:50)

Introduction of Guests

Mr. Speaker: Seeing none, prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us today from Kildonan-East Collegiate, we have 32 grade 9 students under the direction of Jamie Giasson, and this group is located in the constituency of the honourable member for Concordia (Mr. Wiebe).

On behalf of honourable members, we welcome you here this afternoon.

ORAL QUESTIONS

Manitoba Hydro Number of Linemen

Mr. Brian Pallister (Leader of the Official Opposition): Well, Manitobans have a national reputation for giving and we lead the StatsCan numbers in charitable giving, and certainly in volunteerism, I understand, we're near the top of the pack as well. One of the other attributes that Manitobans certainly share is honesty, and it is the Manitoba way, but it doesn't seem to be the spendDP way lately.

On April 9th of this year during question period, the Premier stated, quote: There's close to 700 additional linemen working in Manitoba.

Now, the International Brotherhood of Electrical Workers has taken exception to that comment and replied in a letter which we've been copied on. It says: Knowing that we don't even have 700 linemen in the IBEW, I would have to say that your government must be gathering its statistics from Kijiji.

So would the Premier like to take the opportunity to correct the record? Who is right here, is it the International Brotherhood of Electrical Workers or is it the Premier?

Hon. Greg Selinger (Premier): Mr. Speaker, first of all, I want to acknowledge the Komagata Maru 100th year anniversary for that very tragic and unfortunate incident and how far we've come as a country in respecting diversity.

In 2000 there were 2,261 IBEW members, and as recently as this year there are 2,907 members. That's 650 members more, so there has been growth in the number of members in the IBEW that work for Manitoba Hydro. But the member is correct; they're not all linemen. There are many different people there fulfilling a variety of roles.

In addition, Mr. Speaker, we have moved on accreditation of power line technicians with on-the-job training. This is a first in Manitoba, and we have said we will double the number of power line technicians that are being hired and trained in Manitoba. So this is a big step forward for people that are very interested in doing that profession.

Privatization of MTS Job Loss Numbers

Mr. Brian Pallister (Leader of the Official Opposition): So we'll take IBEW's word for it.

Now, in terms of the letter, it goes further. It is a letter, actually, to the minister in charge of Hydro, and it says, and I quote now: In your letter, you also claim that 500 IBEW members—500 IBEW members—were fired as a result of the privatization of MTS. That must be another fact that you've gathered from Kijiji. I have spoken to the business manager of IBEW at the time, and he advises that there were no members that were fired because of the sale of MTS.

The Manitoba way being truth, Mr. Speaker, and that not being the NDP way, let me ask the Premier again to clarify here: Who's right? Is it the workers that he is claiming lost their jobs? Is it the union

representing those workers? Is that who's right, or is he saying that the IBEW has got its facts wrong?

Hon. Greg Selinger (Premier): Mr. Speaker, 10 years after the Manitoba Telephone System was privatized by the member opposite—proudly privatized by the member opposite—we have seen in a study done by the Canadian Centre for Policy Alternatives, CCPA, that the number of IBEW workers has gone from 1,200 to 700; that's a decline of 500 people. The former Communications, Energy and Paperworkers Union, now part of Unifor, saw its numbers plunge from 750 members in 1996 to 1,000, and the Telecommunications Employees Association of Manitoba has gone from 1,100 to 1,000. These are identified by the CCPA in its 2007 Fast Facts, for a total decline of 1,350 jobs at MTS.

That's a very significant reduction, and there's more information of what happened to their pension plan, which I'd be happy to put on the record in a subsequent question.

Manitoba Hydro Contracting of Services

Mr. Brian Pallister (Leader of the Official Opposition): Manitobans who were unfortunate enough to listen to the Premier's advice on the Crocus fund I'm sure will wait with bated breath for him to tell them about his pension information.

You know, when this government ran in the last election, of course, they told Hydro workers that—[interjection] They promised Hydro workers that they wouldn't privatize, and there's another broken promise, an NDP promise that is a broken promise, which is most of them lately. They have privatized now and outsourced on tree trimming, dam maintenance, pole salvage maintenance.

Numerous tasks and responsibilities previously done by members and employees of Manitoba Hydro are no longer done by members of Manitoba Hydro, employees of Manitoba Hydro. What the government has done is cut Manitoba Hydro workers out, just like they did with the air ambulance contract when they cut Manitoba companies out of a chance to bid on it.

So let the Premier answer this question: Did his government promise the members of IBEW that it would not privatize without notice, and then proceed to do so?

Hon. Greg Selinger (Premier): Mr. Speaker, the relationship between IBEW is with the Crown

corporation known as Manitoba Hydro, something that is now owned by the people of Manitoba, very different contrast to when the member opposite was in government and the people of Manitoba owned the telephone system and the rates were the third lowest in Canada. Now that is a private corporation with the majority of shares owned outside of Manitoba, with 1,350 less employees, with a pension plan where money was taken out of it. It became the subject of a court case that went all the way to the Supreme Court, and only after a decade of litigation did the Supreme Court confirm that that money should not have been taken away from the people that worked at MTS. Their pensions should have been protected.

The member opposite privatized pensions, laid off people and caused them to lose jobs, and he should apologize for it today, Mr. Speaker.

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

Regional Office Closures

Mr. Pallister: Well, I'll take that non-response, then, as a yes; the government did lie to the workers at Manitoba Hydro and did, in fact, outsource without giving them a chance to bid on the work.

Now, in fact, when the Premier talks about Manitoba Hydro being owned by the people of Manitoba, that's refreshing to hear. It's unfortunate the government doesn't act like it and insists on treating Manitoba Hydro and its employees as their personal toy. That is not helpful.

Now, the members of the government went to the Hydro workers of this province just last spring and they told them that there would be no closures of regional Hydro offices, none. They gave them their word, and five months later, 12 were immediately closed and another 12 offices are going to be closed in the next couple of years.

Would the Premier like to verify that when his government gave their word to Manitoba Hydro workers, they actually lied?

Mr. Selinger: Mr. Speaker, the Public Utilities Board, the regulator, said to Manitoba Hydro that they should find greater efficiencies in the way they deliver services. What we made sure did not happen is no employee lost their job as they found more efficient ways to deliver services.

That's a real contrast to the members opposite that laid off thousands of employees in the public

service. And we all know about the 1,000 nurses, but many civil servants lost their jobs under their approach to the way they dealt with dealing with austerity in a recession. We have grown the economy; we have grown the number of people working in Manitoba during that period of time.

No Hydro worker is losing their job if the corporation seeks greater efficiencies so they can keep rates the lowest in North America for all Manitobans.

Contract Management Government Record

Mr. Brian Pallister (Leader of the Official Opposition): That's right, Mr. Speaker. Dealing with austerity's tough. You've got a choice: You can balance the books or you can borrow money on Manitoba's children's credit card. You can steal money from the future and imperil the future of our social services, education system and health-care system, just the way this government is doing that.

So let's summarize here. The government promised a number of things to Manitoba Hydro workers and other civil servants across the province. Then they gave away work without advance notice and didn't give government employees a chance to even bid on providing the work. Then they closed regional Hydro offices after promising not to, and now they're trying to frighten Manitoba Hydro workers, civil servants and their families with phony figures. They are misrepresenting the figures. That is not the Manitoba way.

Will the Premier verify with his answer that it is, indeed, the NDP way?

Hon. Greg Selinger (Premier): Mr. Speaker, I put on the record the number of employees that were lost, by an independent study at the MTS, when the member opposite privatized it.

Now, the member opposite suggests that we're running deficits and that he didn't. They ran many deficits in the 1990s, and only after they sold the telephone system did they start balancing the books by the proceeds from the sale of the telephone system. Telephone workers lost their pensions, telephone workers lost their jobs, and they used some of the revenues from that to balance the books.

* (14:00)

We're balancing the books by increasing the number of jobs, growing the Manitoba economy, investing in infrastructure, which is a priority for

Manitobans, Mr. Speaker, ensuring that health-care workers are available to meet the needs of families, ensuring child-welfare workers are not laid off one day a week, ensuring that teachers are in classrooms, not being laid off to the tune of 700.

There's a very dramatic difference in how we're dealing with it. We have a plan to grow the economy. We have a plan to skill up workers. We have a plan to build infrastructure and we have a plan for innovation, and the members opposite, what did they do? They practised the program of hard austerity.

Yes, there was a choice, Mr. Speaker. We chose the path of supporting Manitobans and growing the economy. They chose the path of reducing the economy and laying people off.

Manitoba Hydro Contracting of Services

Mr. Ralph Eichler (Lakeside): This is the same government that couldn't balance the books since he's been in power, Mr. Speaker. Obviously, he has no credibility, none whatsoever.

Mr. Speaker, let's break this down. The government says 700 more linemen. What does the union say? In fact, there's only 117 hourly journeymen in the IBEW, which approximately one half work in customer service.

During the last 15 years the IBEW has lost tree trimming; dam, pole maintenance; underground installation; and now they're beginning to lose pole salvage work.

Will this minister admit the only threat to jobs in this province is this government?

Hon. Stan Struthers (Minister responsible for Manitoba Hydro): This government who balanced the budget 10 years in a row, Mr. Speaker, and we didn't do it by selling any Crown corporations along the way.

To be—and to be technically correct, the member should just amend what he just said by saying the biggest threat to IBEW workers is the fellow sitting three places down from him in this Legislature, Mr. Speaker, because this all comes about if you decide you're going to stop selling hydro into the export market. You're going to allow rates to go up, and you're going to allow people to be laid off, as we saw with the Manitoba Telephone System when his leader had his hands on the wheel in this province.

Mr. Eichler: Mr. Speaker, obviously, doubling the debt is what this minister claims to fame. He has no integrity at all, none whatsoever.

The IBEW goes on to state that customer service distribution is up by 62 per cent in contracting out services. Its entire growth is 0.4 per cent. Obviously, under this NDP government, more contracting out and fewer employees. Obviously, the government can't get it right.

So I ask, Mr. Speaker, the question the IBEW and all Manitobans want to know: Shouldn't contracts be required to prove measurable savings for ratepayers before being let out, or at least give the IBEW and Manitobans a choice?

Mr. Struthers: His leader says that they have no intentions to sell the Manitoba Telephone System, and now he talks about integrity?

Mr. Speaker, since we've come to power there are 650 additional IBEW members in this province; 50 of those are linemen. This side of the House is committed to training more linemen. This side of the House is committed to increasing the size of the IBEW membership.

This side of the House isn't going to sell off Manitoba Hydro like members opposite have said they would.

Mr. Eichler: The minister wants to talk about integrity. This is the same minister that went out and promised multi-year funding. Shame on him. He did not follow through on that. It's the same minister that said he was going to balance the budget, which he did not. It's the same minister, the same government that went out and said they would not raise the PST.

So, Mr. Speaker, if they're really truly wanting to save Manitoba Hydro, why are they working so hard to privatize it? They give 30 per cent of it away and now they're privatizing jobs without any consultation with the IBEW. Where do they really stand on the Hydro issue?

Mr. Struthers: We stand, Mr. Speaker, for using Manitoba Hydro sales of—export sales to keep our rates the lowest in the continent. That's where we stand.

We stand on the side of supporting Hydro workers by not selling the private—by not selling Hydro to private interests as they did with the Manitoba Telephone System, as they tried to do with home care, as they tried to do with home care and were prevented by people standing up to them and

making them back off. We're not the party that has said we're going to privatize health care like members opposite have said.

Mr. Speaker, it's very clear that we're not going to put the brakes on the projects that members want us to because those projects lead to low rates and putting Manitobans to work and building our economy for the future.

Flooding (2014) Forecaster Position

Mr. Reg Helwer (Brandon West): Very sad, Mr. Speaker. This from the government that continues to raise hydro rates and punish Manitobans.

Mr. Speaker, flood information from this NDP government has been difficult to find recently. That's not to say that the flood has ended. There's been a great deal of flooding from this Shellmouth Dam through downstream fields and communities, through Brandon. The Portage Diversion is redirecting a large amount of water into Lake Manitoba, putting farmers, ranchers, property owners and First Nations at risk.

Mr. Speaker, timely, accurate information is critical for flood preparations, but this NDP government has apparently learned nothing from past floods.

Mr. Speaker, has the delay in hiring a flood forecaster put Manitobans at risk?

Hon. Steve Ashton (Minister responsible for Emergency Measures): Mr. Speaker, I'm very surprised that the member opposite in one question seems to have criticized some of the key elements ensuring that we deal with flood situations in the spring, that protects people downstream in the Assiniboine, on—from Portage, that protects people here in the city of Winnipeg.

I point out, by the way, that it's pretty rich, the member talking about Lake Manitoba and Lake St. Martin. First of all, Lake Manitoba is well within the normal range, Mr. Speaker, but it's this government through its budget that's put in money to build the outlet from Lake St. Martin that's going to provide protection along with the new outlet from Lake Manitoba.

But, Mr. Speaker, I'm also surprised that this member opposite continuously is critical of our staff. I want to put on the record that our forecasters are some of the best anywhere in the world. Our chief forecaster, Dr. Unduche, came to Manitoba, and they

do a tremendous job in—under very difficult circumstances. Surprised the member opposite would be—

Mr. Speaker: Order, please. The honourable minister's time has elapsed.

Forecast Update

Mr. Helwer: Mr. Speaker, it's the minister that delayed hiring the staff, not the staff.

Mr. Speaker, downstream residents and farmers were pleading with the government to release more water from the Shellmouth Dam all winter. It fell on silent—just wouldn't listen to them. Nobody would listen. The government said no, and now we—they have essentially lost control of the water flow 'fudding' farmland yet again, four out of five years.

Mr. Speaker, releasing water over the winter would have reduced the flows we're now seeing downstream and lessened the need for using the Portage Diversion.

Why can't this NDP government predict flooding? Why can't this government tell people what is happening to the flood waters?

Mr. Ashton: In the real world of flood forecasting, you don't have 20/20 hindsight.

The member opposite, if he wants a briefing with our staff, will find out, Mr. Speaker, that we had more than 200 per cent of normal rain in Westman this year, and that is why they had to do what they did in terms of release.

He may also, Mr. Speaker, also want to talk to the member for Portage, because one of the key elements in the operation of the Shellmouth Dam, in addition to flood protection, is to ensure water supply for the Assiniboine River. And I would put on the record that continuously, every spring, our staff has to balance both flood protection and the water needs of Portage.

Maybe members opposite can get their act together before they come into question period.

Mr. Helwer: Well, I'm very concerned, Mr. Speaker. Apparently, the minister doesn't know that it doesn't rain in the winter.

Mr. Speaker, the NDP government has learned nothing from past floods, learned nothing from 2011, and now, yet again, they put farmers, ranchers, property owners and First Nations at risk all the way from the Shellmouth Dam into Lake Manitoba.

Why can't this NDP government provide accurate, timely flood information for Manitobans? Why does this NDP government continue to revictimize flood victims?

*(14:10)

Mr. Ashton: You know, Mr. Speaker, it's called snow in the winter. I think everybody knows that.

And, you know, I know that we've seen from question period over the last period of time that the member for Brandon West is an expert on anything and everything. He, Mr. Speaker, seems to think he knows more about engineering than the engineers, more about construction than those in the construction industry. Now he knows more about forecasting than our people that spend years studying, have years of experience in terms of forecasting.

But I want to finish with the member for Brandon West by saying one thing: He can lecture us all he wants, but he voted against our budget that's put in place the flood protection for those communities. You know what, Mr. Speaker? It's a fact that members opposite applauded for that shows they don't get it. We're there for flood victims. We don't need no lectures from members opposite, particularly from the member from Brandon West.

Manitoba Public Insurance Internal Savings Options

Mr. Kelvin Goertzen (Steinbach): Well, Mr. Speaker, the member for Brandon West (Mr. Helwer) will always vote against illegal tax hikes.

