

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

Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
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ASHTON, Steve, Hon.	Thompson	N.D.P.
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BOROTSIK, Rick	Brandon West	P.C.
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CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
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DERKACH, Leonard	Russell	P.C.
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FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
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JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
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LATHLIN, Oscar, Hon.	The Pas	N.D.P.
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McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
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REID, Daryl	Transcona	N.D.P.
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RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
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SELINGER, Greg, Hon.	St. Boniface	N.D.P.
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STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
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TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 14, 2008

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

PETITIONS

Headingley Foods

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

These are the reasons for this petition:

The owners of Headingley Foods, a small business based in Headingley, would like to sell alcohol at their store. The distance from their location to the nearest Liquor Mart via the Trans-Canada Highway is 9.3 kilometres. The distance to the same Liquor Mart via Roblin Boulevard is 10.8 kilometres. Their application has been rejected because their store needs to be 10 kilometres away from the Liquor Mart. It is 700 metres short of this requirement using one route but is 10.8 kilometres using the other.

The majority of Headingley's population lives off Roblin Boulevard and uses Roblin Boulevard to get to and from Winnipeg rather than the Trans-Canada Highway. Additionally, the highway route is often closed or too dangerous to travel in severe weather conditions. The majority of Headingley residents therefore travel to the Liquor Mart via Roblin Boulevard, a distance of 10.8 kilometres.

Small businesses outside Winnipeg's perimeter are vital to the prosperity of Manitoba's communities and should be supported. It is difficult for small businesses like Headingley Foods to compete with larger stores in Winnipeg, and they require added services to remain viable. Residents should be able to purchase alcohol locally rather than drive to the next municipality.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister charged with the administration of The Liquor Control Act (Mr. Swan), to consider allowing the owners of Headingley Foods to sell alcohol at their store,

thereby supporting small business and the prosperity of rural communities in Manitoba.

This is signed by A. Harzing, R. Fitzpatrick, Doris Fanzega and many others, Mr. Speaker.

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

Child-Care Centres

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

These are the reasons for this petition:

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Family Services and Housing (Mr. Mackintosh) to consider addressing the

shortage of early childhood educators by enabling child-care centres to provide competitive wages and benefits.

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

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

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

This petition is signed by Fatima Artimowich, Paulo Oliveira and Isobel Oliveira and many, many others.

Long-Term Care Facility—Morden

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

The background for this petition is as follows:

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

This is signed by Anna Froese, Pat Plett, Harry Wood and many, many others.

Child-Care Centres

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

These are the reasons for this petition:

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

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

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

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

Signed by Kim Kowalke, Brian Harrison, Mirna Felgueiras and many, many others.

*(13:40)

Lake Dauphin Fishery

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Fishing is an important industry on Lake Dauphin.

To help ensure the sustainability of the Lake Dauphin fishery, it is essential that spawning fish in the lake and its tributaries are not disturbed during the critical reproductive cycle.

A seasonal moratorium on the harvesting of fish in Lake Dauphin and its tributaries may help create an environment that will produce a natural cycle of fish for Lake Dauphin, therefore ensuring a balanced stock of fish for all groups who harvest fish on the lake.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Water Stewardship (Ms. Melnick) to consider placing a moratorium on the harvesting of any species of fish on Lake Dauphin and its tributaries for the period of April 1 to May 15 annually.

To request the Minister of Water Stewardship to consider doing regular studies of fish stocks on Lake Dauphin to help gauge the health of the fishery and to consider determining any steps needed to protect or enhance those stocks.

This petition is signed by Dennis Forbes, Rudy Zihrul, Brad Michaleski and many, many others.

Introduction of Guests

Mr. Speaker: Prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us from Gordon Bell High School 30 grade 9 students under the direction of Mr. Mark Dewar. This group is located in the

constituency of the honourable Member for Wolseley (Mr. Altemeyer).

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

ORAL QUESTIONS

Child and Family Services Advertising Budget

Mr. Hugh McFadyen (Leader of the Official Opposition): Many Manitobans have been justifiably shocked and concerned about this NDP government's mismanagement of the Child and Family Services system.

My question to the Minister of Family Services, given that there are reports within some agencies of inadequate resources as they approach year-end in order to meet the needs of children in care, is whether the Minister of Family Services thinks that it would be appropriate for taxpayer dollars going into the agencies to be used for the purposes of advertising.

Hon. Gord Mackintosh (Minister of Family Services and Housing): Well, Mr. Speaker, the member may want to put on the floor of the House what the focus of the ads is for.

If they're to provide information to Manitobans, if they're to provide information to families that rely on Child and Family Services, if it's information to show that the system is responsive and undergoing the overhaul that we've invested in, then, Mr. Speaker, we can have a discussion as to the appropriateness of those investments.

Mr. McFadyen: I'll table a document. It's a proposal that was circulating in January of this year, some four months ago, in response to news media stories appearing on CJOB radio, in the *Winnipeg Free Press* and in *The Globe and Mail*. The proposal is to use monies within the agencies, to spend \$139,000 on an advertising campaign, a PR campaign, in order to counter the impressions created by stories written by journalists at the *Free Press*, reported at CJOB and by *The Globe and Mail*.

I want to ask the minister whether he was aware of this proposal to spend almost \$140,000 on a PR campaign and whether he authorized that expenditure.

Mr. Mackintosh: Mr. Speaker, it sounds like the question is a hypothetical one because I'm aware of no such campaign ever running in the media.

Mr. McFadyen: I want to ask the minister whether he is aware of any other examples of monies within the Northern Authority being used for purposes other than the top priority of protecting the children in care of that authority.

Mr. Mackintosh: Well, Mr. Speaker, first of all, this is a proposal that appears on the letterhead of the northern authority. It looks like it was some internal document that was for discussion within that organization. I'm certainly not aware of anything coming from such a proposal.

But, Mr. Speaker, there was some very important outreach that was engaged in in the Child and Family Services system, and that was the Circle of Care campaign. I can assure the House, actually, that the importance of it is such that that campaign will continue. I am very pleased to report to the House that in the first stage of the Circle of Care campaign to invite more Manitobans to open their hearts and their homes to foster children, 500 new beds were put in place, and, more recently, in the second leg of that, 900 beds were put in place.

Child and Family Services Staff Travel Expenses

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, would the Minister of Family Services and Housing table the travel policies and guidelines for board management and staff of the Child and Family Services agencies and authorities?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I'll certainly provide that information when I can obtain it and provide it to the House.

Mr. Briese: Thank you for that answer, Mr. Speaker. I will look forward to those being tabled in the shortest time frame possible.

I would hope that they could be tabled by tomorrow. Will the minister commit to having them in the House by tomorrow?

Mr. Mackintosh: Well, Mr. Speaker, there are over 20 agencies in Manitoba, and we'll make best efforts to obtain the information and provide it on a timely basis.

Aboriginal Youth Suicides Reduction Strategies

Mrs. Leanne Rowat (Minnedosa): On Monday, I asked the Minister of Aboriginal and Northern Affairs what action he was going to take to address

the devastating suicide rates among Aboriginal children. On Tuesday, I asked the same question. I am still waiting for an answer, Mr. Speaker.

The people of Manitoba, and in particular the children of Manitoba, deserve clear answers from this government.

Mr. Speaker, will the Minister of Aboriginal and Northern Affairs finally give me an answer today: What is he going to do to address the devastating rate of Aboriginal youth suicide in Manitoba?

Hon. Oscar Lathlin (Minister of Aboriginal and Northern Affairs): I'd like to thank the member for the question.

I want to advise her that as soon as the session is over, I will be leading a delegation of two or three ministers to Shamattawa to have a quiet meeting with the chief and council, the people who work with the young people in Shamattawa, the agencies, nursing station and so on.

I want to spend a lot of time in Shamattawa. I don't want to go there right now because I'd have to fly there and rush back the same day. So what I'd like to do is, I've already invited some ministers to travel with me to Shamattawa so that we can talk about, you know, develop a comprehensive suicide prevention strategy. That's my—

Mr. Speaker: Order.

Mrs. Rowat: Mr. Speaker, the 2008 youth suicide report revealed tremendous upsetting statistics about our Aboriginal youth, and I am encouraged to hear that the minister is actually going to show some leadership and meet with the people in Shamattawa.

I think the minister should also be aware and be cognizant of the fact that one of the few resources that are available for individuals in northern Manitoba is a 1-800 number. This doesn't make any sense for these communities. In communities such as Shamattawa, children are living in crowded conditions without privacy and in many cases do not have access to a telephone.

So, Mr. Speaker, this is a legitimate concern. The prevention resource is useless in a lot of cases. So I'm asking the minister to ensure that community-based supports are in place to address this serious, serious problem.