Mr. Speaker, the NDP are trying to convince Manitobans that MPI is broke and so they've hired somebody at \$180 an hour to go to Manitobans and tell them that MPI has no money, the same person that got a half a million dollars just previously when they retired.

What's frustrating to Manitobans, of course, is that it always seems that this government goes to Manitobans first for more money instead of looking internally for savings. Manitobans should be the last resort to look for more money, not the first place the government always goes.

What assurance can the minister responsible for MPI give Manitobans that they're looking for savings internally at MPI before they go to Manitobans and ask them to pay more, Mr. Speaker?

Hon. Andrew Swan (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): Again, we can talk about MPI any time the member wants, because over the past decade MPI has actually reduced the cost of auto insurance in Manitoba by almost 15 per cent. And that is a record unmatched by any other public or private insurer in this country.

And, of course, the member for Brandon West, who always gives us so much joy when he stands up and then speaks, of course, confirmed that, indeed, Mr. Speaker, the member for Brandon West is one who perhaps does understand that the basket of costs in Manitoba is among the lowest—he was wrong in that it's actually the lowest, but he certainly, at least on CJOB radio a couple of weeks ago, acknowledged that MPI is part of the Manitoba advantage, part of affordability and a true jewel and the best auto insurance in Canada.

Executive Vehicle Leases

Mr. Goertzen: Mr. Speaker, the NDP want Manitobans to believe that MPI has fallen on hard times, though it—apparently those hard times haven't reached the top.

In fact, not only does MPI continue to provide vehicles for each of their executives—they're pretty nice vehicles at that—most recently, MPI leased two new vehicles for their executives, two Acura MDXs. Now, I don't know a lot about Acuras, Mr. Speaker, so I looked it up. Each of these vehicles costs \$53,000 each and they're described as the ultimate collaboration of luxury and performance. They even feature heated steering wheels, which I guess are good for those harsh winters, one like we just had, which the government is saying is responsible for the MPI increase.

Mr. Speaker, if MPI can afford luxury vehicles for their executives, why can't they give Manitobans a break and not charge them more for their insurance?

Mr. Swan: Well, again, Mr. Speaker, in case the member didn't hear this earlier today or any other time we've talked about MPI rates, the cost of auto insurance in Manitoba has decreased by 14.9 per cent over the past decade.

And, well, I'm glad to hear the member talk about rebates, because in addition to the 14.9 per cent rate decrease, when ordered by the Public Utilities Board, Manitoba Public Insurance has on five occasions in the past 15 years returned

rebate money to ratepayers, just like the member for Agassiz (Mr. Briese), just like any of us in this Chamber, just like other Manitobans.

And I know the member for Agassiz would prefer that that money go to shareholders in Toronto or New York or London or Paris; I prefer, Mr. Speaker, they stay right here in Manitoba.

Mr. Goertzen: Well, Mr. Speaker, not only do the NDP furnish MPI executives with top-of-the-line vehicles, they get their own choice as well.

When the former VP of finance for MPI retired, he was only eight months into the lease of his Nissan Murano LE. I didn't look it up, but that sounds like a pretty nice vehicle, Mr. Speaker. But instead of providing that vehicle to the incoming VP of finance, MPI bought that lease out for \$10,339 and provided the new VP with a new Acura. Must be something about those Acuras.

Mr. Speaker, is paying \$10,000 out on a lease and giving MPI executives top-of-the-line vehicles what this government considers to be lean management? And why are they going back to Manitobans to ask them to pay more when the top executives of MPI get to be able to take their best vehicles and give \$10,000 back on broken leases?

Mr. Swan: You know, I would encourage the member from Steinbach to actually do some research, to actually do some research on the value that Manitobans get for Manitoba Public Insurance.

And, Mr. Speaker, if he did his research—I know the member likes to google; he can get on and he can take a look at the increase that's being proposed in Saskatchewan. Saskatchewan Government Insurance, another public auto insurer, has gone to their equivalent of the Public Utilities Board requesting a 5.2 overall rate increase.

And if the member did a little bit more research, he would see that Saskatchewan Government Insurance has done its own comparison. And what does that comparison tell us? That Manitoba has the cheapest auto insurance in all of Canada.

And, Mr. Speaker, if he'd research the performance of auto insurance systems across the country, he would find that Manitoba has the best value for insurance and, again, a decrease of—

Mr. Speaker: Order, please. The honourable minister's time has elapsed.

Children in Care Update Case Concern (Jaylene Redhead)

Mr. Ian Wishart (Portage la Prairie): Mr. Speaker, last Friday the report on the inquest into the tragic death of Jaylene Redhead became public. Jaylene is the latest in a series of children who have died while under the care of CFS and this government.

Both the agency involved and the Native Women's Transition Centre seem to have been unable to provide the supervision necessary to look after the child's welfare. Both are covered by service agreements with this minister.

When is the government going to take its responsibility for children in the care of CFS seriously and look after their welfare?

Hon. Kerri Irvin-Ross (Minister of Family Services): Mr. Speaker, the death of Jaylene Redhead was a tragedy. The person that murdered Jaylene is in jail now for 12 years.

Her life was cut short. She was 20 months old when she was murdered by her mother. We provided her with services. The agencies worked in the best interests of the child, and as they moved forward—this is a very serious issue, and Judge Lawrence Allen provided us with 14 recommendations. And in those 14 recommendations, he provides us with a process in which we need to follow, and it also acknowledges that since Jaylene's death, that there have been improvements that we've made, but we have much more work to do.

Mr. Speaker: Order, please. The honourable minister's time has elapsed.

Mr. Wishart: It's understatement to say there is more work required.

Mr. Speaker, file notes were again missing in the case of Jaylene Redhead. It appears either little regard to recordkeeping occurs in these cases, or there's someone in place to shred any records when a case goes badly. Prior recommendations from other reports included the need to—for note-taking and recordkeeping.

When is this minister and this government going to take their responsibilities seriously, or will more deaths have to occur before we learn?

Ms. Irvin-Ross: The child-welfare system within the—in Manitoba works every day for the No. 1 priority of keeping children safe. There are

tragedies that happen. We need to learn from these tragedies and we need to continue to move forward.

We have worked constantly and consistently with the authorities, the agencies, as well as other stakeholders within the system to ensure that we are providing service. There are standards that are in place. There are expectations every day for the workers so that they are providing a good quality service to families and to children.

Again, I'd like to say our No. 1 priority is the safety of all Manitoba children.

Mr. Wishart: Mr. Speaker, the minister has said before it is our responsibility to learn from the circumstances surrounding a child's death while in care of CFS.

I think Manitobans feel we have learned enough hard lessons and it's time not to just embrace the hundreds of recommendations that have occurred but to take action and make change.

When is this minister going to make real change in CFS to prevent the deaths of more children in care?

Ms. Irvin-Ross: There are actions that happen every day within the child-welfare system to ensure that we are protecting children, to ensure that we're providing families with supports.

That happens because the investments that we have made over the years to hire more staff—280 more staff are within the system to provide support—to ensure that we are putting standards in place, to ensure that we have training opportunities for all our staff.

*(14:20)

It's all of our responsibility to protect our children. That's why we work every day on this side to ensure that we are providing the resources that are necessary for families and for children, as well as supporting the authorities and the agencies which serve them.

Manitoba Hydro Bipole III NFAT Review

Hon. Jon Gerrard (River Heights): Mr. Speaker, Saturday's Free Press reported, and I quote: "The PUB is considering whether Keeyask and Conawapa, and the new transmission line, make economic sense or whether they should be postponed until more is known about how much power the Americans are

willing to buy. The PUB's report is due June 20." End of quote.

Since many have criticized this NDP government for not including the transmission line, Bipole III, in the NFAT review, I ask the Premier: Did he change his mind over the weekend and is the PUB now going to review Bipole III and the new transmission line?

Hon. Greg Selinger (Premier): Mr. Speaker, the Clean Environment Commission has already approved the bipole with many, many conditions, some of which were even added to by the minister when he reviewed the recommendations they made.

And as you know, the need-for-alternatives review is going on right now at a time when there—with current consumption patterns, that hydro will be needed somewhere 10, 12 years from now, Mr. Speaker, and at a time when there are \$9 billion of export—new export contracts that have been signed which will generate about \$29 billion of export revenues over the next 30 years.

So export contracts have been signed for \$9 billion incremental. There's a tremendous demand for the energy south of the border and with our neighbours as well, and, Mr. Speaker, we're looking at, through the NFAT process, all the different configurations of how to provide power in Manitoba and what the best plan going forward is to ensure that rates stay lowest in North America for Manitobans.

Manitoba Hydro Rates Demand-Side Management

Hon. Jon Gerrard (River Heights): So, Mr. Speaker, the Premier is not including Bipole III in the NFAT review even though Manitoba may be facing very large increases in hydro rates.

Mr. Speaker, the whole premise of this NDP government as it is currently run now is that Manitoba will run out of power in 2023. Now, in the report commissioned by the independent inquiry released today, Graham Lane says he anticipates energetic demand-side management would defer the need for a new dam for a decade or more beyond 2023 and would keep hydro rates low.

When will this slow NDP government bring in a more energetic demand-side management plan that can be the basis for an improved forecast for power need in our province?

Hon. Greg Selinger (Premier): Mr. Speaker, we believe in demand-side management programs. When we came into office Hydro was ranked No. 10, the bottom of the list, for energy efficiency programs in the country. It is now ranked No. 1.

It is ranked No. 1 because it has made several significant improvements in demand management programs, Power Smart programs, they're called in Manitoba. Manitobans can get low-cost access to insulation. They can get low-cost access to high-efficiency furnaces. They can get low-cost access to geothermal installations. They can do a variety of retrofitting projects which will reduce their energy costs.

We do think that is a very important dimension of what Manitoba Hydro does, which is why they have gone from No. 10 to No. 1, and they will continue to do that because demand management is an essential part of the long-term planning of Manitoba Hydro.

But it's also true that the experts before the need-for-alternatives committee have pointed out that there is very robust demand for the export of hydroelectricity out of Manitoba into jurisdictions like Minnesota, Mr. Speaker. When we sell that power at a profit outside of Manitoba, those profits pay down the cost of the new dams, and that keeps the rates low for Manitobans, the lowest in North America.

Mr. Gerrard: Mr. Speaker, notwithstanding the Premier's dubious claim, the fact is that this government has not focused appropriately on demand-side management.

We're behind most jurisdictions in the US and Canada. For example, Vermont has created Efficiency Vermont, a not-for-profit agency promoting and delivering energy efficiency measures independent of Vermont's utilities. Vermont now projects forward going that their demand-side management will produce savings of 2 per cent of annual sales of electricity. This is to be compared with one quarter of this, 0.5 per cent, being forecast in Manitoba.

When will the government be energetic in demand-side management to help reduce the need for continuing hydro rate increases?

Mr. Selinger: The member and I agree that energy efficiency programs are essential to the future cost-effectiveness of Manitoba Hydro. We would like them to look at the experience all over North

America, or anywhere else for that matter, to learn from best practices. They started at No. 10. They are now No. 1. We think they can take it even farther.

Mr. Speaker, one of the things we did to facilitate that was Pay As You Save legislation, noted-called PAYS, where somebody can install new technology in their home, whether it's insulation, furnace, geothermal unit, other forms of energy management within their home, and the first month after they stall that new technology, their bill is lower than it was before and they are able to pay that off over the life of that asset.

These innovative financing tools allow Manitobans and businesses and apartment owners, as we roll this out, to be able to save energy. That's exactly what we want. Every kilowatt of energy saved in Manitoba is available for export where customers are demanding that. They want that energy. It's clean, it's reliable and it's affordable. It keeps the rates low in Manitoba because those export profits pay down the cost of dams and keep them affordable for Manitobans.

University College of the North Thompson Campus

Mr. Clarence Petterson (Flin Flon): Mr. Speaker, the Golden Boy was looking beyond the Perimeter and smiling on the North last Friday.

While the Leader of the Opposition and members opposite are still struggling to develop a northern strategy, this government has been investing in northern Manitoba since 1999. We believe in ensuring that steady economic growth and good jobs benefit all Manitobans, and that includes northerners.

That is why we have built the University College of the North system to provide opportunity for jobs, training and post-secondary education for northern Manitobans.

Can the Minister of Infrastructure and Transportation please update the House about the newest addition to the UCN network?

Hon. Steve Ashton (Minister of Infrastructure and Transportation): Mr. Speaker, it was a great day for northern Manitobans, great day for Manitoba when we officially opened the \$82-million, brand new Thompson UCN campus with a child-care centre and the housing that goes with it.

I want to put on the record that hundreds of Manitobans, hundred northern Manitobans celebrated last Friday. But this didn't just happen. It

was a result of decades of work by northerners and many people throughout the province, and I want to say not everyone agreed with it. Members opposite opposed the establishment of UCN and opposed the establishment of the campus in Thompson.

So it was a great day, and I want to, on behalf of my constituents, all northern Manitobans, and, quite frankly, many Manitobans throughout the province, say it makes a difference who you vote for. Thanks to the NDP, we now have a brand new campus for UCN in Thompson.

Flooding (2011) Crop Insurance Coverage

Mr. Stuart Briese (Agassiz): Mr. Speaker, farmers and ranchers in the Lake Manitoba inundation zone are now being penalized by this NDP government for the ongoing effects of the 2011 flood. They are either being refused crop insurance or having their coverage significantly lowered. The man-made flood was no fault of those farmers and ranchers.

What action has the Minister of Agriculture taken to address the concerns of those farmers and ranchers in regard to their crop insurance coverage?

Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Development): I just want to acknowledge the hard-working people with crop insurance in MASC department where we had to deal with the flood of 2011.

Let me share some information with the members opposite. I'm—with—are quite familiar with when we talk about crop insurance programs. It is a joint program that is shared by the federal government and provincial government, and we talk about programs that the member opposite is asking us to extend. That is not possible unless we have proper consultation with the federal government, and we have.

And I think the members opposite are quite familiar with Minister Ritz. When we talked about the flood that happened in 2011, we talked about the continuation hangover of the 2012 flood event. We asked Minister Ritz to cost-share in the continuing flood. Mr. Ritz's comment was simply, we do not pay for a flood two years in a row based on one-year flood. That's my answer to that question.

Mr. Briese: But the promises were made to these farmers and ranchers. The promises were they wouldn't have ongoing effects from that flood, and they are getting it through crop insurance.

In June of 2011 in Langruth, the then-minister of Agriculture, the member for Dauphin (Mr. Struthers), promised comprehensive multi-year flood compensation to the victims of the man-made Lake Manitoba flood. Another broken promise.

Why have the NDP forgot their promises? Why has the crop insurance coverage to the flood victims been cut?

* (14:30)

Mr. Kostyshyn: Unfortunately, we have weather events and rain events that happened that's beyond our control. When we talk about a watershed that starts in Alberta and in Saskatchewan and into Manitoba, we are the bathtub of a watershed that starts from the south and from the west as well. And what we need to have is continue a dialogue of investigations and true understanding of a watershed, and we are doing that, as a government, with fellow ministers across to the west and also to the south.

But the sad reality is the members opposite chose to vote against the budget that we're looking at as a secondary outlet to provide not a reoccurrence of the flood of 2011, and I wish that members opposite would co-operate and support us of developing a program that will have efficiency for our surface water management for the benefit of all rural producers, cattle producers, and Lake Manitoba as well.

Thank you so much, Mr. Speaker.

Mr. Speaker: Time for oral questions has expired.

MEMBERS' STATEMENTS

Mr. Speaker: It is time for members' statements.

National EMS Week

Mr. Dave Gaudreau (St. Norbert): This week we celebrate National Emergency Medical Services, EMS, Week. National EMS Week honours the dedication of the men and women on the front lines of our health-care system.