* (13:50)

Mr. Lathlin: I should also advise the member across the way that the federal Minister of Indian Affairs'

primary responsibility is for treaty Indian children who are residing on the reserve, but, Mr. Speaker, so far we haven't been able to engage the federal government. They have refused to come to the table. So my hope is that, in the near future, maybe even before we travel to Shamattawa, I can invite also some federal representatives because they have a key role to play in the situation at Shamattawa. After saying that, we're also very committed to work with the federal government, AMC, MKO, to see what we can do to at least make a dent into the situation at Shamattawa.

Mrs. Rowat: Yesterday the Member for Rupertsland (Mr. Robinson) deflected the responsibility for First Nation youth. First Nations people in this province are tired of hearing that the Province isn't going to work with them on issues because they fall under the federal jurisdiction. Jordan's Principle emerged as a result of this frustration.

So I encourage the minister to do what he's saying, to work through Jordan's Principle concept and ensure that all stakeholders are involved in the process to ensure that children are not continued to be put at risk.

Mr. Speaker, again, I ask the Minister of Aboriginal and Northern Affairs: When is this government going to put children first? How many more tragedies are we going to have to witness in this province, and show some leadership in making sure that all stakeholders, all community and government stakeholders are at the table to make results happen now?

Hon. Eric Robinson (Acting Minister of Aboriginal and Northern Affairs): Well, first of all, Mr. Speaker, let me correct the member. I did not say that. I believe that a Manitoban is a Manitoban, and an Indian is a Manitoban, as well. I believe that we all have a collective responsibility. If she would check *Hansard*, she would read I said that.

First of all, let me say that the community is working on several fronts: one, to get the federal government on board; secondly, they want a community-based facility. We support that. We will do everything we can to ensure that happens.

Secondly, they would like to have a goose camp where people could be taken for treatment to deal with some of the issues at the Kaskatamagan River on the Hudson Bay coast.

Thirdly, Mr. Speaker, a good friend of mine, Sam Miles, has been working with about 70

survivors of the residential school. They want to begin healing in the community, as well.

Fourthly, Mr. Speaker, let me alert the member and members of this House about things that went wrong with many of the people who are victims of a Ralph Rowe, who was, one time, a bush pilot, an Anglican minister, as well as a Boy Scout leader, and, as well, a police officer. Now, what happened with this person is he affected the lives of about 40 boys in the community of Shamattawa and was eventually charged with sexual assault. I'll be glad to get into that in further detail.

Bill 31

Government Intent

Mrs. Mavis Taillieu (Morris): Mr. Speaker, today we had a briefing on Bill 31, the bill that amends the FIPPA legislation, the one that does not introduce the true privacy commissioner and the one that potentially restricts the access to information.

We were told right off that we couldn't ask any policy questions because the minister wasn't at the briefing. I want to ask the Minister of Culture, Heritage and Tourism if the reason he wasn't there is because he didn't want to address the question as to why there is no true privacy commissioner, which was absolutely promised by the Premier (Mr. Doer) eight years ago. When will he meet with us to discuss policy issues, Mr. Speaker?

Hon. Eric Robinson (Minister of Culture, Heritage, Tourism and Sport): Mr. Speaker, I would have loved to have been at the briefing. I understand that we are scheduling another meeting with the member across the way.

Certainly, let me say to the member, we have introduced something that is unique in Canada. There are some jurisdictions that don't even have a commissioner. In our case, we're going to have an adjudicator. The adjudicator is going to be the last step in resolving complaints. We believe that this is also the first step for the individual to make a complaint to the Ombudsman where most cases are successfully resolved.

I believe that the bill we're introducing and will be up for debate and further dialogue later on in this session certainly is unique and the first of its kind in this country.

Mrs. Taillieu: Well, Mr. Speaker, we also learned in the bill briefing today with the minister's staff that it now could be the Premier (Mr. Doer) alone who

controls the release of Cabinet documents. The minister's staff was unable to provide us with an answer when we asked if this clause, amendment 19(2), would apply to the current Premier and Cabinet and not just previous cabinets.

So I ask the Minister of Culture, Heritage and Tourism: Will the current Cabinet have a say in release of current documents or will the Premier alone have that say? How does he interpret his legislation?

Mr. Robinson: Again, let me repeat, as I did last week, that there are three major changes that are being proposed: First of all, a creation of an adjudicator, a new independent office of the Legislature changing the period that the Cabinet documents remain sealed from 20 to 30 years; and, thirdly, legislation that requires ministerial expenses be tabled on-line annually. Mr. Speaker, those are substantial changes.

Mrs. Taillieu: It's unfortunate the minister wasn't attending the briefing this morning to allow us to ask some of these policy questions that we have to bring to the House. We also learned today that amendment 21(1), and I quote: allows a public body to refuse to disclose information that could reasonably expect to harm the relationship between the Manitoba government and First Nation authorities.

So I asked what that meant. Did that mean the child welfare authorities? We didn't get an answer. It was a conflicting answer. Some said yes; some said no. So we were told to ask the minister.

So I ask the Minister of Culture, Heritage and Tourism: What does that clause mean?

Mr. Robinson: Well, as I indicated in the first answer, Mr. Speaker—let me correct myself here. In the last one I believe I said in my excitement that the Cabinet documents would remain sealed from 20 to 30 years. Actually, it's the other way around. It's from 30 to 20 years.

I want to say that, first of all, the matter that the member raised in her last, in her—we get like that when we get excited, Mr. Speaker. Let me say that I look forward to the briefing that we're going to be having in the next little while, and I'm sure that in time we will have some common mind on this.

South Perimeter Bridge Repair Project Status

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, two years and \$12 million later and still no

action to fix the south Perimeter bridge. Can the Minister responsible for Infrastructure tell frustrated motorists and frustrated taxpayers when the work will begin on the south Perimeter bridge?

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): Well, Mr. Speaker, we've put unprecedented amounts of money into bridge reconstruction in this province, as well as inspection, and we're very proud of our record with regard to the issues around safety.

With regard to the question that the member asks, again, the queen of fear is trying to stir up undue trouble, quite frankly—

Mr. Speaker: Order. When addressing members in the House, it should be ministers by their titles and other members by their constituency. I ask the honourable member to withdraw that last comment, please.

Mr. Lemieux: Mr. Speaker, I withdraw the comment.

Mr. Speaker: I thank the honourable member for that. Have you concluded your comments?

Mrs. Mitchelson: Well, Mr. Speaker, the minister should hang his head in shame. He shouldn't be talking about being proud of his commitment when they've bungled the south Perimeter bridge, and it's been two years.

Many of his colleagues are sensing, I'm sure, and hearing from constituents of theirs that are extremely frustrated with the mess that's been created by this minister and this government. He didn't give me an answer. Taxpayers, motorists that use that bridge want to know when is construction going to re-begin to fix the mess that's been created over the last two years by this minister and this government?

* (14:00)

Mr. Lemieux: We committed \$12 million to replace this bridge. We expect that the investment to provide Manitobans with a safe bridge will indeed happen in the long term to ensure that this bridge will last 40 years.

What we initially discovered was that there was additional cracking happening, unusual cracking, by the engineers, and they've [*inaudible*] that with the original design of the project. We've been in discussions right now, not only to look at the repairs, but also negotiations with the original designer have

taken place. The Province will seek compensation through the courts if necessary.

Mr. Speaker, we indeed hired an engineering firm to look at the needed repairs, and very shortly we're going to be looking at either tendering out or dealing with those continuing challenges.

Mrs. Mitchelson: Again, Mr. Speaker, taxpayers and motorists that have to use that bridge are frustrated and concerned, and they're not getting any answers from this government or this minister.

Mr. Speaker, will the minister stand up today, two years after this bungled project still remains a mess, and indicate to motorists, to taxpayers when the work will start? Very simple question: When will the work start to fix the mess on the south Perimeter bridge?

Mr. Lemieux: There are lanes open on that particular bridge. The bridge is safe. We do regret the inconvenience, but we want to ensure that the work is done properly and that this bridge will last 40 years.

Weather permitting, Mr. Speaker, with the engineering firm we've hired, we're hoping that—not hoping but we, indeed, weather permitting, want construction to start as early as July 1.

I hope the Member for River East is not like her leader who said when it came time to—Portage la Prairie overpass, saying stop it, delay it, don't go ahead, hold on. The Heavy Construction Association condemned that approach.

Mr. Speaker, we're showing action, we're going to deal with it. That bridge is going to be there for 40 years, and we've got the dollars to do it and we're going to do it.

Mailing and Printing Privileges Amendments to Legislation

Mr. Kelvin Goertzen (Steinbach): With Bill 37 the NDP government has decided that they want the power to approve all the direct mail that I distribute as an MLA to ensure that none of it hurts the Premier's feelings. We know that the Premier has very sensitive feelings.

In order to help my staff prioritize their work for the coming year, I'd like to advise the Premier of two topics for direct mail that I intend to put out. I plan to send them in the next little while and want to ensure that they don't hurt his feelings.

The first one would be entitled, Manitoba still auto theft capital under the NDP government. The second would be entitled, NDP failing children in care.