These first responders ensure Manitobans get the quality care they need as quickly as possible. I am proud our government recognizes the valuable role these men and women contribute to our health-care system. They deliver critical life-saving services across the province.

This year's theme for National EMS Week is Our Family Caring for You. This theme echoes the care that so many of us receive from our first

responders. Mr. Speaker, they are our friends and our neighbours, caring for us in all kinds of emergencies. Whether a medical emergency, a fire or a flood, EMS professionals are the people who ensure our lives can go on in the face of tragedy.

A few years ago, I experienced first-hand the professionalism, courtesy and kindness of our EMS staff when my mother was ill. To me it became clear that these folks not only approach their job with strength and commitment, but have dedicated their lives to saving the lives of others.

Mr. Speaker, on behalf of every Manitoban, I extend a sincere thank you to all of our guests here today in the gallery and to all the EMS personnel throughout the province.

I ask all members of the Legislative Assembly to join me in thanking the men and women working in EMS across Manitoba. You are everyday heroes and we are grateful for the personal medical-care services you provide each day to Manitobans. You are there for us in some of the most frightening moments of our lives, and for that and everything else you do to help us, thank you.

Kirkcaldy Heights School

Mr. Reg Helwer (Brandon West): I am very pleased to rise in the Manitoba Legislature today to recognize two grade 4 classes at Kirkcaldy Heights School in Brandon. I was invited to answer questions from the classes last Friday, May 23rd, 2014, by teachers Karen Jebb and Myra Bridgeman. The students have been learning about all levels of government and I felt very honoured to discuss the role of a member of the Legislative Assembly of Manitoba.

Mr. Speaker, the students had a list of questions that were asked by many different students and the classes had a very good understanding of the roles of government. Once we went through the prepared questions, there were many more challenging questions from the classes. I hope I was able to answer them in a way that made sense, but there was one question to which I did not know the answer. The question was: What happens if two candidates receive the same number of votes in an election? I did not know, but I told the class I would check and get back to them with an answer.

Mr. Speaker, I read The Elections Act and then spoke with Elections Manitoba. They also reviewed the act and confirmed that in the case of a tie vote in an election, there is an automatic recount. If the tie is

confirmed, a new election must be held for that constituency.

Mr. Speaker, thank you to the grade 4 classes at Kirkcaldy Heights School and to the teachers Karen Jebb and Myra Bridgeman. I was greatly encouraged by the interest shown by the students. Some students even said they wanted to be an MLA when they grew up. We are thankful that we live in a province and country where all those students have that opportunity, and we know that opportunity is not available in every country around the world.

Thank you, Mr. Speaker.

Royal Canadian Air Force Run

Ms. Deanne Crothers (St. James): On May 25th, the Royal Canadian Air Force held their premiere running event, the RCAF Run.

The event brings together members of our Armed Forces, their families and members of the community as well, to challenge themselves physically, either by running, walking or wheeling a half marathon, the 10 kilometre or the family fun run. It emphasizes our potential, regardless of age or ability, to rise up to challenges and meet our personal goals.

It was an honour to attend the event and to stand with the courageous men and women who served so selflessly to protect us here at home and around the world.

The RCAF Run takes participants on a journey through 17 Wing Air Force base. The course runs down the flight line, which is lined with operational RCAF aircraft, and continues through Air Force Heritage Park where historic RCAF aircraft are mounted for display. It is a vivid reminder of the RCAF's decorated past and of the vital role they still perform today.

Each year proceeds from the RCAF Run are used to help military families in need. Funds are divided between two noble causes: the Military Families Fund provides immediate support to military families in times of crisis, and Soldier On helps injured and ill members of the Canadian Forces develop new skills and realize their potential through physical activity. Mr. Speaker, the Royal Canadian Air Force is a shining example of how deeply the Canadian Armed Forces are rooted the community.

I want to thank Race Director Jim White. In addition to his 31 years of service to the Armed Forces, Master Warrant Officer White embodies the

Armed Forces culture of fitness and shares his passion with the community.

Thank you to all of the volunteers for their commitment and to the many families who came out to take part and show their support and, of course, congratulations to all the participants of every age, each of whom went home with a medal for their participation. Thank you.

National EMS Week

Mr. Shannon Martin (Morris): Mr. Speaker, May 25th to 31st is National Emergency Medical Services Week, a week that brings together local communities and medical personnel to publicize safety and honour the dedication of those who provide the day-to-day life-saving services of medicine's front lines.

In recognition of this week, I would like to rise today to speak about the important work of the paramedics of Manitoba who advocate for a better health care on behalf of their patients. Paramedics are highly trained, skilled medical professionals who are educated to carry out many of the duties of a physician. They can examine, evaluate and treat patients with equipment and medications usually only found in the emergency departments of hospitals. Paramedics are typically sought out—after as emergency-care practitioners on ambulances or in first response emergency vehicles, but their scope is rapidly expanding to many areas, including industry, elementary and high schools, colleges, hospitals and doctors' offices.

The Paramedic Association of Manitoba works to represent both rural and urban practitioners of this honourable profession. They strive to enhance the role of paramedicine as the vital component in our health-care system and promote the highest quality emergency medical services available.

Over the course of this morning, Mr. Speaker, Winnipeg Fire Paramedic Service EMS live tweeted a virtual ride along, starting off at École Robert-Browning showing off some of the 20 pacer paramedic teams, teaching kids about the proper use of 911. They when—they then went on a 911 call—to a 911 call centre and we virtually followed them through traffic as they assisted an elderly person in distress as well as several other calls throughout the city. They also met virtually—we also met virtually with them community paramedics who are working with citizens to manage chronic health concerns. The goal was to give the public a look at the day of life of

a Winnipeg EMS. This goal was resoundingly met and I encourage all members to check them out on Twitter at #WpgEMS to learn more. Thank you.

Lindsay Rubeniuk and Nicole Yunker

Hon. Stan Struthers (Minister of Municipal Government): I would like to recognize the accomplishments of two incredibly caring and dedicated women, Lindsay Rubeniuk and Nicole Yunker.

Moved by the poor conditions facing orphans in Ukraine and the alarming number of young people later being recruited into the sex trade, Lindsay and Nicole knew they had to act. Together they have embarked on a number of projects that are working to combat child poverty and human trafficking in Ukraine.

Their first project, Boxes of Love, can—collects good-as-new winter clothes for children at Nadvirna Orphanage in the city of Ivano-Frankivsk. People across Dauphin and throughout the Parkland have embraced the project, sending in everything from boots and parkas to hand-knit mitts and toques.

But Lindsay and Nicole have not stopped there. Wanting to ensure that children leaving orphanages have a bright future, the pair are partnering with NASHI, a Canadian-based organization fighting human trafficking in Ukraine. NASHI operates the Maple Leaf Centre which is an educational live-in centre that provides basic life skills development, temporary housing and support for at-risk youth.

Lindsay, who has years of experience in community development, and Nicole, who has experience in job training and placement, are helping the Maple Leaf Centre develop an education and job training program for young women at risk. By providing these girls with valuable skills, the program will create future employment opportunities and help break the cycle of poverty.

The duo will also be hosting an educational speaker session this fall at the Watson Art Centre in Dauphin. The event will explore How Human Trafficking Affects Us All—The Ugly Truth with author and investigative journalist Victor Malarek.

Mr. Speaker, I want to congratulate Lindsay and Nicole for the success they have had and thank them for their incredible work that they are doing. Thank you.

Mr. Speaker: Grievances? Seeing no grievances—

* (14:40)

ORDERS OF THE DAY GOVERNMENT BUSINESS

Hon. Andrew Swan (Government House Leader):

Mr. Speaker, could you call a second reading of the following bills: Bill 70, Bill 72, Bill 71, Bill 64 and Bill 69, and if we get there, if you could also call debate on third reading of Bill 32.

Mr. Speaker: We're going to consider bills—second reading for bills in the following order: Bill 70, followed by Bill 72, 64, 71, 69 and also, if time permits, we'll move to debate and concurrence on third reading of Bill 32.

All right. I'll try this one more time. Currently, I have a variety of lists.

To make sure I get the bills in the following—the correct sequence, second reading of Bill 70, followed by Bill 72, 64–71, 64, 69, and then, if time permits, we'll move to debate on concurrence and third reading of Bill 32. I think I have it correct now.

SECOND READINGS

Bill 70—The Real Estate Services Act

Mr. Speaker: Okay. We'll now proceed to call Bill 70, The Real Estate Services Act.

Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection): Mr. Speaker, I move, seconded by the Minister of Municipal Government (Mr. Struthers), that Bill 70, The Real Estate Services Act; Loi sur les services immobiliers, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Lemieux: Mr. Speaker, and I know, too, many lists that you refer to. In fact, I had a honey-do list myself this weekend that I had to do, and—but thank you.

First of all, I just want to say a real congratulations goes out to the Real Estate Association, the Real Estate Brokers Association, and many others who've worked very, very closely with the Securities Commission to work hand-in-hand to make sure that they could get the best possible bill in place.

Mr. Speaker, as has been noted, in the days of the carrier pigeon and sending messages and telegrams back and forth about purchasing real

estate, those days are gone. Now we have computers. Now people are using Kijiji; they're using all kinds of resources to access real estate sales. And, as we know that buying a condo or a house is the biggest investment most Manitoba families will make—all of us in this Chamber have made that leap at some point, and many of us are now watching our children go through the process of buying their first homes.

Mr. Speaker, our government wants to ensure that the right legislation is in place to protect Manitobans buying or selling their home. This legislation will ensure that families are protected and that real estate agents are operating on a level playing field. Many real estate agents in this province are certainly some of the best in the country. They have been real estate agents for many, many, many years, but because the real estate market is very hot in Manitoba, there tends to be new people coming into the marketplace wanting to sell real estate, possibly for only a short period of time, be in, out, make a profit.

And I know that real estate brokers and the Real Estate Association want to ensure that there's integrity with regard to their sales people, and they want to make sure that there, again, is a level playing field that they can all operate by.

Again, the Real Estate Brokers Association, as well as the Securities Commission, have been working on legislation for a long period of time. There have been a couple of changes made in the last 60 years or so, but, Mr. Speaker, this is a more in-depth change as to what needs to take place with regard to real estate sales and real estate sales personnel in the province of Manitoba.

This bill replaces The Real Estate Brokers Act. This is legislation that was written over 60 years ago, Mr. Speaker, and this is when our marketplace drastically—sorry, this is when our marketplace was drastically different. It was before the ATM, before the pocket calculator. The old act even references using telegrams, as I pointed to earlier. It is certainly time to modernize this act to reflect how the real estate industry has evolved. We have moved from telegrams to email and to cellphones, and the legislation that regulates the industry should reflect this.

Most Manitobans use real estate agents when they buy or sell a home, and we want to ensure families are treated fairly and have their best interests represented. Our government held a public consultation with over 500 Manitobans. We asked

them about their experiences with real estate agents and brokers and their experience overall with regard to either selling or purchasing homes or condominiums. Many had a very positive experience with their real estate agents. However, about 20 per cent, or a fifth, did not sign an agreement with their agent, the sales commission and fees were not explained upfront, and the clarity with regard to the whole process left a sour taste in their mouth, needless to say, Mr. Speaker.

Over half of the home buyers and sellers had experienced bidding wars or multiple offers. We all know how complicated those situations can get, but a third of the people said their agent did not explain the process to them at all and how the process would work on multiple offers, which is disconcerting to say the least, Mr. Speaker.

We have listened to their concerns, Mr. Speaker. With this bill, several changes will be made, including an online registry of real estate agent information that the public can access. This will include information about any disciplinary actions that have been taken against an agent, so Manitobans can easily confirm an agent is licensed and in good standing.

The new act will also allow the commission to make regulations to regulate the real estate services industry, including regulations that require registrants in specified categories to comply with a code of conduct. The new code of conduct will guide responsible, ethical services and avoid conflicts of interest. It will also be—require truthful and accurate advertisements, personal information protection and full disclosure for conflict-of-interest situations. The act will require that agents sign service agreements with their clients upfront that explain their role as well as their sales commission and fees. Again, this is about making sure Manitobans get a fair deal and know exactly what they will be paying.

You know, Mr. Speaker, in Manitoba, many individuals who are either going to be selling or purchasing have often believed that the percentage that is being charged is locked or carved in stone, and that is not the case. Everything is negotiable with regard to compensation for a real estate agent. And that could mean a flat fee being paid to a real estate agent. That can mean a percentage. It could be anywhere from 4, 5, 6 per cent. It could be as low as 2 or 3 per cent, depending on the agent and depending on the negotiations between the seller and the buyer on a particular transaction. So, for no other

reason, a number of individuals have mentioned to me that they were quite surprised to hear that this is negotiable. Somehow they thought that a percentage of 5 or 6 per cent was locked in, and that's not the case.

This bill will also increase penalties for agents violating the act. Fines for agents will be increased from a paltry \$1,000 maximum to a maximum of \$100,000, and we are adding the prospect of jail time for agents who breach the act more seriously.

* (14:50)

A lot of work went into creating this bill. I'd like to thank, once again, the Manitoba Securities Commission for their hard work in putting it together, as well as the Manitoba Real Estate Association. We worked very closely with the MREA in creating this legislation, and their input has been extremely helpful.

Mr. Speaker, most real estate agents already follow the principles in Bill 70 and work hard on behalf of their clients. This is about making sure that Manitobans are protected by law when working with real estate agents on such an important investment, as well as making sure that good real estate agents are on a level playing field with those who may try to get around the rules and skirt the rules because they're only in the market for a short period in time, trying to make a quick buck.

For our government, this is the next step in protecting the biggest investment that Manitobans make and keeping life affordable. Last fall, we passed The New Home Warranty Act, which will require warranty protection for newly constructed homes. We received tremendous feedback, positive feedback, with regard to that piece of legislation, Mr. Speaker. Again, because for Manitobans, purchasing a home or a condominium is one of the largest purchases any family will make. And it's a certainly an important, important purchase that many of us know, and as I mentioned before, have certainly taken that step to do so.

And, know, Mr. Speaker, that those purchases, if anyone has taken that leap recently—I know my daughter and others, both my daughters, actually, recently just made purchases, and it's—the process itself, unless you have a good agent, unless someone is making sure everything is absolutely clear with regard to the cost, the percentage of what it will cost to either purchase a home, and the clarity that is necessary is truly important because of the—because

of those purchases that have taken place and, quite frankly, the kind of money you're talking about.

And, you know, Mr. Speaker, that we believe that the hard work of the Manitoba Real Estate Association and real estate brokers association is really important in this. It's been over 60 years, as we mentioned, before anything substantial has happened. Our government really believes it's about affordability. It's making Manitoba affordable, keeping Manitoba one of the most affordable places to live in Canada and has been pointed out by many, many, many individuals in this Chamber on how Manitoba is and has been one of the most affordable places to live in Canada. And we want to ensure that continues.

We're not just talking about keeping automobile insurance low or heating bills low or electricity bills low. That all adds to it, Mr. Speaker, but we believe that consumer protection and the ability to make sure that Manitoba's affordable has a lot to do with consumer protection, as well. When the consumers are making such a large purchase as home purchases, that is really important that it's done well, people are protected when they're buying a home. They have the assurance that not only is the government on their side, but that the real estate brokers and people in the industry are on their side and they're trying to do the best job for their client that they can.

We also passed legislation, Mr. Speaker, to make sure that vehicle advertising includes the full cost of a vehicle, so that Manitobans aren't taken in by hidden costs and fees. And we have ensured that Manitobans will get and will be getting their cars fixed and will be treated fairly by ensuring only authorized repairs are completed at the cost that was agreed to in the estimate. Again, that affordability piece, I believe, is paramount in this.