Can the government tell me: Will either of these hurt the Premier's feelings or will they be struck down by the censorship legislation?

Hon. Gary Doer (Premier): The member opposite never hurts our feelings. He is certainly an example of a kinder, gentler questioner here in question period. I would point out that he did feign indignation a little bit last week, and then we did reveal that he did take a, quote, rebate, not as much as the federal system, that he may or may not be interested in, of a \$1.95. I don't know, Mr. Speaker.

The only way he would hurt our feelings is if he decided to have a career change and leave this Legislature, Mr. Speaker.

Mr. Goertzen: I certainly intend to be here to see the defeat of the Premier and the launch of the Minister of Labour's (Ms. Allan) leadership campaign to be the Official Opposition Leader after that defeat.

We know that with Bill 37, the Premier has indicated that he has nothing better to do than to sit in his office with his liquid whiteout and try to erase different things that MLAs want to have in their mailouts. So to save him the time, to save him the time and his hurt feelings that he might have, I want to provide him with the heads-up on two other mailers that I'm looking to do.

One will be entitled, the NDP is pushing forward with anti-farm Bill 17. The other one would be entitled, province on track to be murder capital of Canada under the NDP.

In the interests of saving time and in the interests of saving his possible hurt feelings, can he tell me whether or not these two direct mailers would pass his censorship legislation?

Mr. Doer: Well, Mr. Speaker, the member knows that the language in the proposed bill is comparable to the existing LAMC policy.

Secondly, Mr. Speaker, as I said yesterday, partisan advertising which could even go farther in hurting the feelings of members on any side is allowed under the party expenses. Members opposite can spend a million dollars a day hurting our feelings.

We look forward to the debate on the position of the Conservative Party of Manitoba to allow schools to close where they've already been paid for by the taxpayers. We welcome that debate. We welcome the debate dealing with hogs and protecting our lakes and rivers with a balanced approach.

I would note, Mr. Speaker, it doesn't hurt our feelings that some of the hog producers are spending hundreds of thousands of dollars participating in democracy attacking the government for trying to protect water. That doesn't hurt our feelings either.

Mr. Goertzen: Mr. Speaker, this is about my role as an MLA. I truly believe that my constituents have the right to hear, the right to hear about what's happening here in the Legislature. It's clear that the Premier is much, much too sensitive to withstand this criticism. After eight years in office, his skin has obviously worn a little bit thin. I don't want to upset him unnecessarily.

So I want to let the Premier know that there are two other pieces of direct mail that I'm planning to do. One will be entitled, ultrasound wait times grow under the NDP government. The other one will be entitled, NDP failing to keep the rural ERs open.

Because I'm trying to co-operate and in the spirit of co-operation, can the government please let me know whether or not these direct mails will annoy them too much and fall victim to their censorship legislation?

Mr. Doer: Mr. Speaker, I'm surprised that the Bethania hospital in Steinbach is not going to receive a mailing with all the great investments we're making in that hospital. I am shocked and surprised that the member opposite, after saying no to a community college to be located in Steinbach and our government said yes to post-secondary education in the Steinbach community, would not be sending a mailer out talking about good news in Manitoba. It wouldn't hurt my feelings, as well.

Mr. Speaker, I know that members opposite will not *[inaudible]*

Mr. Speaker: Order.

Mr. Doer: —the Shannon Martin editorial, the former Tory candidate who says Manitoba is weak, when the latest Stats Canada numbers came out and said Manitoba had the second highest growth rate in Canada, second only to Newfoundland and the No. 1 growth rate in all of western Canada.

Finally, I look forward to his mailout on protecting hog alley while we're trying to protect the waters and lakeways of Manitoba.

Lake Winnipeg Phosphorus Reduction Targets

Hon. Jon Gerrard (River Heights): Mr. Speaker, on November 7 last year, Mary Agnes Welch wrote in the *Free Press* about the Lake Winnipeg phosphorus reduction targets of the government, of the Minister of Water Stewardship, of 10 percent. The headline was: "Province seeks more phosphorus reduction." And the article said, and I quote: "Manitoba's Water Minister says a pledge to cut pollutants flowing into Lake Winnipeg by 10 percent is probably too wimpy and is now being revised."

But a few days ago, when I asked about the minister's 10 percent goal in Estimates, the minister said: I at no time made the statement that the goal was not sufficient.

Can the minister clarify in the House today, does she consider her wimpy 10 percent phosphorus reduction goal for Lake Winnipeg sufficient?

* (14:10)

Hon. Christine Melnick (Minister of Water Stewardship): Well, Mr. Speaker, again we have the Leader of the Opposition attacking a plan to save Lake Winnipeg, attacking a plan that has been developed with science, with communities around the province of Manitoba. We were very pleased to make sure that our request for a national strategy is being looked at by the federal government. We were very pleased that the federal government has undertaken to reduce phosphorus across Canada in dishwashing detergents.

This is a little different from the approach of the Member for River Heights, who, when he was a member of the Liberal Cabinet, cut by 1,400 staff and 229 million the department of the environment in the years 1995 and 1997.

I think his quote on the cuts was even more telling, where he said they were tough but fair, Mr. Speaker.

Mr. Gerrard: Mr. Speaker, we are talking about the minister's wimpy 10 percent phosphorus reduction target. I table today a scientific article written by five scientists from Manitoba, from Minnesota and from Ontario. This article talks about the phosphorus in Lake Winnipeg and measures the phosphorus in the cores and shows very clearly that there's been a

doubling of phosphorus in Lake Winnipeg over the last 50 years.

Very clearly, the minister's 10 percent goal is wimpy and inadequate. We need to reduce phosphorus by 50 percent. Will the minister not admit that we need a much larger reduction than she's been talking about?

Ms. Melnick: Mr. Speaker, again, we are continually looking at our plan, but we're doing more than that. We're taking action. We brought in water protection areas. We are the first jurisdiction in North America and perhaps the world that has every waterway protected by a three-metre buffer, a 15-metre buffer or a 30-metre buffer depending on whether it is a lake or a river and whether or not it is used as a drinking source.

We are also moving forward. We had a very good announcement with the mayors and reeves of the southern basin last week where we talked about a lake-friendly logo campaign. We are including school children around the basin to help us develop that.

Mr. Speaker, I think the accusations here are very unfair when the Member for River Heights is on record as opposing the removal of nitrogen from the waste-water treatment plants. Winnipeg is one of the last jurisdictions in western Canada to do so—

Mr. Speaker: Order.

Mr. Gerrard: Mr. Speaker, what is the minister's target? Is it a wimpy 10 percent? Is it a more adequate 50 percent reduction? We don't know because the minister has been very confusing in her answers.

Even the Lake Winnipeg Stewardship Board report, December 2006: Reducing nutrient loading to Lake Winnipeg shows that in 1973 there was 1,350 tonnes of phosphorus in the load of Lake Winnipeg. By '94 to 2001, that had increased almost 6,000 tonnes.

Clearly, all the scientific evidence shows that we need something in the order of at least a 50 percent reduction. Why won't the minister give us the goal, and not a wimpy 10 percent goal but a real goal?

Hon. Gary Doer (Premier): Well, Mr. Speaker, the member is very gratuitous in his comments about our minister.

Perhaps, Mr. Speaker, the member opposite can join with us in a partial moratorium in the most

sensitive areas of Manitoba. Maybe he can stand with the position of scientists and others, stand with us in supporting the moratorium with hog expansion in the Red River area.

Maybe he can, instead of just having a clip one day because hog producers are here and having another clip the next day, stand with us to protect water and vote for this bill, Mr. Speaker.

Bicycle Safety Government Initiatives

Ms. Sharon Blady (Kirkfield Park): At this time of year, bicycle safety is an important issue for families, especially those of us with young children. Manitobans of all ages can increase injury prevention through bike skills and safety training.

Would the minister please inform the House of any provincial initiative regarding bicycle safety?

Hon. Kerri Irvin-Ross (Minister of Healthy Living): Yesterday was a monumental day at Riverview School, where I was joined by the Minister of Advanced Education and Literacy (Ms. McGifford) where we handed over the 44,000th helmet to a Manitoba child, Amber.

I also want the House to know that 1,500 helmets will be made free of charge to children across Manitoba through KidSport.

This bike helmet initiative is only one part of our injury prevention strategy around bicycle safety. We have worked very hard with our partners: Manitoba Public Insurance, CTV, the schools and the day cares to support a public awareness campaign called Protect Your Noggin.

We congratulate all the parents for taking these actions to protect their children.

Komagata Maru Addition to Education Curriculum

Mrs. Leanne Rowat (Minnedosa): Yesterday in this House we debated and passed a motion on the *Komagata Maru*. This unfortunate incident is an example of past policies of discrimination that led to the loss of lives. We properly recognized this incident, and I commend Prime Minister Harper for the work that he's been doing with the Indo-Canadian community on how best to recognize and apologize for this event.

Mr. Speaker, I ask the Minister of Education: What has he done to date to ensure that the details of this unfortunate event and the lessons we learned

from it are added to the provincial schools curriculum?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Manitoba, when we developed our curriculum for the social studies curriculum, Mr. Speaker, was the first to have an ethnocultural advisory committee to design this curriculum. Throughout, issues such as the debate that was heard in the House yesterday, I know that teachers are aware of the proceedings in the House, and I know that the teachers will certainly take advantage of the information that comes from the House as they monitor debates such as this and such as the initiatives that the member speaks of as proposed by Prime Minister Harper. They will discuss this in the class as they do with all current affairs issues.

We also are the party that said it's important to have history in the schools, Mr. Speaker. They made history optional. We said it's compulsory. We said it's important.

Mrs. Rowat: Minister Kenney raised this as an option for provinces to consider in August 2007. Mr. Speaker, this was a resolution that the government brought forward, and I think that this should be something that they should have taken a leadership role on.

Mr. Speaker, philosopher George Santayana wrote in *The Life of Reason* that those who cannot remember the past are deemed to repeat it. I commend the Member for The Maples (Mr. Saran) for bringing this resolution forward so that we remember in this House and learn from our past mistakes.

So I would ask the Minister of Culture what he has done to ensure all Manitobans remember this event by encouraging his Minister of Education to do something about putting this into the curriculum, Mr. Speaker.

Hon. Gary Doer (Premier): Mr. Speaker, there are many important issues of human rights that should be in our curriculum, one of the reasons why we opposed the cancellation of grade 11 history when it was before us in this House when we were in opposition; the issue of Chief Peguis and his ability to save the Scottish settlers from starving and freezing and then the relocation of that community to the more difficult land in the Interlake that was subject to flooding.

The whole issue of straight passage, an election was fought in British Columbia, and I'm proud our party stood for the rights of people in east Asia to have the right to vote. I am pleased that our party has, traditionally, over the years, included a position on the right to vote even from immigrants who were not allowed to vote in Manitoba even after women got the right to vote in this province.

So there are many issues related to the question that has been raised, but I am very, very proud that the Member for The Maples (Mr. Saran) has put this resolution in the Chamber. I really think we should be thankful that he not only proposed this but we had all-party support for this resolution.

Park West School Division Moratorium on School Closures

Mr. Leonard Derkach (Russell): The Minister of Education met with Park West School Division. As a matter of fact, in an answer in this House, he commented about the state of the Russell Inn which he stayed at.

But, Mr. Speaker, when he did meet with the Park West School Division, he was asked the question as to whether they were on the right track in pursuing the closure of schools, the closure of the six high schools and consolidating them into two. At that time, he told them they were on the right track and that they should proceed. I received this information directly from the board.

So, Mr. Speaker, I want to ask the minister why he didn't share with the school board at that time that he was intending to put a moratorium on school closure and then being able to, I guess, reduce some of the anxiety that has existed in meetings that have gone on in the communities.

* (14:20)

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): I'm really surprised that this question is coming from the member opposite whose constituency has a number of schools that were up for review for closure, Mr. Speaker.

Quite frankly, I'd rather be on this side of the House where we believe in community schools. We believe in rural Manitoba. We're going to support the communities as they make the schools more viable through consultation with their school divisions and with community leaders.

When I was in Strathclair and Birtle and in Russell, I met with not only the school boards but

several parents who had concerns, several community leaders who had concerns, and we listened to those concerns, Mr. Speaker. When we build the schools and pay for the construction of those schools, it's a reasonable thing to do, to take a look, take a step back and keep these community schools viable in the communities. That's where we stand.

Mr. Derkach: Mr. Speaker, the school board who met with the minister indicated that the minister did not advise them that they were on the wrong track in terms of giving notice that schools in their constituencies would close and be consolidated. He told them that in their attempt to close and consolidate schools that they, in fact, were on the right track.

Now, Mr. Speaker, I want to ask the minister: This meeting happened in early 2008. Why did he not advise the school board at that time that he was intending to bring legislation that would put a moratorium on school closures, thus reducing the anxiety in communities and the friction between the board and communities.

Mr. Bjornson: Well, Mr. Speaker, I would suggest that members opposite have been doing a lot to create anxiety in the communities by suggesting that this bill will allow schools to close. This bill was introduced to keep schools open. That is our commitment. We will keep schools open.

I had an opportunity to meet with a number of school boards who are going through reviews of the policies that existed since 1982. The Manitoba Association of School Trustees asked us to review those procedures so we were reviewing them, but not only did we look at the procedures, we looked at the outcomes, and it's the outcomes that are the most profound impact on a community, especially in rural Manitoba.

The member should be more concerned on rural Manitoba than the meetings that transpired, Mr. Speaker.

Mr. Speaker: Time for oral questions has expired.

MEMBERS' STATEMENTS

Heather Baril

Mr. Blaine Pedersen (Carman): I would like to congratulate Heather Baril for recently being selected by Volunteer Manitoba to receive the 2008 Golden Hand Award for rural Manitoba media. Ms. Baril is a reporter for the *Carman Valley Leader*, and

she was recognized with this award at the 25th Annual Volunteer Awards Dinner held on April 30 in Winnipeg. More than 30 individuals and groups were recognized for their volunteer efforts during the evening's events. Ms. Baril's award was given out last that night but, of course, it was well worth the wait for herself and those in attendance who were there to support her.

The Golden Hand Award is given in recognition of the important contributions of media in recognition and promotion of volunteerism. Nominees for the award are selected, based on criteria of what activity or program the media outlet promoted on behalf of a non-profit or charitable organization and how this coverage benefited the organization.

Ms. Baril was nominated by Betty Park on behalf of the Carman Health Auxiliary. The Auxiliary wished to show their appreciation of Ms. Baril for her work covering events by the Health Auxiliary, including their fall tea and the Carman Hospital's 25th anniversary and highlighting the organization's contributions to improving the local health facilities. While reporting on local events is part of Ms. Baril's job, it is certainly welcoming when others value and recognize this work.

So, once again, I would like to congratulate Heather Baril for being honoured with the Golden Hand Award for rural Manitoba media. Her work with the *Carman Valley Leader* keeps residents informed of the great developments in the community, and she is certainly a worthy recipient of this distinction.

Myanmar and China Disasters

Mr. Bidhu Jha (Radisson): I solemnly rise today to speak about the tragedy that has befallen Burma, also known as Myanmar, and China over the last week and a half. Myanmar was hit by Cyclone Nargis on May 2 and 3, which devastated the coastal regions of this country.

International relief organizations estimate that approximately 100,000 individuals have lost their lives and aid is urgently needed to assist over two million more who are in desperate need for our help. Water and food shortages and sanitation are among the most serious problems in affected regions of a country that is already one of the poorest in the world.

Just over a week later, on May 12, China's Sichuan Province was hit by a devastating

earthquake which took the lives of nearly 15,000 people. The earthquake which, among many other cities, also hit Winnipeg's sister city, Chengdu, trapped another 25,000 people in rubble, injured over 64,000, and left over 14,000 missing. The magnitude of what has happened in Myanmar and China the last week is, for most of us, totally unimaginable.

Our thoughts and prayers go out to families who have lost their loved ones, those who are missing, particularly thousands of suffering children, the countless people who have been left homeless in this tragedy and those Manitobans who have been affected by these events in their home countries.

It falls upon all of us in a way that we can be wakened to alleviate the pain and suffering of those who have survived and are, even at this very moment, enduring the most trying of circumstances. It is in that vein that I look forward to working with Winnipeg Chinese community leaders, like Dr. Du and others whom I met recently at the International Centre of Winnipeg's 60th anniversary dinner along with Senator Poy, who travelled from Toronto as the chief guest.

I would further appeal to all Manitobans to contact local relief organizations to lend their support for those who are in need of our help. Thank you, Mr. Speaker.

Allan Edie, University of Manitoba Scholarships

Mr. Ron Schuler (Springfield): I would like to recognize the generosity of Mr. Allan Edie, formerly of Dugald, who recently has made the largest single donation to the University of Manitoba Bison men's sports team. Following his family's established tradition of giving back to the community, Mr. Edie has given \$300,000 towards an annual scholarship which will provide 12 men's volleyball scholarships. This unprecedented donation has been graciously matched by the university through the Manitoba Scholarship and Bursary Initiative.

The 12 full scholarships, which will begin in 2009-2010, will be named after past teammates of Mr. Edie. In his own words, the scholarship recognized those who "shared his success with him" and include: Randy Anderson, Robert Eger, Terry Gagnon, Bob Glacken, Tom Graham, Phil Hudson, Rick McMillin, Paul Paquin, Garth Pischke, Jim Schreyer, Lloyd Voth and, of course, Mr. Allan Edie.