And when you're being told that it's going to cost you X amount of dollars for repairing your vehicle—and most garages and people who do repairs on automobiles are very good about telling people and explaining to people, this is what it's going to cost at base cost. If it goes up, if we find something else with regard to what may needed to be done in your vehicle, we will give you a phone call. Please give us your cell, give us a phone call, your email address, something where we can contact you. Before we do one extra thing of work on your vehicle, we need to talk to you to get authorization to move ahead.

Mr. Speaker, there are cases where an automobile dealership will say, you know, your

brakes are at 60 per cent or 65 per cent. We should take a look at those brakes and change them for you. But, you know, you're good for another, you know, 5,000 or 8,000 kilometres, until your next check. And we can do it at that time. But what they do is that they at least give you the opportunity to say, well, no, you've got the car in the shop now. Go ahead, for convenience reasons and safety reasons, et cetera, go ahead and make the change. Do what you have to do.

But, on the other hand, Mr. Speaker, a person may say, well, no, if they're good enough for another 5,000 kilometers or 8,000, I will wait until that time, and the next time I bring it in for an oil change, you can do the complete job.

So, Mr. Speaker, it is important that the industry and those dealerships make sure that whatever they're doing that there's some clarity and they're explaining to the consumer what exactly they're going to get for what they're paying.

And that again is, I think, one of the most—whether it's dealing with cable bills, Internet, television, cellphone bills, whether or not it deals with electronic monitoring of a home security system, a lot of it comes down to clarity and transparency at the beginning, that people are notified and are explained to exactly what they're going to get for what they're paying.

And often the complaints that come in to the Consumer Protection Office is directly related to that, is that had someone in the marketplace had that dealership, that owner of a business taken the time to sit down and explain carefully, that would not have resulted in any kind of complaint. Maybe the people wouldn't have been—or the individuals wouldn't have been happy with the price quoted to them. I mean, that's a given. All Manitobans like a deal and are looking for the best deal, not unlike Canadians elsewhere, but people are always looking for the best deal that they can get. They're always looking for the most reasonable priced item that they can purchase.

But, again, the consumers really feel slighted and taken advantage of when they get a bill after the fact that—you know, that was not what was initially quoted to them at the beginning. And a lot of the complaints at the Consumer Protection Office would be taken care of had someone taken the time at the beginning, had the business taken the time at the beginning to explain to the consumer, the customer, exactly the process that they'd be going through and exactly what the cost would be that they're

purchasing, and a lot of the complaints would not have been registered.

Mr. Speaker, for our government, this is the next step, again, in protecting the biggest investment that Manitobans make in keeping life affordable, as I mentioned. Last fall, we did pass The New Home Warranty Act which will require warranty protection for newly constructed homes, as I mentioned. We also passed legislation to make sure that vehicle advertising includes full cost of the vehicle upfront, no hidden fees or costs.

And this year we committed to going even further. We asked Manitobans to share their experiences with home renovations, and are currently looking at measures that can be taken to make sure customers or consumers get a fair deal when working with contractors to repair their home. Many Manitobans, as we've been talking about for the last few minutes, that want to take the plunge into buying a home or a new condominium—there are many Manitobans now and many others across the country that are looking at purchasing condominiums. Again, they're high-priced, one of the largest purchases anyone will make.

But, Mr. Speaker, those who do not want to purchase a new home or condominium, many want to renovate their homes. I know many in this Chamber have either done that themselves or have children—their children who have renovated their homes or renovated their condos to make—to increase the value of that home. They may wish to sell it down the road or increase the value of their condo or just to increase the aesthetics and the beauty of their home to—because their family has either grown, they may have new children, so they want to expand the living quarters and/or they just want to beautify their home, again, which is the largest investment most will make.

So, when they're looking at hiring someone to come in to do that work, there's a real trust factor there that if somebody is coming in as an electrician, a plumber, a tradesperson, a carpenter, someone who's going to be shingling their roof, reshingling their roof, that the person actually knows what they're doing. They're not just going to give people a quick quote and then all of a sudden they'll show up on your doorstep the next day with a crew that's going to be doing this renovation or home repair or condo repair and expect a huge down payment right at the beginning even before any work starts. So, again, yes, Mr. Speaker, we know the term, I forget

the legal terminology, but it's buyer beware, *caveat emptor*, and, yes, that still exists.

* (15:00)

But Manitobans have told us, we want you to stand up for us and we want you to put rules in place that will make Manitoba—keep Manitoba affordable but will also make sure that it keeps businesses on their toes to ensure that they're being treated fairly.

And, Mr. Speaker, we are taking action to ensure that contractors—and contracts, sorry—for cable, satellite, radio, Internet are clear and fair, and we are cracking down on high-interest, short-term loans to ensure that Manitobans can borrow at a fair cost.

Now, with Bill 70 we are bringing regulation of the real estate industry into the 21st century, which I mentioned before, while making sure that Manitoba families are protected when buying and selling their home or condominium.

Some may call our consumer protection plan red tape. We've heard the opposition mention this often. When we bring a new regulation in—and I know my critic has mentioned this himself—regrettably, we've seen members opposite vote against good consumer protection legislation, which is quite sad because this is really keeping Manitoba affordable but also protecting the consumer in the province of Manitoba.

The Conservatives have consistently opposed the measures that we have introduced to keep life affordable for Manitobans and protect their investment. Instead of helping make sure that families get a fair deal, they have been on the side of the shady, unethical companies who would take advantage of Manitobans. Now, I know members opposite would not necessarily want to view themselves as that, but it's—that's really what we're talking about here, is that if you're not on the side of the consumer and trying to do whatever you can to protect them, who are you—whose side are you on? You're on the side of, you know, shifty people within the marketplace that are looking to take advantage of senior citizens, young people, people of all ages, quite frankly, and so we don't call consumer protection red tape. We call it making a real difference and a better deal for Manitobans.

And I know member for St. Johns (Mr. Mackintosh), the previous minister before me, had let—had a—introduced a document called let's make a fair or a better deal, and he deserves a tremendous amount of credit for that. We've almost delivered the

majority of those commitments and we certainly want to ensure that we are going to be moving forward on a number of other initiatives which I mentioned before.

But I would really implore members opposite to really take a look at this legislation in a kind-hearted way and really take a look at those poor individuals who have been ripped off, taken advantage of by unscrupulous people in the workplace.

Just to maybe summarize, Mr. Speaker, with regard to real estate and real estate brokers, we are so fortunate in Manitoba to have such great real estate companies and very, very honest and forthright individuals within that market. I know that you have many great companies like RE/MAX, Century 21, Trinkl Realty, many—there are many great, great companies that operate with the highest ethical standards of—anywhere.

And, you know, Mr. Speaker, we've talked about the code of practice that we're looking to put in to our legislation. This code of—there is a code of practice nationally for people who are in the sales industry with regard to real estate, but Manitoba's going to have our own specific, made-in-Manitoba code of ethics for people in this particular industry. I believe it's important because for 60 years this particular legislation hasn't been touched and it—the time has come. You know, the code of practice will ensure that the level playing field that's there—which, by the way, the industry is calling for.

This is not just something the government is introducing. The industry is calling for this because they know with the kind of investment and new individuals, new people coming to Manitoba, some difficulty with language because we have new citizens. We've encouraged immigration to Manitoba. We have a lot of good people moving to Manitoba. We want to ensure that they're not taken advantage of when they're looking to buy a home or a condominium, and we want to make sure that the code of practice reflects that to make sure that the industry itself has the best people in the industry and the people that are not—they are trying to take advantage of new immigrants, not trying to take advantage of young people who are maybe making their first purchase in their lifetime of a home or condominium or, indeed, people who are older who are really depending on their real estate agent or broker to do the best possible job for them without any conflicts of interest, not referring to—people to home inspectors that they may have cut some kind of

a sweetheart deal with. Manitobans don't want that, and they want to ensure that a code of ethics and people who break the rules, their names and/or companies are posted on the Securities Commission website to show that these people have been in contravention of the legislation that will be passed.

So I'm really hoping, Mr. Speaker, in many ways, that bills like the consumer protection legislation that we've brought forward, initially many members opposite have voted on some of the bills we've brought forward at one stage, but we're hoping that they'll reconsider and that we can make our bills unanimous. I think all Manitobans would really look upon that as, well, people working in this House together and being on the same wavelength, trying to protect the consumer and making sure that Manitoba remains affordable.

So, Mr. Speaker, I know there's—there are many others that may want to speak to this particular bill, Bill 70, The Real Estate Services Act, but I, for one, would like to just conclude by just saying that the days of the carrier pigeon sending telegrams—telegraphs back and forth are over and chiselling something into a tablet like the Flintstones is over, and so I just want to say that I know the members opposite will support consumer protection in a way that Manitobans would expect us to do.

So, with that, Mr. Speaker, I thank you very much.

House Business

Mr. Speaker: The honourable member for Steinbach (Mr. Goertzen), on House business?

Mr. Kelvin Goertzen (Official Opposition House Leader): Yes, Mr. Speaker, on House business.

I understand we might be in concurrence tomorrow, so in anticipation of that I'm tabling the list of ministers for concurrence to be questioned concurrently tomorrow, if, in fact, we are in concurrence.

Mr. Speaker: I thank the honourable member for Steinbach for his indication of which ministers will be required for concurrence, if we're in that tomorrow, and the list has been tabled. The ministers required will be the Minister of Health (Ms. Selby), the Minister of Agriculture, the Minister of Education, the Minister of Municipal Government (Mr. Struthers).

* * *

Mr. Speaker: The honourable member for Elmwood, on debate on Bill 70.

Mr. Jim Maloway (Elmwood): I'm very pleased to put a few words on the record today regarding Bill 70, and following that terrific speech by the minister fully explaining all the implications of Bill 70, The Real Estate Services Act.

Mr. Speaker, this bill replaces The Real Estate Brokers Act, which, as the minister indicated, has been a long, long time in progress. It's been around for many, many years, and so what this bill does is it modernized the regulation of the oversight of the real estate industry in Manitoba, and some of the changes include creating an online registry of real estate agent information to be available including information about disciplinary actions, allowing regulations to be made by the Securities Commission to regulate the real estate services industry including regulations that require agents to comply with a new code of conduct and dramatically increasing the penalties for agents who are violating the act.

The—in terms of buying a condo or house, it's the biggest investment most Manitoba families will make, and our government wants to ensure that the right legislation is in place to protect Manitobans buying or selling their home. Manitobans spend, in many cases, a lot of time, you know, deciding on which trip to take or which groceries to buy in the local grocery store, and, when it comes to buying a house, one of the biggest investments they're ever going to make, in many cases they spend less time dealing with buying that house than they do buying just ordinary consumer items.

So it's very important that—there's reasons why governments have regulated and regulate real estate sales in this province and in this country. And most Manitobans use real estate agents when they buy or sell a home. We want to ensure that the families are treated fairly or have their best interests represented.

*(15:10)

In fact, people are allowed to sell their own houses. They can put up a for sale sign, handmade sale sign, and sell it themselves, or they can go to a—you know, some of these businesses like ComFree, and they can sell it through them. But the reality is that this system really only works well when the market is very, very good. But when the market goes back to its normal conditions where it's tough—much tougher to sell the houses when interest rates are high, the economy's not as good, then that's

where real estate agents really show their true value because they can get houses sold in bad economic times as well as good.

So, at the end of the day, many people will try to sell the house themselves or they may get a company like ComFree to try to sell it for them, but after two or three weeks of frustration, most of them, in fact, turn around and do phone one of the registered real estate companies in this province to get the professional services that those brokers and agents offer.

The legislation will ensure that families are protected and that real estate agents are operating on a level playing field. Bill 70 modernizes the regulation oversight of the real estate industry. It ensures transparency and fairness, makes sure buyers and sellers get a fair deal from agents. Public consultations with over 500 Manitobans told us that many Manitobans had positive experiences with their real estate agents, however 20 per cent said that their agent did not sign an agreement or fully explain their sales commission and fees upfront.

Over half of home buyers and sellers experience bidding wars or multiple offers. However, a third of them said their agent did not explain this process to them, and, in fact, that's been a relatively new phenomenon as well. It's only been in the last 10 years or so that we have experienced such a hot real estate market. In my memory, I don't think we've ever had a market like we've had in the last 10 years where there's a competition to sell houses and there's a bidding war going on and people are totally shocked when houses are going for way more than their listing price.

And, in fact, people are throwing caution out the window and not getting home inspections done and not putting the prudent conditions that they should be putting into a contract, for example, making it subject to their lawyer's approval or making it subject to a home inspection. And the reason that they don't take these actions—and they should take them—is because they go through the experience of losing a couple of deals in a—in the competitive market, and so what they decide to do then is they throw caution to the wind and they don't put conditions in. They buy houses without any conditions and then they wonder why, after a couple years, that there's all sorts of defects that show up in the house that they would have found out if they had done a home inspection.

So Bill 70 is going to, as I've indicated, create an online listing of all agents and any disciplinary findings against them, allowing Manitobans to easily look up an agent, confirm that they are legitimate and see that they've had any issues, requiring that agents use service agreements with their clients upfront and explain their role as well as their sales commission and fees. Agents will be required to inform home sellers of all offers on their home, which is especially helpful in multiple-offer situations. Agents will be required to notify parties of a conflict if they're representing both the buyer and the seller, and a new code of conduct will guide responsible, ethical services and avoid conflicts of interest. It will include requiring truthful and accurate advertisements, personal information protection and full disclosure for conflicts of interest. And it's certainly been a problem in a minority of situations, but it's been a problem over the years, has cropped up, and it's something that we want to try to avoid.

There are—you know, there is a lot of rules right now governing brokers and agents in the province, and still—with the number of people operating out there, there's still a number of violations that occur.

We're also working to deter individuals from violating the provisions of the act by increasing penalties. Up 'til now the penalties have not been substantial, so fines for agents will be increased from a \$1,000 maximum today to a maximum of \$100,000, and we're adding the prospect of jail time for agents who breach the act more seriously.

In terms of support, Mr. Speaker, for this bill, we worked very closely with the Real Estate Association in this legislation. And Mr. Brian Collie, who has been around for a long, long time, the CEO of the Manitoba Real Estate Association, has stated that many of our recommendations are already implemented, and we also look forward to continuing this partnership to ensure that buying and selling homes and properties in Manitoba is a positive, community-building experience.

And the fact is that the agents and the brokers do support this legislation, and—because they, too, don't want to see the industry getting a bad reputation in any way, shape or form. We recognize that many Manitobans have positive relationships with the real estate agents, and that most agents already follow the principles we are setting out in Bill 70. We want to make sure that all agents are following these principles and all Manitobans are protected when

they make for what will be the most largest investment in their lives.

In terms of our government's—and the minister did address this issue. Our government's record on consumer protection is far and away superior to what we see when the Conservatives have been in power over the years. A matter of fact, they view consumer protection as red tape, red tape on industry. And the members put it on the record, last time we talked about this issue, that new home warranty is considered, in their opinion, red tape. So I'd like to see what all those new homebuyers out in Charleswood and Transcona in the new developments—there is huge, huge development of new building activity in the suburbs of Winnipeg, and working families are moving into these homes. And I'm sure they're going to be very pleased when they find out that the Conservative members are saying they shouldn't have a new home warranty protection and that new home warranty protection is basically a—is red tape on the builders, is a tax on the builders and something that shouldn't be available to the new homebuyers. A matter of fact, I would suggest to you that pretty well 100 per cent of those new homebuyers are going to not only say they want the new home warranties, they're going to say they want stronger, improved, new home warranties. So I'd like to see where the opposition's going to come down on that when they have these people phoning their office, the office of the Leader of the Opposition, to complain about where they stand on this issue.

So, Mr. Speaker, people do expect good value for their money, and they do want to see the government look out for their best interests and put these rules on professions in this province. We have a high quality of life that makes our province a great place to live, work and start a business. We're taking action to ensure that Manitobans' largest investments are protected, and they don't get ripped off. The New Home Warranty Act, as I'd indicated, will require warranty protection for Manitoba families purchasing newly constructed homes, often the largest purchase a family makes. We have guaranteed that when consumers are purchasing their next vehicle, that advertising will reflect the true costs of the vehicle. The PCs oppose both of these measures, making it harder for families to protect their biggest investments that they make.

Our plan, Mr. Speaker, to invest in Manitoba will keep the economy growing with more jobs. And we've made changes that will keep Manitoba

affordable. We've protected consumers from unfair treatment when they get their cars repaired by ensuring only authorized repairs are completed at the costs that were agreed to in the estimate. We've taken action to ensure cellphone contracts are clear and fair, with measures that limit cancellation fees and ensure plain language contracts. We've cracked down on the high-interest, short-term loans to ensure that Manitobans can borrow at fair costs.

The opposition, on the other hand, Mr. Speaker, they—their position on consumer legislation is totally suspect. Manitobans want laws they can rely on so that they know that when they make a purchase or pay for a service, they're on a level playing field with the company they're dealing with. But the opposition has repeatedly voted against our legislation that protects Manitoba families from unscrupulous companies and from getting ripped off.

The opposition stood with shady, fly-by-night, unlicensed construction companies and against families when they refused to support warranties for new homes. They fought for the right of unethical car dealers to hide the true cost of a vehicle after contracts—until after contracts were signed.

* (15:20)

The PCs have even said they would consider eliminating rent control. And, quote, one of their candidates in the last election, he said, we will be looking at lifting rent controls. That's what Manitobans have to look forward to under a PC government.

The opposition has opposed every single increase in the minimum wage since 1999. And, Mr. Speaker, they talk about, you know, a low—Manitoba being a low-wage environment and other so-called observations which are certainly not true—and when they are opposing minimum wage increases consistently over the years.

The biggest single danger to Manitoba's affordability is the PC plan for American-style, two-tier health care where wealthy individuals would buy their way to the front of the line and everyone else would have to go without. And every time the PCs have come into power, that's basically the story—that's the story.

All you got to look at—the Ontario election. If anybody wants to see how a PC government operates, they only have to look and see what Mike Harris did in Ontario. And now, you know, Mike Harris Jr., Tim Hudak is out there proposing the

same kind of approach. Is it 100,000 layoffs to public servants? That's what he's proposing in Ontario, and where are all these people going to go? Well, actually, you know, they'd be probably moving out to Manitoba a lot of them after—in the—after the next couple of weeks fleeing a PC government.

But as MLAs we get a lot of complaints in our office about real estate issues. And, you know, one of the observations I'd like to make is we've had complaints over the years about the lack of part-time agents being allowed in the business. And I remember way back, 20 years ago I had to go to court with Lyle Bauer as a witness. I got a—as a witness. I got actually a cheque, a \$40 cheque, and it was a combines investigation into real estate industry in Canada.

And did you know that there's only three boards, three real estate boards in Canada that actually act under—set up as an act of the Legislature: the board in Quebec and the board in Winnipeg, and I forget where the third one is. But every other board in Canada operates on the basis of—under the constitution you're allowed to work part-time. Insurance agents, they're allowed to be part-time, right? But the real estate board of—Winnipeg Real Estate Board restricts part-time people; you're not allowed to be part-time. And, you know, my argument has always been that if you're prepared to have all the education requirements and pay the huge fees that the board charges and if you only want to sell one house in a year, that should be your choice. But what it does is it keeps people out of the business and requires them to be only part time. Now, the exception is made for brokers. So anybody who takes these broker courses—which a lot of people can't pass. They're quite expensive. They're up to about three or four—up to, I think, four courses nowadays, and it takes a couple years. So you have to go through that whole process before you could become a part-time agent. So maybe we want to be looking at that, and perhaps when the bill gets to committee there'll be presenters on that issue.

And another big issue that the real estate brokers and agents have to deal with is this whole area of grow ops. You know, people—the police have to keep a better record of where these grow ops are because anybody that knows anything about grow ops knows that these things actually destroy houses—they destroy houses. And criminals will buy houses, fancy houses in nice new neighbours and set them up as professional grow ops. And then what happens is the house gets destroyed with the humidity and mold

develops in the house and so on. And then what happens is once the grow op gets busted, the owner puts this thing on the market again and, you know, dumps it off to the—on unsuspecting public who buys the house. And what you see right now is you've got—the Winnipeg police have a list of grow ops on their website and the RCMP have another list. And, unfortunately, I think, the Winnipeg—if I'm not mistaken—the Winnipeg police site only keeps them up for, like, 24 months and then they drop them off. You know, it's impossible to keep track of these things. So there should be like a central place where people can check—where the real estate agents can check for grow ops, so they don't have to go hunting around trying to find out what—whether their house was a grow op or not.

Another big area that real estate brokers and agents are dealing with now is this knob and tube wiring, that if you've got a house with knob and tube wiring you've going to have to—before you can find an insurance company to insure it for you, you're going to have to replace the knob and tube wiring.

Now, you know, if anybody wants to know what kind of expense this is, it's quite a lot. You can—I know of one person who bought a house, you know, a few months ago and ended up having to spend, I think, \$20,000 to replace—to take out the knob and tube wiring. And there's knob and tube wiring in huge amounts of houses in the city, and most people don't even know what it looks like to begin with, and then when they—you know, the insurance company asks you to go look for it, they're going to find they got, you know, a piecemeal approach to their electrical in their house in the first place. They got a little bit of this and a little bit of that.

It's like plumbing. They're—you know, part of your plumbing's steel and part of it's copper and part of it's plastic pipe. And, you know, the insurance company wants you to do a calculation. You got to calculate what percentage. Now, you're not a plumber. You don't know what's what in there, and somehow you got to come up with a percentage of steel plumbing or copper plumbing and the same thing with electrical. This stuff's behind your walls, and you don't know what's behind there. And you've got to tell the insurance company and sign documents to say that, well, there's no knob and tube. Well, how do you know there's no knob and tube wiring in there? So it's a big—you know, it's a big issue that—and I'm sure the government, I'm sure the ministers had to deal with this.

And one of the last points that I wanted to bring up, Mr. Speaker, is a—and I think one of the reasons we are doing this bill now is this whole idea of flooded houses. There was an incident back during the 1997 flood where flooded homes found their way out into the market, and someone went and bought one of these houses and put it up in—by Birds Hill, put it on a—had actually had it moved all the way up to Birds Hill, put it on a foundation and then just turned around six months later and put the thing for sale as a new house when in fact it had all this flood damage to it. And, of course, this all resulted in a big lawsuit against the agent and the broker and so on and so forth. And so I think that part of that issue has helped us to move forward a little bit quicker than we might have on this bill.

So, Mr. Speaker, I could go on for a lot longer. I have a list here of points I wanted to cover, and the House leader is telling me that we have to kind of restrict the debate a little bit here. So with that in mind and wanting to make sure that I stay on the right side of the House leader, I want to stop while I'm ahead. So thank you very much.

Hon. Jon Gerrard (River Heights): Mr. Speaker, just a few brief comments on Bill 70, The Real Estate Services Act. You know, this is an update in terms of regulation of people who are involved in selling real estate, and I look forward to comments at the committee stage with regard to many specifics. From what I can see, many of the measures here are quite reasonable measures.

I note with interest that the section, which is 15(6), which deals with the records to be online, that the NDP's following their usual tradition of emphasizing negative events; that is that they require only that particulars of final disciplinary action against the register—registrant be listed on the act.

You know, on the other hand, there would be many members of the real estate community who are involved in selling real estate who have received recognition or awards or who've got special qualifications, and maybe it would be reasonable to look at listing positive achievements of people who've been involved in real estate and not just the negative things as this government likes to emphasize.

* (15:30)

I also think that it's worthwhile looking at this issue of what happens if somebody has been—you know, if there have been concerns raised about a

particular real estate agent. And I say this because in a different context on another registry, people were not listed until there was final disciplinary action, and the problem was that there was an individual who was practising in a way that he should not have been practising, and it would have been important to—that people were aware of that. In fact, that because it was not—people were not made aware of this problem as soon as it came to light that there were more people who were duped under this circumstance.

So I would suggest that in some fashion this be looked at so that if there is an individual who is, you know, behaving inappropriately and this is found—I don't want to prejudge people before the final disciplinary action is taken—but there would, I think, be appropriate to look at early warnings for people who are trying to engage their services where there's somebody who is doing things which are not appropriate.

Well, Mr. Speaker, with just those comments, I look forward to this going to committee stage and to the hearings at committee stage. Thank you.

Mr. Matt Wiebe (Concordia): I appreciate the opportunity to put a few words on the record, especially following the member for Elmwood (Mr. Maloway) who put almost all the words on the record on this issue and, of course, the minister. But I certainly appreciate the expertise and experience that they bring to this debate and appreciate the opportunity myself to join in this debate and speak in support of Bill 70, which I think is an incredibly important step forward with regards to the real estate brokers act and pushing that legislation forward and moving it into the 21st century.

As the minister had mentioned in his comments, we certainly don't live in the era of—well, I think, as he put it, the carrier pigeon or the fax machine or, really, all these technologies that are before my time—but I know as somebody who has been through the process of purchasing a home and purchasing property in the last number of years, seeing how the Internet has become an incredible tool—excuse me—tool that consumers can use as well as folks, real estate brokers that can use as well. It really has changed the way that we look at property and the way that we look at purchasing property, and I think it's something that has been embraced by consumers certainly, but also by the industry.

And so, when we, you know, are looking at Bill 70, which will create an online listing of all

agents that have any disciplinary findings against them, it'll allow Manitobans to easily look up an agent to confirm that they're legitimate and to see if there's been any issues. This is just another component in the overall vast amount of information that's available to consumers now and giving them really just tools that will help them better navigate the marketplace and to protect them against fraud.

You know, I think one of the most important parts of this legislation is that—how closely the minister and the department and our government has worked with the Manitoba Real Estate Association.

And, you know, I know a lot of real estate agents and folks that I've dealt with in many capacities and, you know, these are great folks. These are great folks to work with and people I think that are really out there for the right reasons. And so it's really a good thing that the minister and the department have really sought out their advice and their guidance in developing this legislation, and making sure that we're working with them to ensure that the right protections for consumers are on the table and that we can further give folks the confidence that they need when they're making that most important purchase, as they say, most important purchase of a person's life and that is their home.

So I think I just want to commend the minister and, of course, the government in the hard work that we've done with regards to this legislation. I think there's a lot of potential here and I think this will just further to make Manitoba's economy a better place and to make our marketplace a better one for folks that are entering the market. So this is something that I think will benefit all involved and I think it's just a very positive piece of the legislation that I'm very proud to support. Thank you very much.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I move, seconded by the member for Midland (Mr. Pedersen) that debate—or sorry, by Lac du Bonnet—that debate now be adjourned.

Motion agreed to.

Bill 72—The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act

Mr. Speaker: We'll now proceed to call Bill 72, The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act.

Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection): Mr. Speaker, I move, seconded by the Minister of

Agriculture and Food, that Bill 72, The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act; Loi modifiant la Loi sur les armoiries, les emblèmes et le tartan du Manitoba, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Lemieux: This bill would officially recognize three provincial emblems, the plains bison as a provincial mammal, the walleye or pickerel—better known as a pickerel—as the provincial fish and the big bluestem as the provincial grass.

And I know, Mr. Speaker, on this side of the House, people are enthusiastic about how important—how important symbolism is, quite frankly, in Manitoba, and we know the plains bison, this majestic animal of the prairies and how important this is to Manitoba. We don't have to go very far from this Chamber, just down the steps, we see two huge, big bison on the steps and this is something that we wanted to make official, and even though I would argue that many Manitobans thought that the bison was the official mammal of the province, but we wanted to make sure that there was no doubt in anyone's mind going forward that this would be the case.

We have an incredible natural heritage here in Manitoba, Mr. Speaker, and we're excited to have these iconic and—icons officially recognized as provincial emblems. Not only do the bison, the walleye or pickerel—better known in Manitoba as a pickerel—and the big bluestem represent our rich history and natural resources, but they also reinforce the foundation on which our province was built.

We choose the plains bison as our mammal emblem, Mr. Speaker, as it holds great historical importance for Manitoba. This is highlighted right here at the Manitoba Legislature where the plains bison flank the grand staircase, as I pointed out earlier. It is one of the oldest and most natural fits to represent all mammals in our province. It symbolizes the strength and endurance of Manitobans who are strong and resourceful people even in the toughest of times. Over 200 years ago, tens of thousands of plains bison rumbled across the Manitoba prairie and were used as a source of food, shelter, clothing, tools, weapons and medicine. While the plains bison no longer roam in the wild as they once did, it is still a powerful and sacred symbol of the people of Manitoba. There is no question that Manitobans already recognize and associate with

the plains bison. For many years it has appeared in the coat of arms, the Manitoba shield and as the provincial government symbol. Now we are officially recognizing the plains bison in legislation as our official mammal emblem.

Mr. Speaker, I know many of us who've watched many movies, whether it's *Dances with Wolves* or other Hollywood movies, have seen and in those movies really showed what and how powerful those animals were, but also the First Nations people that used them again for food, shelter and in their heavy coats in the wintertime and so on. And we are really proud that the bison and—is going to be the mammal of our—certainly, of our choice, and the plains bison is that important to us.

* (15:40)

Mr. Speaker, there's also been consultation with residents and stakeholders to select both a fish and grass emblem, and it's gratifying to see the interest that Manitobans have taken as shown by online nomination and selection process. There was a private member's bill brought forward, I believe, by the MLA for Turtle Mountain at the time, and that was the official soil of Manitoba. And I know members on this side embraced that. We felt it was so important because of agriculture and the agricultural significance. And that, you know—and so, at the time, I was surprised, and I think we're all educated by the MLA for Turtle Mountain about the different types of soils in Manitoba and how important—how important—the soil was to Manitoba.

So we thought, in taking a look at how this House operates, Mr. Speaker, I mean, often it's the adversarial system where we often may disagree on many things, but there are many things that we do agree on, more than what the public really knows. And that particular issue, that one the member for Turtle Mountain thought it was so pressing and so urgent that this should be brought forward to Manitoba to talk about the prairie—some called it dirt or soil—and members on this side embraced not only his good nature about it, but also the fact that he felt that it was important that we have this as part of Manitoba's history.

And so with that I would also say that we would expect that members opposite, in kind, would not object, certainly, to the bison or to the pickerel, or to the bluestem as official grass. I know they would certainly want to also support these important inductees, as important as they are.

The walleye, which most Manitobans know as pickerel, has been selected as our provincial fish emblem. Whether you call it a walleye or a pickerel, there's no question this fish represents a huge part of our provincial history. The province has more than 80 native fish species and our fisheries resources generate over \$230 million annually to our provincial economy. Our fisheries also draw visitors from across the country and from our good friends from the United States who come to experience Manitoba's incredible fishing and hunting experience. The wilderness tourism industry showcases our province and brings economic benefits to local businesses and regional economies.

Mr. Speaker, also, as the Minister of Tourism, I certainly can attest to the value of tourism and this, whether it's hunting or fishing, to the tourism industry of Manitoba. Paul Turenne and others who represent the hunting and fishing sector who we've met but also who supported our new rollout of our, you know, where Canada's Heart Beats and our new promotion on tourism in Manitoba has been extremely successful, showing during the Olympics. And, you know—and I know—well, I know the member from Steinbach would certainly support—I would hope he would support the pickerel and the bison and also our official grass of the province of Manitoba.