Mr. Edie, an alumnus of the University of Manitoba, was an integral part of the men's volleyball program from 1976 to 1981. During his

tenure as a Manitoba Bison, Mr. Edie's team experienced tremendous success, winning CIAU National Championships in 1978 and 1980. In addition, Mr. Edie was awarded the University of Manitoba Male Athlete of the Year in 1981. It was an experience of hard work and dedication that ultimately led to success. This ethic of achievement thoroughly imbued Mr. Edie while he was a student athlete at the University of Manitoba.

No doubt these experiences contribute to his highly successful career in the real estate development business, which placed him in the position to reciprocate his appreciation with this generous gift. For the University of Manitoba and Mr. Edie, it is a genuine story of success breeding more success and also the importance of giving back.

On behalf of the Progressive Conservative caucus, I would like to both thank Mr. Edie for his outstanding generosity and love of the sport. His kindness will provide a lasting benefit for the University of Manitoba and future student athletes. Thank you.

Rotary Club of Gimli

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, Rotarians are people who give selflessly to ensure that there are quality services for members of the community of all ages and backgrounds.

The Rotary Club of Gimli celebrated its 40th anniversary with a celebration on May 3. Founded in 1968 by a dedicated group of volunteers, the Rotary Club of Gimli has grown from modest beginnings to become a well-known and highly respected philanthropic organization. In 1967, Harold Dalman, along with Joe Arnason and Desmond George approached the Rotary District Governor, Jack Veitch, a member of the Selkirk Rotary Club, about forming a club in Gimli.

After several meetings and a great deal of hard work, the new club received its charter, dated March 11, 1968. The Rotary Club of Gimli has been at the forefront of community initiatives for 40 years. In its very first year, the Rotary Club took on a project to furnish a ward in the Gimli Hospital. Further help was provided in later years in the form of a television, heart monitor and defibrillator. They also sponsored a dental clinic for kids in school.

Some of the Rotary Club's recent accomplishments include the Rotary Towers, the skate park, waterfront park, organizing funds to

purchase a thermal-imaging camera for the Fire Department, purchasing a speaking computer for two visually impaired individuals, and being the major contributor to the nutrition program at the K to 4 and middle years school in Gimli.

* (14:30)

Mr. Speaker, Gimli Rotarians also have their eyes on the world. Through Rotary International, the club contributed to a microbank in India for women to obtain funds to start a business and helped organize a water and sewer project in the communities of Luaya-Lamud in Peru. As a former teacher, I found their project to provide teachers, desks, books and school supplies in Guatemala particularly touching. Because of Gimli Rotarians, children in Guatemala will have a better chance of getting a high-quality education.

Mr. Speaker, I enjoyed the opportunity to celebrate the 40th anniversary at the Gimli Waterfront Centre on May 3. I would like all members to join me in congratulating the Rotary Club of Gimli on 40 years of excellence, and we look forward to their next 40 years.

Thank you, Mr. Speaker.

Vision Quest Conference

Hon. Jon Gerrard (River Heights): Mr. Speaker, first I would like to salute the efforts of the organizers of the 12th annual Vision Quest conference which is under way today at the Winnipeg Convention Centre. This conference highlights the incredible work of many Aboriginal entrepreneurs and the achievements that are being made today. It also salutes efforts of well-known Aboriginal leaders like Adam Beach who is saluted for his efforts and recognized for his achievements.

Second, I want to mention briefly the devastation that has occurred in Myanmar and in China over the last several days and two weeks. Myanmar was hit by a devastating cyclone leaving tens of thousands, perhaps hundreds of thousands of people dead and up to two million people in need of aid. Cyclone Nargis destroyed thousands of homes and affected those already living in very poor conditions.

A few days later another disaster struck in the form of a powerful 7.8 magnitude earthquake in China. Reports to date suggest that the number of dead is in the tens of thousands with many more people missing and buried. This number could be

much higher in the days to come. The quake reduced many buildings to rubble. Early reports suggest widespread power and water outages and concerns that there could be aftershocks triggering landslides.

In Manitoba, we're fortunate to have such a rich and diverse population that we have people who are connected closely to the areas which were affected. Many Manitobans have families and friends who were affected in one way or another by the disasters in Myanmar and China. My heart goes out to them.

Because of these worldwide connections, Manitobans like you and me have a responsibility to come forward to offer help and support in the ways we can. On behalf of myself and the Member for Inkster (Mr. Lamoureux), I'd like to proffer our profound sympathy to any families affected by these occurrences and would like to ask Manitobans who are generous by nature to help out in any way they can.

ORDERS OF THE DAY GOVERNMENT BUSINESS

House Business

Hon. Steve Ashton (Deputy Government House Leader): Could you please call second readings, Mr. Speaker, in order.

Mr. Speaker: Okay, we'll be dealing with House business, we'll be dealing with second readings in order as they appear on the paper. I'll call second reading Bill 21, The Advisory Council on Workforce Development Act.

* (14:30)

SECOND READINGS

Bill 21—The Advisory Council on Workforce Development Act

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): Mr. Speaker, I move, seconded by the honourable Minister for Labour, Immigration and Multiculturalism, that Bill 21, The Advisory Council on Workforce Development Act; Loi sur le Conseil consultatif du développement de la main-d'œuvre, be now read a second time and be referred to a committee of this House.

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

Motion presented.

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

Mr. Swan: Mr. Speaker, the Province of Manitoba currently partners with and supports the activities of 16 sector councils in Manitoba. Sector councils are industry, human resource development and training organizations that bring together representatives from key stakeholder groups in an industrial sector or in the case of the new northern Manitoba sector council, a geographic area.

For many years, sector councils have assisted industry in addressing human resource issues and have shared a commitment to identify and act on the skills needs that are most important to a given sector. Sector councils in Manitoba deliver training to approximately 12,000 new and existing workers yearly and have leveraged approximately \$8.5 million annually in private-sector funding, demonstrating the value of sector councils to industry stakeholders.

In addition, since 2003, joint programming among sector councils has allowed the sectors to expand programming in a co-operative and cost-effective manner and have leveraged over \$2 million in federal funding to Manitoba.

I'm pleased that this bill will build on the success of sector councils and ensure their continued benefit to this province. This bill will create an advisory council to provide information and advice to government about work-force trends, initiatives, policies and strategies for developing Manitoba's work force.

The council will consist of seven to 10 individuals appointed by the minister, the majority of whom are to be selected from a list of persons recommended by sector councils, as well as deputy ministers from several key departments with responsibility for labour market development.

When appointing members of the advisory council, the minister must a) ensure that the council includes representatives from northern, rural and urban areas, and b) seek to have the council reflect the perspectives of employers, employees and labour organizations. By incorporating sector councils into this legislation, government will have a direct link to industry while, at the same time, build upon the success of Manitoba's sector councils.

This bill will facilitate and encourage the co-operative participation of employers, employees and labour organizations in the development of government policies and strategies for developing Manitoba's work force.

Mr. Speaker, I urge all members to move this bill along to committee, so we can get on with the important goal of developing Manitoba's work force. Thank you.

Mr. Larry Maguire (Arthur-Virden): I want to rise and put a few words on the record in regard to Bill 21, The Advisory Council on Workforce Development Act, as brought in by the Member for Minto (Mr. Swan), the new minister in charge of Competitiveness, Training and Trade. I want to welcome him to his portfolio. This is the first bill that we've had that opportunity to reply to him on, this bill that he has brought forward in the House.

I want to say, though, I appreciated the briefing that we had with him. I know that yesterday he indicated to me he would be providing a spreadsheet in regard to some further background on each of these clauses, as this is a new bill, Mr. Speaker.

It's a bill that very much, at first blush, looks very good in regard to being able to set up an advisory council of work-force sector councils that are there today; the minister has indicated 16 of those. They work very closely with the minister on a regular basis, it's my understanding anyway. He indicated that in his briefing to us.

Mr. Speaker, I know that from his comments to me, in spite of setting this up, he acknowledges that each sector council will still continue to lobby him independently as well. We would certainly encourage them to do that but also, if this goes forward, to work with the advisory council. It's always good when you can find consensus amongst these groups.

It's a bit of window dressing, if I might say, in regard to setting a bill like this up. The minister has all the powers to do that and make an advisory council up within his department at the present time, without bringing a bill in to do that if, in fact, that's what he chose to do.

Most ministers, it's my understanding, would have a group of people established to be able to come together to provide him with advice; that's a very sound option for a minister to do at any time. Of course, that would have to be—if there was support for those on a financial basis, it would have to come

out of his department. This will, as well, in setting this up; it provides remuneration, travel and that sort of thing for the sector councils that will be there, for some of the people that will be appointed. I believe it's between seven and 10 persons that the minister's indicated will sit on this council and an unlimited number of government deputy ministers, Mr. Speaker.

I know that it's great to work together, but we have a deputy ministers' council now that does get together on a regular basis. He's pointed out that it might include Education, Labour, Advanced Education, Multiculturalism, possibly Aboriginal and Northern Affairs. I would certainly hope that they would be involved, particularly, Mr. Speaker, Aboriginal and Northern Affairs, because of the focus here being a good deal while he has people on the work-force council from all over Manitoba; this would be, as he mentioned, urban, rural and northern.