You know—and, you know, Mr. Speaker, that I should—I'd be remiss at not thanking the—there's an association with regard to the wild grass and there's an association and a committee that was put together—a committee that was actually put together to select a fish. This was not an easy—this was certainly not an easy endeavour. There's a—Manitobans feel very passionate about fishing. They feel very passionate about different types of fish, whether the lake sturgeon, whether they're the jackfish or the northern pike, or the walleye we call pickerel in Manitoba. This certainly had a number of people who were passionate about the fishing industry come forward, sit on a committee, be a selection committee.

And again the MLA, the minister of—the MLA for St. Johns or the MLA—or the Minister responsible for Conservation and Water Stewardship led this initiative and this consultation process. So, as his responsibility for Conservation and protecting our lakes and our water streams, he also is very passionate about fishing, not only as a youngster but also today, and was responsible in great part for

putting together a committee which would take a look and select which would be the official fish emblem for our province. And we made the announcement at Fort Whyte Centre, and we want to thank those individuals and those people at Fort Whyte and the wilderness society of Manitoba for participating and also helping us launch the new emblems of our province, and I know that all of us would want to thank the people at Fort Whyte for doing that.

Mr. Speaker, as I mentioned, our fisheries draw visitors from across the country and the United States who come to experience Manitoba's fishing and incredible hunting experience, and it's not just from the United States that this adds to our tourism, but also to the economy of Manitoba. But we have people from all over the world, whether they be from China, whether they're—be from England, France, come from Brazil, Mexico, come here to hunt and fish. And I know many in this Chamber have met, know of or have relatives that have come here from out of province that come here to fish and hunt, and that particular industry is extremely important to Manitoba and it's only fitting that we recognize the importance of Manitoba fisheries as a—by designating a provincial fish emblem.

Given that Manitoba waters produce one of the most consistent populations of walleye in North America, it was chosen as the one that best represents Manitoba's incredible fishing resource. Mr. Speaker, the pickerel exports represent about two thirds of the \$29 million in annual income for commercial fishers, huge amount of money for our commercial fishers, and the walleye was traditionally supplied to the Winnipeg market by Icelandic fisherman in Lake Winnipeg. Its size, sporting qualities and delicious meat make it one of the most important recreational and commercial species in Manitoba.

The pickerel are also important fish—also an important fish to the First Nations, to Metis, to Aboriginal communities as a source of food and cultural to their traditions.

Mr. Speaker, my relatives who moved out to British Columbia a number of years ago, many years ago in fact, my mother's brothers and others would love to trade their salmon for our pickerel, and they make a point of saying how they miss that freshwater fish and they just—they can't wait to pay Manitoba a visit in the summer or else, or other times just to sit down at a restaurant or come to our home and

experience that, just that beautiful meal that a pickerel certainly makes.

We asked Manitobans, Mr. Speaker, how they felt in a public consultation process. Almost 4,000 people responded and we heard loud and clear that the walleye or pickerel was the right choice.

Mr. Speaker, the legislation also proposes the inclusion of the big bluestem as our provincial grass. In fact, I digress slightly, but I think the big bluestem, I think there's also a stage I think at Winnipeg Folk Festival. There's actually a stage, and now I'm not—I can't recall whether it's for up-and-coming talent. But it's a specific stage that's been named the Big Bluestem, and I know the member for Steinbach (Mr. Goertzen) and others, they go to the Folk Fest all the time and he wears a T-shirt and blue jeans. And so—and I know that he—*[interjection]* And so we know that the big bluestem was selected through the Manitoba provincial prairie grass emblem campaign spearheaded by Marilena Kowalchuk, Cary Hamel and Julie Sveinson Pelc. This group did extensive research, engaged the public and identified the big bluestem as the best representation of Manitoba's prairie grasses.

Mr. Speaker, I once belonged to the Orchid Society of Manitoba and, you know, the Orchid Society of Manitoba impressed upon me at one time about the official grasses that we have in Manitoba, and we don't realize how many species of grass we have in Manitoba, which is important. But we also don't realize how many species of orchid we have in Manitoba, and many grow by the roadside and hundreds and hundreds of different species and, you know, and they're beautiful, but they grow right by the roadside.

* (15:50)

So, as minister of Infrastructure and Transportation, when I was asked to be careful and ask our people—for example, out of the Steinbach office, be careful, be gentle when you're cutting along those roadsides because that's where the orchids grow, Mr. Speaker. So, you know, it was really important at the time, and I know people took great caution to watch for those beautiful flowers, those beautiful orchids, growing by the roadside. And I just—I want to thank all those people that work for Manitoba Infrastructure and Transportation for their conservation and for thinking about the orchid.

So, Mr. Speaker, in that same vein, I just want to say that, you know, the grasses are also important to

Manitoba. And the big bluestem has been selected as the important grass. And I know the member from Steinbach is familiar with all kinds of grass that's grown in Steinbach and other communities in the southeast, but this particular one, the big bluestem, is important.

And we had a committee—as I mentioned, the people before should be recognized, and they take great passion, Mr. Speaker. And when I listen to Marilena Kowalchuk speak about how important the big bluestem was to Manitoba, you don't realize, I think, when you're looking at grasses and—the importance it makes for foraging, the importance it is for species in Manitoba that we have.

And I know the member for Turtle Mountain is passionate about the southwestern prairie skink, and he knows how important that the prairie grasses are to the wildlife we have in Manitoba.

So, Mr. Speaker, this group did extensive research and engaged the public and identified that—the big bluestem as its main choice. And to their credit, the big bluestem, initially in their surveys, came out as No.1, but they continued that process to ensure they heard from all people who are passionate about the grasses in Manitoba, that they'd be heard.

Manitoba's native prairies provide valuable grazing and hay land, as I mentioned, Mr. Speaker. They help remove large amounts of carbon from the atmosphere and support traditional plant and animal harvesting for our people.

And I know members opposite feel very passionate about prairie grasses as well, and they'll have an opportunity to speak to it, but also have an opportunity to stand up and vote or support it as well. So we look forward to that.

And, Mr. Speaker, again the prairie grasses important not only for carbon reduction from the atmosphere, but support traditional plant and animal harvesting for our people.

Mr. Speaker, Manitoba's grasslands are a very precious resource. Our prairie grasses provide habitat for dozens of endangered species. They—there is a—sorry—is a perfect example of amazing variety of ecosystems that exist in Manitoba and the value it brings to our heritage, however our grasslands are also one of the most endangered habitats in Canada. It's important that we recognize the value of our grasslands and that we protect them for future generations. It is for this reason we would like to adopt the big bluestem as our provincial grass.

Mr. Speaker, establishing a provincial fish, mammal and grass is just one step to recognize the incredible nature, incredible natural legacy that we have here in our province. These resources have sustained our province for thousands of years and continue to sustain us today.

Our government is committed to preserving our environmental resources for our children and grandchildren. We have been working to protect the ecosystems that are home to wildlife and to preserve our provincial parks, Mr. Speaker.

Mr. Speaker, making these emblems official will help ensure future generations can learn, celebrate and understand our history, and will also instill the importance of protecting these resources as we grow our economy.

I'm very pleased to recommend this bill to the House, Mr. Speaker, and I know members opposite will join with us, as we joined with them, to pick an official soil for Manitoba. I know they'll join with us in also ensuring that these three emblems are recognized, and that it'll be—should be unanimous in this House.

And I know there's a number of others that wish to speak, and I know the MLA for River Heights and others who are environmentalist at heart and support initiatives like this—and I know memory—many members opposite, as well, from the Conservative Party, will support this initiative, Mr. Speaker.

And I know that for members of us that are rural Manitobans and support agriculture in a big way—and agriculture is truly important for us and tourism is also equally as important. And I know that agriculture and the grasslands that have been taken as a result of agriculture under the name of a prosperous new West—we know that the farmers are one of the most environmentally friendly individuals that you can find in Manitoba. And as a rural Manitoban, as a Manitoban who's lived in rural Manitoba the majority of his life, I know that the grasslands and the support that agriculture gives to the environment is really important.

And I know that I look forward to hearing comments from members opposite, whether it be now in second reading or when it goes to committee. I know that we'll certainly hear support for all of these particular initiatives.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to support this legislation. I think it's worthy of support to recognize the plains bison, the walleye

and the big bluestem. It's of interest that the plains bison has long been a tradition to associate Manitoba and the plains bison, and that's a good thing. But it's striking that for a period the plains bison was almost wiped out and, thankfully, it was not due to a few people who managed to hang onto some of these animals and to make sure that we still have some today.

The minister, as he has talked about, has mentioned that the big bluestem is one of the most—and the tall grass prairie—one of the most threatened habitats. I'm not sure that you would necessarily say that the big bluestem itself is threatened, but it is symbolic, certainly, of the tall grass prairie which existed and was so important in much of southern and southeast Manitoba in particular. And, certainly, it is a worthy plant which needs to be better recognized because of its ability to live in our climate, to a contribution to building up the soil and contribution to providing habitat for a wide variety of native species. So it is, indeed, important that we recognize the big bluestem.

And, certainly, the walleye is a tremendously important fish, a very popular one both in terms of fishing and eating and, you know, I think we can say further than that in terms of understanding. There's lots and lots of Manitobans who know about walleye. It is, I think, worthy of note that the stewardship of the walleye populations hasn't always been as good as it should be, that the walleye population in Lake Winnipeg—or in Lake Winnipegosis plummeted around 1960 and to my knowledge is still not back to where it should be.

And so we have some things to learn about the stewardship of walleye and, certainly, on Lake Winnipeg which is our most productive walleye lake in our province and I believe the second most productive walleye lake in North America, that it is a threatened lake at the moment, and we don't want it following the bison. I don't think that's all that likely, but I think that in Lake Winnipeg it certainly could be threatened if we don't pay a lot more attention to making sure that Lake Winnipeg is in good shape.

And so walleye perhaps is, you know, part of the symbol of not only our province, of fish, but a symbol perhaps of what we should do to make sure that the fish in Lake Winnipeg and Lake Winnipeg itself are well looked after, and what we should do in terms of recovering walleye populations in Lake Winnipegosis and to some extent Lake Manitoba where we still have some work to do.

So, with those few remarks, I support this legislation and look forward to it moving forward. Thank you.

Mr. Blaine Pedersen (Midland): Mr. Speaker, I move, seconded by the member for Lac du Bonnet (Mr. Ewasko), that debate now be adjourned.

Motion agreed to.

* (16:00)

Bill 71—The Animal Diseases Amendment Act

Mr. Speaker: Now proceed to call for second reading of Bill 71, The Animal Diseases Amendment Act.

Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Development): Mr. Speaker, I so move, seconded by Minister of Justice (Mr. Swan), that Bill 71, The Animal Diseases Amendment Act, be now read for the second time and be referred to a committee of this House.

Motion presented.

Mr. Kostyshyn: Mr. Speaker, it's a great pleasure to present The Animal Diseases Amendment Act. This legislation amendment act are fundamental to government's commitment to address the increasing risk of disease, rapid detection and enhanced control.

The act enhances protections to sectors of the economy and depends on healthy animal population. The act also strengthens government's response to the diseases that may have a significant impact on human and animal health or Manitoba's economy.

Mr. Speaker, as we know, agriculture is very key to the province of Manitoba, and we know the 9 per cent of GDP is truly a significant contribution that agriculture provides to our province. And we know the employment component of that is 62,000 direct and indirect jobs in the economy of the province of Manitoba, which is linked to agriculture, truly is an indication how important moving forward with today's announcement is—moving forward with The Animal Diseases Amendment Act is key. And we all know the risks that we have with biosecurity and the latest 'trategy' that we have with the PED that's affecting the Manitoba hog industry. We feel that this act or amendment act will somewhat try and curtail issues that may develop in the future.

The act also strengthens government's response to diseases that may have a significant impact on humans and animal health and—or Manitoba economy, as I indicated earlier. This bill will align

Manitoba with national policies and new innovation methods of collaboration, including one health initiative.

The amendments will address the gaps left by changes in a national priority on animal health and where the province has a—become a—primarily responsible for managing diseases, such as rabies. Additionally, Bill 71 will expand existing policies to allow collaboration with farmers and their organizations to prevent and respond to significant animal diseases.

Mr. Speaker, the bill will provide the necessary authorities to regulate reportable animal diseases, risks and hazards. This will increase the ability to address emergency diseases, such as the PED. The amendments also recognize significantly the risk factors and hazards that may have caused disease, acting as a 'pre-ventitive' measure.

A system for reporting hazards to my department that may have threatened animal health or public health will be established. Provincial animal disease officials will be able to conduct animal health surveillance to better understand the health status of animals and to anticipate disease issues to act quickly.

Additionally, the amendments enhance may—my department—ability to share information with industry, other departments and jurisdictions in order to prevent—or provide accurate information to the public.

Mr. Speaker, being in the cattle industry for a number of years and witnessing and personally experiencing the challenges in the cattle industry such as the P—the BSE and, you know, the unfortunately—the circumstances that we have with today's cattle industry and, finally, we've been able to somewhat celebrate prices that were long awaited in the beef industry and, finally, a reward to the industry as far as what should have been paid years and years ago to the investment the cattle industry put in the province of Manitoba.

The challenges we face in the cattle industry is that there's been such a demise of the young generation, and this government believes that we need the young generation to get back into the cattle industry, get back into agriculture, period.

We know that cattle numbers today, cattle numbers are what they were in the 1960s, much similar to what they were in the US as well. They're down in the 1960s and, obviously, the demand is

there for the beef and we want to continue to work. But we need to be creative in how we can attract the renewed interest in the beef industry, so we can increase our beef numbers in the livestock numbers. And this is one act that I think will be beneficial in the long run, that we can somewhat police it and monitor it so we have the minimized risk of animal disease.

As I said earlier in my speech, Mr. Speaker, you know, the PED is a disease that's been prevalent in the US for a number of years. They've had a total of about four million, unfortunately, weanlings that have died because of, and still have the challenges of how to control the PED spread in the province. And one of the emerging issues that the PEDs is that sanitation, cleaning of the transportation trucks is very key, and that's one of many, but that is very key. And the disease is somewhat prevalent and we feel that we need to have additional support from industry, and I've had numerous conversations with Manitoba Pork. I've had conversations with Manitoba Beef and we talked about this bill that's being introduced, The Animal Diseases Amendment Act.

We had the support of the industry. We had the support of the veterinarian colleges towards this act. I think if we work together and have a strong communication with industry leaders to control the disease spread, in the long run that minimizes economic hardships for the industry regardless what commodity they're involved in. And we also feel that it's very beneficial that we bring forward information such as this that the public is aware that we as government are proactive and we're on top of potential spread.

You know, the opportunity just to have an area that may be subject to some form of a soil spore disease such as anthrax, which has, you know, been numerous in, say, in the southeast part of Manitoba for a number of years. And, depending upon what the weather conditions are like, it's very key to have this opportunity, so you can segregate the affected area and stay on top of it before it continues to spread. But this provides MAFRI, the department, to have the opportunity to broadcast the emerging disease in the particular area regardless where it is in the province of Manitoba, Mr. Speaker, and be very transparent in sharing of that information that we minimize the fact that we don't have any more 'deprimation' in the agriculture industry by the spread of diseases.

So, Mr. Speaker, provincial animal disease profession won't be able to conduct animal-health surveillances to better understand the health status of animals and to anticipate disease issues and to act quickly. Additionally, the amendments enhance my department's ability to share information with industry, other departments and jurisdictions in order to provide accurate information to the public. Also, officials will be given more latitude when making orders—for instance, quarantine orders is a priority—areas that will be included in order to—in order for a declaration of an affected place. Amendments will expand orders making powers to issue direct orders irrelevant to biosecurity measures for hazards, risk factors in unidentified causes of disease. Official authorities to conduct testing and collecting samples and specimens is also to clarify. The department is adding biosecurity measures to allow for recognition of biosecurity activities to prevent disease. Regulation-making powers will be strengthened and clarified, including ministerial authority to make regulation-designed areas of the province as animal disease prevention, monitoring or control areas and regulating activities in those areas.

Last but not least, Mr. Speaker, this is an act that is fairly pronounced across Canada. Some areas are maybe a little bit more stringent. Staff has worked very hard. They've been able to collect a lot of information that's very similar to other provinces across Canada.

* (16:10)

We feel that this government feels—the department feels this is truly unnecessary as we see the benefits of being very transparent of sharing of information, but also working with other departments, whether it's the Department of Health, Jobs and Economy.

At the end of the day, the best thing that we can do as far as the government in our department is to work with producers, commodity groups, that we minimize the risk of a deflate in the economy because of the disease spread—much as the PED, as the US is experiencing right now—and in the inflated prices that consumers will end up paying because there's a shortage of a commodity, whether it's the pork or beef industry that we are seeing today.

So, Mr. Speaker, I would like to close my commentary and I hope that we have an opportunity to discuss this in committee in the near future.

So, lastly, amendments will provide uniformity with the key regulated legislations across Canada and the public health legislation in Manitoba.

So thank you, Mr. Speaker, for your time.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to put a few words on the record on Bill 71, The Animal Diseases Amendment Act.

This bill provides an update and the ability of the minister to deal with animal diseases, you know, and in that respect I think that it's pretty hard to argue against improvements in protection against animal diseases, and we know how important this is in terms of our hog industry, our cattle industry and various other industries that we have got.

I think the—one hopes that the minister has done a better job of consulting with this one than he did with the changes to food handling regulations which resulted in major problems for many farmers in terms of marketing their foods in the way that they have been doing, problems for the co-operative down in Crystal City and for others.

And, you know, that was an area where the minister certainly could have handled things a lot better, making sure that the changes were made with good consultation and that the—with the sensitivity and an understanding as well as a look at the safety factors. And certainly one hopes that this time around the minister has done a better job than in the other occasion.

There is one clause which I'm going to mention specifically because it's a concern for me. You know, this is the clause 18.3. This provides protection for the Crown, presumably the minister, the director or other people under—acting under the director engaged in the administration of the act for any act done in good faith or any neglect or default in the performance or intended performance of a responsibility or in the exercise or intended exercise of power discretion under this act to the regulation.

You know, what's concerning here is that the—you know, that the minister is getting rid of any liability that he, the Crown, has got in terms of things that they may neglect or be default in doing. This is a rather arrogant position for the minister to take and, you know, it takes away from the normal process of accountability.

I would suggest to the minister that he have a look at these clauses and that there should be a process of accountability, particularly, Mr. Speaker,

with this government. We've seen this with respect to what happened with the Assiniboia Downs over the last two years. We've seen that with respect to the number of court cases that have been launched against this government with regards to flooding. There needs to be the ability to hold the minister and the people who are administering this act accountable in the case of, you know, gross mismanagement or, you know, a very clear neglect of their duties in regard to this act.

So I suspect that the minister would give him this advice: be wise to look carefully at this clause because I think it shows a level of arrogance which is beyond what we would expect of ministers of the Crown in this Legislature. Thank you.

Mr. Speaker: Any further debate?

Mr. Blaine Pedersen (Midland): Mr. Speaker, I move, seconded by the member for Portage la Prairie (Mr. Wishart), that debate now be adjourned.

Motion agreed to.

Bill 64—The Court of Queen's Bench Small Claims Practices Amendment Act

Mr. Speaker: Now, proceed to call for second reading of Bill 64, The Court of Queen's Bench Small Claims Practices Amendment Act.

Hon. Andrew Swan (Minister of Justice and Attorney General): I move, seconded by the Minister for Jobs and the Economy, that Bill 64, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Swan: Small claims court is, at its best, a true people's court in the province of Manitoba. It's intended to give Manitobans a relatively speedy and cost-effective way to litigate a wide range of financial disputes.

This bill will provide Manitobans with a more appropriate response to resolving monetary disputes that are under \$10,000. It will continue to ensure a fair, efficient and effective way of achieving a just outcome at a reasonable cost and within a reasonable time. This approach is in keeping with the principles of access to justice, in particular, proportionality where steps taken to resolve a legal dispute should

properly correspond to the complexity of the legal issues involved.

The amendments provide for the following: an appeal will no longer be automatically heard by a judge of the Court of Queen's Bench; a party who wishes to appeal a court officer's decision must apply for leave to appeal before a Queen's Bench judge and the appeal will be heard only on a point of law or jurisdiction. This creates a more appropriate and streamlined response to resolving small claims.

Mr. Speaker, I said at the outset that small claims court can be the true people's court when at its best, and the court is not always at its best as some parties to litigation treat the initial small claims hearing in front of a hearing officer as a dress rehearsal with the knowledge they have an automatic right to appeal to have a new trial before a Queen's Bench judge. The Queen's Bench judges are federally appointed superior court judges, and we believe that proportionality actually requires that not every case has a right to go to an appeal in front of the Queen's Bench judge.

I understand from the court that one day a week is reserved in the Queen's Bench for the hearing of small claim appeals. These appeals can tie up as many as six Queen's Bench judges as Queen's Bench small claim trials proceed. Lawyers must robe for these trials and, frankly, when we're talking about a \$700 debt or a \$500 dispute over services, it probably isn't the best use of the court's time.

Small claims will continue to be heard by small claims court officers. However, some disputes will continue to be heard at first instance by a Court of Queen's Bench judge, such as claims involving a provincial government or government agency. In those instances the only avenue of appeal will be to the Manitoba Court of Appeal.

Hearing officers are not appointed in the same way as provincial court judges or Queen's Bench judges, and they don't have the same guarantee of independence. So as to ensure no concerns as to their independence, any small claim cases which involve the provincial government, agency or Crown corporation would then go to the Queen's Bench.

Now, this act is intended to provide for the determination of claims in a manner that is expeditious, is informal and inexpensive as possible. In keeping with that, the bill provides judges and court officers the power to admit into evidence anything that they consider relevant. Evidence that is

privileged, for example, discussions of settlement or discussions between lawyers continues to be inadmissible. Evidence given at a hearing must now be recorded because if leave to appeal is granted the appeal court will generally rely on the transcript of the evidence heard before the court officer or judge.

* (16:20)

In addition, court officers or judges will now be required to issue a summary of the reasons for decision. In most cases, this summary will make it unnecessary for a transcript to be initially ordered by a party who intends to appeal as the appellate court may rely on the summary of reasons when deciding whether or not to allow leave to appeal.

Further, if the appeal goes forward, the bill allows for the appeal judge to direct how the appeal is to be conducted, taking into consideration the relevant issues, evidence and information that is required to hear the appeal in a fair and just manner, which may include the hearing of evidence.

It is sometimes frustrating for parties when the other party fails to attend at a small claim hearing and yet has an appeal as of right, and we think that's not the best we can do. A court officer judge can determine a small claim in the absence of one party. A party who did not appear would now have to bring an application before a judge or court officer to have that decision set aside and will have to show there are valid reasons for doing so. If the decision is set aside, there will be a new hearing of the claim. A party cannot appeal the court's decision on whether or not to set aside the original decision.

In addition, there have also been some minor housekeeping changes. As Attorney General, Mr. Speaker, I'm mindful of the importance of access to justice and the need to ensure public confidence in our justice system. An important component of that is efficient, effective and proportionate dispute resolution processes within our courts. The aim of small claims court is to provide Manitobans with an expeditious, informal and inexpensive way to settle monetary disputes in a fair and just manner, and these amendments strengthen our commitment to supporting and sustaining this goal.

Now, this bill, of course, in itself, is not a silver bullet as we move towards a more effective court system. But I can tell you, Mr. Speaker, from speaking with the judiciary and working with them, this is a major issue for the Queen's Bench. And, certainly, our department continues to be committed

to improving the delivery of public services while, at the same time, doing our best to manage cost.

And I'll just speak for a few minutes about some of the changes that have been made in addition to this bill to move us along.

In the criminal justice system, the most significant change within Justice has been the establishment of the Community Safety Division, designed to focus on an integrated approach to crime reduction by aligning policing activities, correctional activities and prevention activities. Corrections and criminal justice divisions are now merged in this new division, and our government's recently announced Block by Block community policing model will also be part of the Community Safety Division.

I believe that people in the William Whyte neighbourhood in the North End and elsewhere are very excited about the Block by Block project, which is a truly integrated way of bringing together law enforcement, government agencies, as well as the community, to seek better solutions to prevent crimes from happening in the first place and, at the same time, building stronger communities.

Now, Mr. Speaker, there's many other things that we've done and we are doing. A significant change in the organization of Justice is the establishment of a new civil litigation and advisory services division. And it encompasses a number of legal service branches, specifically Civil Legal Services, Constitutional Law and Family Law. These branches have been directed to function like a single legal services entity, to provide greater capacity to respond to demands with greater ability to find inefficiencies and drive innovation and delivery of legal services.

I'm very pleased, Mr. Speaker. This bill is one of a number of other measures to improve case velocity, modernize processes and manage costs. Just last spring, the innovation project—improve and expand video capability for court—went live in the Thompson provincial court. The initial goal of this project was to reduce the number of in-custody accused transported for court appearances by facilitating those appearances through video conferencing.

A new custody co-ordination protocol was also developed to ensure that in-custody accused are only transported for in-person appearances in court when something significant is occurring on their cases. As a result of this initiative and the work related to court scheduling, the department has reduced prisoner

transportation costs between Thompson and The Pas Correctional Centre by more than \$200,000 in just a few short months, and has reduced the average number of remands and the average time to disposition for in-custody cases in the court in Thompson.

An inmate transport working group with representation from across the department now meets regularly to discuss how further improvements can be made. The department is also continuing to expand its use of video technology in the rest of the province to facilitate court appearances, reduce transport costs and increase lawyer-client interview capacity. This year, we'll continue to expand the number of courtrooms in Winnipeg equipped with video to increase the number of cases that can be heard in a day.

Mr. Speaker, there's also been other legislative changes which support the work of this bill. Just last December, the Legislature passed The Provincial Court Amendment Act to enable the use of electronic documents and signatures in court. This will allow the department to move towards electronic exchange of information with outside stakeholders such as police agencies with a longer term goal of creating a paperless court.

Of course, Mr. Speaker, we're very pleased that we passed the new legislation for provincial offences and municipal bylaws. Of course, these pieces of legislation will allow us to deal with more minor cases in a more effective and appropriate manner just as we're dealing with small claim cases today.

We know that the more things we can streamline and move ahead, the more pressure we can relieve on our courts, and we can have our Provincial Court judges, in this case our Queen's Bench judges, working to their highest and fullest potential, bringing cases through the system so that we can deal with the most serious and dangerous offenders appropriately and we can move other cases through the system more quickly.

So, Mr. Speaker, again, this bill, we believe, is important. The Queen's Bench has made it very clear that's the case. They look forward to not having six Queen's Bench judges tied up once a week to hear small claim appeals. Individuals who are aggrieved by the decision of a hearing officer will still have the right to apply for an appeal. They'll have to prove their case and it will be based on the law or on jurisdiction, but it will still allow any individual in

Manitoba to come before a small claim hearing officer and truly have their day in court.

Mr. Speaker, we believe it satisfies the goals of proportionality. We believe this bill expands the ability for people to have timely and effective justice to our court system and we're very pleased that we'll be able to free up judges and other players in our justice system to improve our communities and, by doing that, improve public safety. So I certainly encourage all members to support this bill.

Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): I rise just to comment briefly on Bill 64. This bill brings forward some changes, modernization, improvements to the small claims court process. These are changes which I've looked through and feel that, in general, we can certainly support. I look forward to any comments that may come up at committee stage and specific details that emerge at that level. Thank you.

Mr. Jim Maloway (Elmwood): I'm very pleased to speak to Bill 64 today, The Court of Queen's Bench Small Claims Practices Amendment Act, and to follow the minister in his comments.

The bill amends The Court of Queen's Bench Small Claims Practices Act, and the key changes include the bill specifies the matters that may be decided by a court officer and matters that must be decided by a Queen's Bench judge. The matters involving the provincial government or a government agency must be decided by a judge only. Evidence given at the hearing must be recorded. If the defendant does not appear at the hearing after being properly served, and that's quite common, the judge or court officer can hear and decide the claim in the absence of the defendant. The defendant may bring an application before a judge or court officer to have that decision set aside if there's valid reasons for doing so. If the decision is set aside, there will be a new hearing of the claim.

An appeal from a decision made by a court officer may be brought to the Court of Queen's Bench on a legal point with leave of a judge. If leave to appeal is granted, the judge will direct how the appeal hearing will be conducted, and there's no further appeal after that. An appeal from a decision made by a Queen's Bench judge may be brought to the court of appeal on a legal point with leave of a judge of the court of appeal, and the rules of the court of appeal govern the proceedings.

Bill 64, Mr. Speaker, ensures the small claim court process will be more consistent with the principles of access to justice and will give Manitobans an easier way to address their smaller monetary disputes. Matter of fact, it was, I believe, about 1987 that the government of the day under Howard Pawley brought in amendments to small claim procedures to increase the limit to \$10,000. Up to that point I think we were probably looking at a maximum, I believe, around \$5,000, but I know it was a substantial change at the time, in its day, and brought us right up to the highest levels, I think, equal to anything else in Canada.

It also ensures fair, efficient and effective means of achieving a just outcome at a reasonable cost in a time frame for individuals navigating small claims issues. Small claims certainly have been always supported by the legal community because there's a recognition that you cannot tie up a lawyer's time fighting over issues, you know, in the two- or three-thousand-dollar range. It's just not practical, and that's why in the Howard Pawley days that we did increase the limit to \$10,000.

* (16:30)

Having an accessible justice system is key to maintaining public confidence in the judiciary. An efficient, effective and proportionate dispute resolution process is essential to ensuring our justice system remains an important and utilized part of our society.

This bill makes changes to small claims court that will improve its ability to efficiently and effectively resolve monetary disputes valued at under \$10,000. And, as indicated, it's been, Mr. Speaker, since 19—around 1987, so we have a limit of \$10,000 since those days. That's quite a long time ago, actually about 25 years now that we've left it at \$10,000, so probably we should be looking at increasing it at some point.

Small claims court helps Manitobans resolve their differences effectively and fairly. These changes will result in a more streamline and accessible system, while also supporting the important work of the provincial court officers. The bill means the majority of small claims issues will continue to be heard by small claims court officers. This ensures that access to justice can be achieved fairly within a reasonable time frame and at a reasonable cost. And still it's not a simple process of dealing with the small claims court. It's—there's a certain amount of procedures that have to be

followed and it's confusing and time consuming for average citizens.

Changes proposed under The Court of Queen's Bench Small Claims Practices Amendment Act include allowing court officers and judges to admit into evidence anything considered relevant; recording all evidence given at a hearing so the transcript is available for an appeal, and certainly you will find the transcripts are an issue in the small claims court system; requiring court officers or judges to issue a summary of their reasons for a decision, which will help inform whether appeals are granted; and allowing appeals only on points of law or a jurisdiction with approval from the Queen-Court of Queen's Bench to proceed. Disputes involving the provincial government or a government agency would continue to be heard by a Court of Queen's Bench judge instead of a small claims court officer. In these matters, appeals would be heard by the Manitoba Court of Appeal.

Now, our government record in the whole—the whole area of crime has involved building safer communities. To build safer communities, it's about cracking down on crime, but it's also about making sure Manitoba families feel safe in their homes and in their communities.

As a matter of fact, only today, on CJOB, Charles Adler was talking about the—how the crime statistics have improved so much over the last number of years, and I think he was quite shocked and surprised and probably a little bit disappointed because there's one less issue for him to chase. But the fact of the matter is he was simply pointing out what is in fact the case, that effective crime-prevention methods are something that we should all be interested in and supportive of and active in promoting.