*(14:40)

I know from the discussion he and I have had, in this bill and as well as Estimates, that there's a focus on training persons in the north. We had considerable discussion on that during the Estimate process that I appreciated the minister's answers on, but I think that we need to make sure that, once the training is done for these particular areas, the jobs are continuous and ongoing and provide them with a skill-set that allows them to move to other areas of the province if they so choose, Mr. Speaker, and be able to continually work into the work force and have a career and not just have to rely on one particular project and not knowing whether there's another one coming down the road in their particular area.

Mr. Speaker, I talk about labour-market issues as they continue to grow in Manitoba and, of course, this has been brought in because the minister feels, he's been told by some of industry players that there's a shortage of labour in some areas and there certainly is in some areas. I would say that some of it is driven because the government has got nearly 40 percent of their budget coming from Ottawa and that they're able to drive many public-sector processes at this time. I know that that's bringing some people in. It allows private-sector groups to expand, but there's not a great deal of, percentage-wise at least, public sector, large industry driven processes. I'm thinking of the public-sector ones being like the Crowns with the new Hydro building downtown and, of course, the floodway is ongoing.

I think, Mr. Speaker, while there are a number of points to be made on this bill, I think that I will end it at that. I look forward to this bill going to committee and hearing some of the feedback that we may get from those who would come forward on a bill like this at committee and look forward to further comments from the minister and from those persons as we move forward on Bill 21. I know that each dollar that's invested in training in Manitoba leverages \$5 to \$7 in the industry. It's a great opportunity to expand our economy, but, I guess, I just go back to my earlier comments that sector councils have been established for almost 20 years, 17, 18 years in the province.

I've spoken to a number of the persons involved in some of those areas. The aerospace industry, particularly, was one that was started initially, and there are others. I've encouraged the minister to look at the functions of high schools and how they're fitting in to preparing young people to be ready for the technical training that we have in some of our technical high schools, technical schools, Mr. Speaker, as well as preparing them for further trades in our community colleges.

I'm going to just leave that with those comments on this particular bill. I'll only leave the query that I think that the minister has the right within his own jurisdiction, without bringing a bill like this forward, to go ahead, and I look forward to his further explanations as we get into committee on this bill. Thank you.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I was somewhat disappointed in the sense that I was hoping that the minister, in his greeting for second reading, would give a better explanation as to why it is that he feels that the advisory council is, in fact, needed.

I'm always somewhat suspicious when a government or a minister creates advisory councils, especially if those advisory councils include direct appointments from the minister. Quite often we have seen, I believe, in the past where advisory committees and some of the appointments that are made to advisory committees that come from the ministers at times can be of a very political nature.

Mr. Speaker, when I see a bill such as this, I question whether or not the minister is wanting to—to what degree is the minister wanting to bring in maybe party officials or party people in the form of appointments to committees? I think that's more of a general principle across the board which applies to

all of the different ministries as you establish advisory committees. Each of us has different types of committees. I know, I for one, at times will have ad-hoc committees dealing with education, crime and so forth within my own constituency, meet with individuals to try to get some advice and opinions in terms of what they might feel about what are important issues.

I understand that the different ministers with their portfolios are put into a position where they might need some sort of an advisory committee. That's why I was interested in hearing specifically from the Member for Minto (Mr. Swan) as to what was the real need for the establishment of the advisory committee because there are those sector councils.

The other day during the Estimates I had asked the minister some questions that were regarding industry and the demand for certain occupations, and right away the minister turned to the sector councils.

He is going to be providing me some information. I was kind of hoping to be able to have that information before I had to actually speak to Bill 21. So I asked the minister if we could possibly get that information that he had taken as notice to me prior to the bill ultimately going to committee. I think it would be somewhat beneficial.

I would also ask if the minister could provide more of an explanation as to how he would ensure that this committee will not be of a political nature, that it will, in fact, work with the different industries.

Mr. Daryl Reid, Acting Speaker, in the Chair

I respect that the minister is genuine in his thoughts in terms of wanting to be able to fill those job vacancies and get a better understanding of different industries in the province. I think that's important that we do that. As the Member for Arthur-Virden (Mr. Maguire) has talked about, you know, the sector councils and the role that they play, how does the minister see the super council, if I can put it that way, that advises the minister as the body, or the role that that body is actually going to play that the sector councils themselves couldn't have provided?

It was those types of concerns that I do have. The sector councils have proven themselves through the years as being very effective and extend my appreciation to those councils who have done a marvellous job. Ask for the minister to be able to

provide what information he could so that we could possibly better understand and appreciate Bill 21.

With those few words, we're prepared to see the bill go to committee.

Mr. Peter Dyck (Pembina): I move, seconded by the honourable Member for Turtle Mountain (Mr. Cullen), that we adjourn debate.

Motion agreed to.

Bill 22—The Worker Recruitment and Protection Act

Hon. Nancy Allan (Minister of Labour and Immigration): I move, seconded by the Minister of Competitiveness, Training and Trade (Mr. Swan), that Bill 22, The Worker Recruitment and Protection Act; Loi sur le recrutement et la protection des travailleurs, be now read a second time and be referred to a committee of this House.

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

Motion presented.

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

* (14:50)

Ms. Allan: Bill 22, The Worker Recruitment and Protection Act, would replace the existing Employment Services Act which currently governs the activities of third-party placement agencies in Manitoba. This proposed legislation substantially strengthens, modernizes and expands coverage to encompass two increasingly important issues: the protection of foreign workers from unscrupulous recruiters and employers, and the protection of children in the modelling industry from sexual exploitation.

Temporary foreign workers play an important part in addressing our labour shortages. To continually successfully attract temporary foreign workers, we must demonstrate stronger protections and safer work environments. Many foreign workers are exploited and left stranded with the disappearance of a job or conditions not as promised.

Media reports worldwide link the trafficking and exploitation of women and children to the modelling industry. Despite the steadily decreasing age of fashion models to between 12 and 16 years old and the fact that Canada is now one of the top exporters

of models to other countries, regulatory protections for children have not kept pace.

Today's proposed legislation is a first in Canada. It takes a unique proactive approach to the protection of groups vulnerable to exploitation from third-party recruiters and placement agencies that prey on their desire to start a new life and career. We have an opportunity to raise the standards of professionalism and conduct surrounding recruitment and provide a level playing field for legitimate recruitment agencies.

This legislation is about regulating and monitoring the players in the industries. Bill 22 establishes four types of mandatory licences for individuals and businesses operating in Manitoba. Licences will be valid for one year for a nominal fee fixed in regulation, likely the same as the current \$100 fee. Every employment agency must be licensed; every child talent agency must be licensed; every individual involved in recruiting or representing children under the age of 17 must be licensed; and every person involved in recruiting foreign workers must be individually licensed to address the special vulnerability of workers who come to our country to work.

Bill 22 provides additional criteria for obtaining a licence to recruit foreign workers to Manitoba. Recruiters of foreign workers will be required to be a member of the Canadian Society of Immigration Consultants or Law Society as is required by Citizenship and Immigration Canada and Manitoba's Provincial Nominee Program. To further ensure foreign worker recruiters embrace the concepts of professionalism and ethical recruitment, the department will require an irrevocable letter of credit. This will ensure funds are available should there be a violation under the act and monies are owing to a recruited worker. Two of the main criteria for licensing are history of compliance with labour legislation and past conduct.

The cornerstone of our ability to regulate employer-driven recruitment and protecting foreign workers is a requirement for every employer intending to recruit workers outside of Canada to register with the Province prior to engaging in any recruitment efforts.

In this way, we can assure at the outset the employer has a good history of compliance with labour legislation and is using a legal recruitment strategy. Employers who do not use a licensed recruiter or fall under one of the criteria for denial

will not be registered. We are working with the federal government on a protocol so that employers who fail to register or denied a registration will not be eligible to apply for labour market assessment from the federal government.

Furthermore, employers who directly recruit foreign workers and contravene this legislation will be liable for any money the worker is forced to pay to obtain the job. The registration process under the proposed legislation gives the Province a clear role in assisting employers across Manitoba to be effective in off-shore recruitment efforts.

To specifically protect and monitor children recruited by talent agencies under the proposed provisions, any child under the age of 17 who will be promoted by an agency will be required to have a child performer work permit issued by the director of Employment Standards. Working closely with law enforcement officials in the Canadian Centre for Child Protection, a code of conduct is being developed which forms the framework for the permit. Child permits protect children by ensuring that work is conducted in socially appropriate settings, has appropriate supervision, does not interfere with academic studies and does not affect the health, safety or well-being of the child. It also provides the Province with the ability to educate parents and children in the comfort of knowing they're working with a safe agency.

Many parents do not fully appreciate the risks associated with this industry. There'd be a further requirement that children travelling for work be accompanied by a parent or someone over the age of 21. As with the current Employment Services Act, recruiters are prohibited from charging workers directly or indirectly any fees whatsoever for recruitment. It is well established in law and practice right across Canada that employers bear the cost of recruitment, not workers. Through this bill, this fundamental principle will be expanded to include protections from fees for child performers. Recruiters prey on temporary foreign workers with the promise of a life in a better country. They prey on children with the promise of glamorous lifestyles, travel and money. These vulnerable individuals are pressured to pay fees for various services.

We've heard it all. Sometimes it is the employer that is being duped into bringing the worker into the province; yet, parents, workers and employers do not have any ability or mechanism to ensure the legitimacy of the recruiter. With these proposed

changes, any parent, employer, concerned citizen or worker will be able to access the Employment Standards Web site for information and to check if an agency is licensed and registered with the Province as a legitimate agency.

Not only will Bill 22 improve our ability to monitor the industry, but it will improve enforcement mechanisms, collection tools and penalties for failing to comply with the legislation; we do not stand alone. We are working with other government and non-government service providers to develop proper protocols for reporting to other authorities.

In closing, Mr. Acting Speaker, I'd like to once again thank the employers and the many groups and individuals that participated in the consultation process. I'm overwhelmed by the support and encouragement of the industry on this important international issue. Those who have adopted proactive measures to ensure ethical and honest business practices welcome the fact that this legislation will provide a level playing field. It will, however, severely limit or eliminate agencies that are not prepared to ensure the safety and well-being of the individuals they promote.

The success of this legislation will be enhanced by continued strength and partnerships with law enforcement, government and prominent voices speaking out against exploitation in these industries. While the problem is international, we believe that Manitoba can and should be the first to deal with the issues surrounding the steady increase of temporary foreign workers to Manitoba, the growing recruitment of children and the alarming expansion of the sexual exploitation of children.

The new Worker Recruitment and Protection Act will regulate the practices of agencies recruiting workers for Manitoba. I commend this bill for approval of the Assembly.

Mr. Speaker in the Chair

Mrs. Mavis Taillieu (Morris): Mr. Speaker, pardon my voice. I have laryngitis which I've had and been suffering from for a couple of days now.

I do want to speak to Bill 22, The Worker Recruitment and Protection Act. I want to thank the minister for the briefing the other day and certainly recognize the intent of the bill, when we're talking about the bringing in of foreign workers into this country and some of the abuses that might befall them, Mr. Speaker. I want to talk a little bit about that and a little bit about the process of what we've

done with looking at this particular piece of legislation.

We do know that there have been problems with foreign recruitment. We certainly know the premise of the bill around workers that have been brought into the country on false pretences. They're coming here for particular jobs and finding that they will not have the jobs that they have been promised. Certainly, the part of the bill which revolves around the sexual exploitation of young girls, particularly in the modelling industry, is a concern. We do know that there have been some problems right here, with one person who would have been a person that would have been in a position of trust and respect and, in fact, was posing as a photographer; he exploited young girls into posing for him in a sexual connotation.

We do know that there have been some instances, some serious incidences with people being brought into the country that then have been left with no job, or having to seek a different job, or even just turning around and being deported.

We also know, though, that the things that occur in other countries around procuring foreign workers to come here, we have no control over. At least I don't think that we do when the unscrupulous practices of recruiting people before they even get here, which is something we may not be able to safeguard against.

* (15:00)

I want to just say that there are a few, I think, quite legitimate recruitment agencies in the province that have done a significant amount of work and have successfully brought foreign workers to the province of Manitoba and have assisted them greatly with the immigration process and the settlement process. These people, I think, have done a decent job of that, and certainly they have raised some concerns.

I think that, in many instances, when you bring in legislation, that encompasses some of the good things that this bill does do with requiring recruitment agencies to be licensed so that they are known and will be required to act in a certain manner, but there are other agencies that perhaps will find that this will be an imposition on their ability to bring workers here.

Certainly, I just want to read into the record just a little bit here from an organization that I know the

minister and her staff have spoken with and the minister talks about consultation. I believe she has probably done some consultation, but it's what is the nature of that consultation. Is it meaningful consultation? Or is it come to a meeting, here's what we're going to do, see you later, and we consulted with you? I think that there are some people that believe that's how they were treated, and this person says, unfortunately, that they didn't have an available amount of time and the general tenor of the presentation didn't allow for further discussion on the matter. Speaking directly to the organization, they didn't feel that the consultation process was as consultative as it should have been. In fact, it was more the minister and her staff informing this organization what would be occurring.

Having said that, Mr. Speaker, I think that we have to recognize that this will be an imposition on some very good work and good agencies here in the province. There are agencies that we know that may not adhere to the higher standards that are expected when you're talking about bringing foreign workers here and certainly protecting young women against sexual exploitation.

One of the other things I want to bring up is with some of the—I know there are a couple of legitimate recruitment organizations. If they feel that they cannot do business in Manitoba, I fear that they will move on to markets where they can do their business to the west of us, to Saskatchewan in particular and to Alberta where they feel less restricted. If that happens, I feel that perhaps they will also take workers that are recruited to those provinces as well, workers that we will lose if they're not recruited here in Manitoba.

Certainly, we recognize the intent of the bill and are not against the protection of foreign workers in the recruitment process and certainly support the preventative measures against sexual exploitation of young people, but there is another side, and I think that perhaps in some cases we throw the baby out with the bath water and force legitimate businesses to move their businesses to places more business friendly and, in doing so, may take some of their recruited people to those provinces as well.

I think that there is a backlog in the number of people that want to come to Manitoba and, certainly, the settlement issues in regard to not just getting through the immigration process, but getting through the settlement issues, all the things with registering for the schools, getting adequate housing. Child care,

of course, is top of mind, even just looking at the front page of the *Free Press* today on issues around child care and people being able to get child care to be able to participate in the workplace. So there are settlement issues that, I think, other agencies have done a quite remarkable job in handling and, certainly, would not want to see this kind of thing hindered because of people not being allowed to continue in their line of work.

I understand that the intention of the bill is to be sure that the cost of recruitment is borne by the employer and not the employee. I think there are some agencies that would argue that some employers are willing and able and desiring to be—sorry, some of the workers feel that if they're wanting to be recruited into a certain area and they feel that they need to pay for the services of a recruiter, that they shouldn't be denied that choice. So I'm just suggesting that perhaps some people do want a choice.

I'm not sure that we won't cut off some of the legitimate avenues to recruit some people from some areas of the world and with some legitimate recruiters, but I am interested in hearing what people will bring to committee hearings and what will be said. We recognize the intent of the bill and, certainly, when you think about the sexual exploitation of young models, whether that be male or female, that protection is warranted. Licensing of agencies that allows the ability to find out who these people are and what the process is that they are engaged in to bring foreign workers into the province because, in our province, we certainly want to have workers into all the areas that are lacking.

We know that one of the distinct problems right now with our business community is they cannot find the number of people that they need to work in the trades, in the professions, just all across the board, Mr. Speaker. We certainly recognize the vision of the Filmon government and the then-minister, the current Member for River East (Mrs. Mitchelson) who, with vision, established the PNP program which is allowing us to—and this current government has built upon—allowing more people to come into our province.

There are some situations where we hear of people, particularly nannies, I guess you might say, people that are coming in, in a very vulnerable situation because they're actually recruited, possibly by members of their own family, even, or neighbours or friends. They then are placed in a situation, a very

vulnerable situation, where they work in the household of their employer who really, then, holds their future in their hands because if they are in any way abused in that household, they cannot seek another place of employment because the employer is the one that holds the ability to keep them or deport them in this country. So they fear for deportation. So, certainly, there are areas like that that need to be looked at.

I just want to also say, Mr. Speaker, that I'm looking forward to hearing what the public has to say about this bill. So, with those few words, we'll look forward to hearing a committee of representation. Thank you.

*(15:10)

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I do want to put a few words on the record in regard to Bill 22, maybe to start it off by saying that, quite often, you have a barrel of apples and there are a couple of them that are fairly spoiled or rotten. As a result—*[interjection]* Mr. Speaker, I see the Member for Minto (Mr. Swan), I was going to give the government a compliment here. He should be patient and receive—*[interjection]* He's going to tentatively withdraw the comment until he hears the compliment.

At times, because of those rotten apples, there's a need for government to take action that ultimately is going to better the system. In this case, as the minister would probably attest, quite often I'm somewhat critical of the things that she does. I could talk about the provincial nominee, the restricted list and so forth or other issues, but in this particular case, I do believe that the minister has done a good job in terms of bringing forward the legislation. I do believe that it will have an impact. Unfortunately, as the Member for Morris (Mrs. Taillieu) does point out, there will be some negatives to it, and that's why I brought up the analogy of the apple barrel, because, quite frankly, there are a great deal of immigration consultants and agencies and others, individuals, community leaders that have done phenomenal work over the years to assist companies, assist family members and really make a positive difference and virtually at no cost. I could think of a number of people that have dedicated a good part of their lives to assisting members of their community in being able to help facilitate many of the things that this bill is hoping to accomplish. They've done it in a very outstanding, outstanding way. You know, I could

think of individuals and the problem with naming one individual is I'd be slighting others. Suffice to say that there are many individuals that have really assisted in this whole area and have helped out in many different ways.