Our commitment to safer neighbourhoods and communities includes record investments in policing and prosecutions. And while we cracked down on criminals, we're taking steps to prevent crime from happening in the first place. We're making good investments in our kids to ensure that they have opportunities for good jobs and that they stay out of gangs in the first place.

Major investments in policing since 1999, Mr. Speaker. Did you know that we have 300 police positions have been funded by the Province so far, and we continue to add more police and analysts to support front-line officers? The police helicopter is certainly a very popular addition in Manitoba—

\$1.3 million per year. Police cadets, there's 70 funded—funding is split 50-50 with the City. People generally approve and think that that's a really good idea.

These investments are helping to reduce crime rates, especially for violent crime in Winnipeg and Manitoba. And I'd like to see the Conservatives for once get on board and be supportive of these issues, rather than just finding fault and criticizing. Major investments in prosecutions in courts since 1999—*[interjection]* Mr. Speaker, now I'm getting some reaction from them. I got them woke up here now.

We've included—increased 69 new prosecutors since 1999, with another 32 more to come by 2016. The new prosecution units, there's a Criminal Organization and High Risk Offender Unit, there's a Gang Prosecutions Unit, an anti-gang prosecutor for Brandon and a child sexual exploitation case co-ordinator. Our new mental health court reduces reoffence rates for those with mental illness. And, a matter of fact, we also continue to see positive results from our drug treatment court. Our most recent available figures show a reoffence rate that's much lower than when the same offenders go through the normal court process.

Now, Mr. Speaker, it was in Texas that these drug courts were first tried out. And it was none other than Newt Gingrich and other people from his—from the Republican Party who did a one-eighty on this whole issue after being in favour of the Ronald Reagan approach of three strikes and you're out, and building all these prisons across the United States, you know, all these private prisons to reward their buddies. They realized that all they did was just fill them up, and they built more and they found out that this wasn't working. And people like Newt Gingrich had a rethink about this, and they got together and they supported changes in Texas which saw enormous results in the drug court approach. And not only was it Texas, I think—the Attorney General would know—that it was also, I think, one of the Carolinas also had similar kind of results. And so this is resulted in a big sea change of some of the thought of—even of top Republicans in the United States.

What we have here in Canada, of course, we have the Conservative federal government still following Ronald Reagan, you know, from 30 years ago. They haven't figured it out yet, and Newt Gingrich is ahead of the federal government. Isn't that amazing, but that's the truth.

Now, Mr. Speaker, our auto suppression–theft suppression strategy is working. Auto theft is at its lowest point in two decades and it's down nearly 83 per cent since 2004. And do you know that all along the car companies, they could have installed factory-installed immobilizers for somewhere under \$100 a car. I think it was in the neighbourhood of maybe 35, 40 dollars, but certainly was under \$100 a car they could have installed these things years and years before. And we saw the auto theft rates skyrocket under the Filmon government. It was—you know, we were at epidemic proportions, and it was not this tough-on-crime Conservatives who came up with an effective solution. It was the NDP who brought out an insurance discount for these installation of immobilizers. As a matter of fact, when we first brought it out, Gary Doer was the Premier, and first we brought it out—Mr. Speaker, I think you were on the board at the time, of MPIC. What happened was they offered this as a reduction, I think, in the insurance rates, and the whole thing fell flat at the time. It was a great idea, but it didn't go anywhere because people would—going to have to put out the money to pay for the immobilizers.

But then the government got into the mandatory aspect of it and required it to happen and gave nice big discounts and so on and helped the process along, and what we saw was a huge uptake and that whole business of putting immobilizers in all the high-risk cars. And then the fact that the federal government finally mandated new immobilizers in new cars as of, I guess, what, 2008 or something like that, what we see is that over time, say, over a 10-year period, you were not going to have any more cars on the road that don't have immobilizers on them.

So this is an example of doing what works. Mr. Speaker, that's the bottom line here. You know, we can talk all we want about crime and the Conservatives can talk about tough on crime, but what kind of results do they get? They spend huge amount of money following the American model, practically bankrupting their states in the process and got a higher crime rate than they ever had before. And we look towards Europe to see much more humane and sensible approach to crime where they tend to, those countries over there, tend to adopt approaches that get results. And that's all I've argued all along, is let's pick ideas that work in different jurisdictions. This is one that was—worked so well in Manitoba that even other provinces were looking at adopting MPIC's model here.

Another issue that's taken a few years to kind of get off the ground, but it all started right here in Manitoba under Gary Doer, that we started going after the gangs where it hurts and in their wallets, and it's very simple. You see the United States, it wasn't until the really tough RICO laws of the 1960s where they would go after the criminal gangs in the United States and they would seize their assets. Once they took the money away from the criminals, then all of a sudden there was less incentive for them to commit the crime.

* (16:40)

In the old days you simply grabbed the criminals, put them in jail. They hired—they lawyered-up, hired good lawyers, got off with a very light sentence. Usually some—one of their underlings took the hit and went to jail, and, at the end of the day, they'd come out of jail in a couple of years and they'd have access to all the loot. So crime actually did pay in those days. But ever since the RICO laws in the United States, you know, crime doesn't pay as well anymore with those kind of laws.

Well, the Minister of Justice (Mr. Swan) has introduced RICO laws, our Manitoba version here, and what we've done is our Criminal Property Forfeiture Unit has already recovered more than \$7 million. We've handed more than \$2 million over to the victim services and to police services for equipment purchases and in February we announced another million dollars. And every time the government does an announcement like this I say, that is perfect. That's exactly—and that shows the NDP government of Manitoba is tough on crime and actually gets results on it's tough on crime approach.

Mr. Speaker, through our Safer Communities and Neighborhoods Act we shut down 771 drug dens and prostitution houses as of April of 2014. We've created a warrant squad that has made more than 1,500 arrests of individuals with outstanding warrants, many of whom are serious violent offenders.

And, Mr. Speaker, you know, regarding the Conservatives that we talked about them before, but they really do not have any plan. I recall a day when the Conservatives were, you know, ranting and raving about how they were going to be tough on crime and so on. They're very quiet these days when we start showing initiatives that actually work. The Leader of the Opposition opposes our initiatives that are working. His party criticizes our anti-gang

strategy, and they've been scolded by the press for having no strategy of their own.

As a matter of fact, I recall a while back the member for Steinbach, the press was saying he was overreacting and twisting the facts, and so clearly the Conservatives have no real answers on this whole issue.

And so, Mr. Speaker, that would conclude my comments on this bill, and thank you very much.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I move, seconded by the member for Morden-Winkler (Mr. Friesen), that debate now be adjourned.

Motion agreed to.

Bill 69—The Technical Safety Act

Mr. Speaker: Now, proceed to call bill—for second reading, Bill 69, The Technical Safety Act.

Hon. Erna Braun (Minister of Labour and Immigration): I move, seconded by the Minister of Jobs and the Economy (Ms. Oswald), that Bill 69, The Technical Safety Act; Loi sur la sécurité technique, now be read a second time and be referred to a committee of this House.

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

Mr. Speaker: It's been moved by the honourable Minister of Labour, seconded by the honourable Minister of Jobs and the Economy, that Bill 69, The Technical Safety Act, be now read for a second time and be referred to a committee of this House.

His Honour the Lieutenant Governor's message has been tabled.

Ms. Braun: I'm pleased to rise for the second reading of Bill 69, The Technical Safety Act. This legislation will replace six existing acts that regulate various types of technical equipment including elevators, electrical equipment, boilers and pressure vessels, gas equipment and amusement rides. These acts are administered by Inspections and Technical Services Manitoba, which is a section of the Office of the Fire Commissioner.

By consolidating and modernizing this legislation, we are seeking to provide a new framework that, relative to the existing acts, is more consistent, easier for stakeholders to understand and to comply with and more accountable, has greater flexibility and has stronger enforcement provisions.

There are several reasons why a consolidated act is required. First of all, it's been many years since these acts were last updated. They have never undergone a comprehensive update as a group. Only small amendments have been made dealing with specific issues related to a single act. There are inconsistencies under the existing acts. For example, the acts do not all provide clear powers for inspectors to stop the use of unsafe equipment or to stop unsafe work as is provided under other legislation such as The Workplace Safety and Health Act.

Four of the six acts do not allow for stakeholders to appeal decisions made by directors, directors of officers, such as suspension of a licence or refusals to issue a permit. New legislative approaches such as allowing for audit-type inspection processes in appropriate cases where safety would not be compromised could help better allocate resources and reduce the likelihood of inspection backlogs.

Penalty amount for contraventions of the acts are inconsistent from one act to the next and are very small, as low as \$5, making them unlikely to serve as effective deterrents. Increasing fine levels and adding modern administrative penalty provisions similar to those in other types of legislation could help ensure compliance.

Mr. Speaker, the central purpose of the new act will be to protect public safety by ensuring that equipment regulated by the act is safe for use and those working with such equipment have the appropriate qualifications. The act will achieve this purpose by requiring equipment to be certified, requiring permits for the installation and operation of various types of equipment, requiring persons working on equipment to be qualified and have a licence, allowing for the appointment of inspectors and giving inspectors authority to conduct inspections and issue orders where equipment or work is noncompliant, setting out duties and prohibitions that stakeholders must comply with, and setting out penalties for those who fail to comply with the act and regulations.

To ensure that enforcement of this legislation is carried out in an accountable manner, comprehensive review and appeal provisions have been included for those affected by decisions involving licences, permits, orders and penalties.

Mr. Speaker, in order to build flexibility into the act to accommodate new technologies and unique situations involving regulated equipment and work, provisions have also been included giving the

director authority to issue variances to requirements of the act and regulations provided that safety is not affected.

We've conducted significant consultations to assist in the development of this act, including the issuance of a public discussion paper and the establishment of a technical safety legislative review committee composed of industry stakeholders.

A consolidated act has numerous advantages, Mr. Speaker. Some of these include ease of reference, especially for workers or firms involved in more than one technology area—only have to refer to one act will make it easier to access and understand legal responsibilities; consistency in treatment of stakeholders—a single act will help ensure that stakeholders in the various technology areas will have access to similar inspection, permitting, licensing, examination, appeal and penalty provisions.

I would like to thank those who contributed their views and the members of the committee for their valuable input. Based on the input that was provided, we believe that this new legislation will be well received by the industry. Upon passing this legislation, new regulations will need to be developed for each type of equipment regulated by the act. Extensive consultations will be held on each of these regulations as well to ensure the needs of the industry are taken into consideration, and feedback that I've received to date is that they are very pleased with this legislation and are looking forward to that consultation on the regulations.

Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I want to just say a few words briefly about The Technical Safety Act, which is the matter under discussion at the moment.

I think it's a worthy activity to bring together a number of bills in this fashion. I am sure that it has taken quite a bit of work and the people who have done that need to be given some credit.

I think the details of a number of things in this Technical Safety Act certainly warrant pretty careful scrutiny, and, hopefully, there will be such careful scrutiny when it's—comes to committee stage and we can get—have a look at this in more detail than we are today.

I would make a particular comment about section 94(1), in which the minister is making sure

that she has no liability and that no action can be brought against her for anything done or omitted to be done in the exercise or intended exercise of a power or duty under this act.

* (16:50)

I believe that it's important for people to be accountable, Mr. Speaker, and that to be absolved right from the start of any liability for anything that's done under this act would not be appropriate. And, therefore, this is a—minister should recognize that accountability in this government, in this Chamber, is important. And that matter and that fact should not be forgotten, and we have seen that this government has suffered a lot of problems from—in the way that it has not been accountable. We saw that the problems that were generated when this government started doing things that it shouldn't have done, in terms of the Assiniboine downs. We've seen the number of court actions that are currently against this government as a result of their mishandling of the flood in 2011.

And we've seen that this government has said one thing and done something else on many different occasions, including, of course, saying that raising the PST would be something that would be ridiculous, that they'd never do, and then, of course, doing it. So this government really is not to be trusted. And this government should be ready to be held accountable instead of trying to absolve itself from any accountability.

With those few words, Mr. Speaker, I let others speak and look forward to their comments. Thank you.

Mr. Kelvin Goertzen (Steinbach): I move, seconded by the member for Lakeside (Mr. Eichler), that debate now be adjourned.

Motion agreed to.

DEBATE ON CONCURRENCE AND THIRD READING

Bill 32—The Manitoba Institute of the Purchasing Management Association of Canada Amendment Act

Mr. Speaker: Now proceed to call for debate on concurrence and third reading, Bill 32, The Manitoba Institute of the Purchasing Management Association of Canada Amendment Act.

The honourable member for Morden-Winkler (Mr. Friesen).

Oh, pardon me. Before I recognize the honourable member for Morden-Winkler, is there leave for this matter to remain standing in the name of the honourable Minister of Healthy Living?

Some Honourable Members: No.

Mr. Speaker: No? Leave has been denied.

Mr. Cameron Friesen (Morden-Winkler): It's my pleasure to stand this afternoon and put a few brief comments on the record with respect to Bill 32, The Manitoba Institute of the Purchasing Management Association of Canada Amendment Act.

Mr. Speaker, we all acknowledge how important supply chain management is to the Canadian economy and here in the province of Manitoba. We understand that supply chain professionals together control about \$130 billion in annual spending and they are at work in all levels and areas of the business world. They're active in the private enterprise. They're active in the public sector, and without them it is clear that the economy would suffer and that trade would be compromised.

Mr. Speaker, obviously, as a PC Party, we're always in favour of reducing red tape for business and to make the wheels turn more smoothly, and I understand that this bill would go towards actually doing in Manitoba what most other jurisdictions have already gone to do, and that is to change the title to reflect changes in the industry. So we understand that once again, this would seem to be a case where this government is behind many other jurisdictions.

But, Mr. Speaker, it should not be lost on us that this is a government that is introducing a change to a bill having to do with procurement and tendering. And there is no small irony here that this is the same government that has been so chastised by the Auditor General just in March of this year, where she's devoted a whole chapter of her annual report to the actions of this government, calling attention to the procurement practices of this NDP government and saying that they simply do not meet the test. As a matter of fact, she clearly said that the untendered contract of STARS, Manitoba's rotary-wing helicopter rescue service, broke the rules when it came to tendering. As a matter of fact, it wasn't just that tender, but many others, as well, where the Auditor General signalled her concerns and called on this government to do far better and flagged to the attention of all Manitobans these serious issues.

So, Mr. Speaker, those are things that have to be considered, as well, when we're talking about this bill, and I thank you for the opportunity to put these comments on the record this afternoon.

Hon. Jon Gerrard (River Heights): Yes, just briefly, to speak on third reading on this legislation.

I believe it's very important that we improve and do what we can to improve the supply-chain management as it operates in Manitoba. The people who work as professionals in this area are making a very important contribution to our economy, and we need to be aware of that because, certainly, with the way that the economy works now with things like just-in-time delivery in management, it's very important that you have supply-chain management and particularly when you may have assembly in manufacturing of parts which have come from different countries, and so it's really vital that we have highly co-ordinated supply-chain management.

I note that when we had a presentation, which was now some months ago, at the second reading it was emphasized that it's important to, you know, do this as quickly as we can so that—but this government has delayed quite some time before getting it to this stage and, hopefully, it won't be too long now before it's passed, and I expect that will be the case.

Thank you.

Mr. Speaker: Is there any further debate on Bill 32?

An Honourable Member: Question.

Mr. Speaker: House ready for the question?

The question before the House is concurrence and third reading of Bill 32, The Manitoba Institute of the Purchasing Management Association of Canada Amendment Act.

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

Hon. Andrew Swan (Government House Leader): Mr. Speaker, I wonder if you might canvass the House to see if there's agreement to call it 5 o'clock.

Mr. Speaker: Is there agreement of the House to call it 5 o'clock? *[Agreed]*

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 26, 2014

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