Having said that, over the years I have come upon many different examples of why it is legislation of this nature is actually needed. I appreciate the detail which the minister provided in introducing this bill because I think she's virtually covered it quite well. But what I thought I would do is make reference to some examples. One of the most upsetting examples that comes to my mind, and it all takes different forms, but at the end of the day it's all about exploitation that's very real, that's there. I can remember in the early '90s where someone was recruited and they were brought to Canada and the father was told that his daughter was going to be doing one type of work, but as it turned out, she ended up doing a different type of work which the father was not very impressed with, nor was the employee, Mr. Speaker. But the person that did the recruiting made a whole lot of money because he promised that he would be able to get the individual here to Manitoba.

That was in the early '90s when I heard that particular story. The number of stories has increased over the years. In fact, in January, as some members might be aware, I had an opportunity to go to the Philippines where I literally met with hundreds of people wanting to be able to come to our province. We talked about, again, some of the issues that they were facing, in particular in the Philippines, in the immigrant community. I, in fact, met with the minister responsible for foreign workers, and some of the examples that were cited of how people are being exploited in the Philippines all because they want to be able to get a better life for themselves and their family and possibly even provide remittances back to the Philippines to help members in the Philippines. You have this bureaucracy in the Philippines that is there and necessary in order to try to minimize the amount of exploitation that is taking place.

Well, Manitoba, to our credit, is going in an area that I believe not only other provinces should be looking at, but, I would ultimately argue, the national government and other governments throughout the world, Mr. Speaker, because the type of exploitation that is happening is very serious. I'd like to give now some specific examples.

Today, no worker that comes from, whether it's India, the Philippines, the Ukraine, you name it, should have to pay any money, whatsoever, in order to be able to come and work in Manitoba. In reality, Mr. Speaker, that is not the case for a good number of those workers. You have individuals that have questionable character, and what they will do is they will sometimes find a job or a potential employer, sometimes they will actually get money from that employer, and then they'll go to another country. They realize that there's this huge demand for these working visas and to become a temporary employee, so they'll go to a country and they will, in essence, auction off that particular job.

So they'll get thousands of dollars here. Then they'll get thousands of dollars in that other country. Then they will take the money, put the person on the plane after the paperwork has been done, and then the person goes into whatever province, in this case it would be Manitoba, and left to do whatever. Quite often, that whatever isn't what it is that they were told. They might have been told, well, you're going to be a welder for this particular company and you're going to make \$22 an hour. In reality, they're sweeping the floor and they're making \$9.50 an hour. Those are the types of individuals that I would classify as rotten apples, that are really the cause of us needing to have legislation of this nature.

The live-in caregiver. The Member for Morris (Mrs. Taillieu) made reference to the nannies. The live-in caregiver is a wonderful program. People need to understand why it is that program, at times, is as popular as it is. The idea behind a live-in caregiver is very good. Mr. Speaker, we need to protect the integrity of that particular program. Having said that, quite often that program is used as a form of immigration, as opposed to providing a service as a live-in caregiver, so often you might have someone that would be brought in from another country and, yes, they're going to be a live-in caregiver but, no, they're not going to get the money that they were told, and quite often, they are obligated to pay some money. So they, in essence, become a glorified babysitter that might make some money. Quite often, it is family that's involved.

There are two things that concern me in regard to the live-in caregiver program. One is—I believe in most cases they're legitimate applications where they really do need to have a live-in caregiver—that we need to protect that because the live-in caregiver program is a good program. Then we need to look at the provincial nominee certificate and how the

certificate might be able to meet the need of those that would be able to qualify for the live-in caregiver, but maybe, instead of being a live-in caregiver, they could come in through the Provincial Nominee Program so that they are not put into a position of having to be manipulated or exploited, Mr. Speaker.

So I think that, in the live-in caregiver area, there is a need for us to look at the program as it is and make sure that we don't lose the opportunity to be able to reunite some of these families where we could be doing it. It's the exploitation that we want to get rid of. It's not necessarily the ability to be able to reunite some families in certain situations where that family member might be able to assist a parent that's on disability of some sort, or another family member. So there is room for improvement in certain areas.

* (15:20)

Mr. Speaker, there is the working visa program where traditionally what you would do is, you need a foreign worker, you just go to the human resources office and you say, I'm the employer, I've advertised, I can't find anyone to take the job, so now, give me this person whom I've found in India, as an example.

Well, in most cases, it's worked well. But, in some cases, you'll even get those direct employers who are getting someone from abroad where there's a lot more to it than that meets the eye. There is, again, exploitation that occurs where that employee is being exploited, Mr. Speaker. It's difficult for me to put any blame on the employee because the employee quite often is the one that's in a desperate situation or is believing what they're being told and, as well they should. Why? Because it's something that's coming from Canada, and Human Resources Canada, the government has actually sanctioned it.

So there are things in the bill that deal with that. So, for example, if you want to be an agency—and we have agencies today that will go into foreign countries and they will recruit for other companies—well, there is no real licensing of it, no expectations of a certain level of professionalism or codes of conduct, per se. Anyone today could, in essence, get a gathering of four or five people and say, yes, we're going to be an agency. We can go and hire these employees for company X and then go to a country and, literally, make thousands of dollars.

In the past, I've been offered the opportunity to go abroad and charge fees and, I can tell you, the

numbers that were thrown at me were fairly impressive, Mr. Speaker. Having said that, what the legislation will do is that, by requiring licensing, what you're going to be doing is you're going to be able to track and then you can start having those code of ethics or code of conducts put into place. We can ensure that there were no charges because, in order to re-license—and we find out because we're following up with employees that have come here, that they're not doing what it is that they were supposed to be doing and it's because of the agency. Well, then, there are actions that the government can take that will prevent that agency or those individuals from being able to repeat it and we can actually even recover money.

I know for a fact that these types of things happen today and that's why it is that this legislation will make a difference. The concern that I have in regard to this whole licensing—because as it is today, if, let's say if I work for Loewen Windows in the human resources office. I can go—

An Honourable Member: We're trying to get you there.

Mr. Lamoureux: I'm quite content where I am—but, hypothetically saying, Mr. Speaker, if I was a human resources officer for Loewen Windows, my understanding is I could go to a country because I work for that company and I can actually recruit people and I can use the contacts that might be within there.

So the legislation allows for that. But, if I don't work for the company, if a company goes to an agency, that agency has to have a licence and under that licence there are certain criteria that's necessary. So let's use Loewen Windows again. If Loewen Windows doesn't want to send one of their own employees down there, then they have to hire someone. Well, that hired company, agency, has to then have the licence. In order to get the licence you have to meet certain criteria.

Well, those criteria could potentially be a bit of a barrier in certain situations, and this is what I would suggest to the minister that we need to look at. For example, if you want to become an immigration consultant or you want to be able to work for an agency of this nature, you're going to have to maybe be a lawyer or an immigration consultant that's certified through the Canadian immigration consultant society. I might not have got the name right on, but that's the essence of it.

Well, in order to get that licence you have to get some post-secondary. There's a course that's required. Well, that course isn't available, Mr. Speaker. You'd actually have to go to Toronto or Calgary. I already placed one phone call into Red River College and suggested that maybe what we should be doing is looking at having some sort of a course that would help facilitate the legislation, because we want, where possible, to allow for opportunities that the Member for Morris (Mrs. Taillieu) makes reference to in terms of some of those agencies that are here today, for example, our immigration consultants that are here today.

The lawyers wouldn't be a problem, but for the consultants, it could be a bit of a barrier. Having a course established at Red River College would go a long way in assisting. The bottom line is that the way in which the legislation is framed, the employee is going to be much better protected and, to that degree, we support it.

The second part of the legislation deals with child talent. We had the opportunity to attend the debriefing from the minister, and we talked about the one story where someone from Manitoba is taken abroad as a model. Here they're anticipating that it would be modelling down a runway. One would think, as a guardian or as a parent, that would mean, because it's hopefully a respectable company, that that individual would be able to retain her clothes as they go down a runway. As it turned out, in this one particular case, I believe if memory serves me correct, that it didn't happen. Mr. Speaker, much like there are unethical immigration consultants and agencies that are out there that kind of spoil it for the rest, the same principle applies also for those talent agencies.

We have people in our province that will exploit our young people in many different ways, and it is very difficult for us to accept that sort of behaviour. That's again why it is that this regulation or this law is necessary. It's to protect the children, many children in our province, and, again, I would applaud the minister in taking that into consideration.

Mr. Speaker, with those few words, we're quite prepared to see the bill go to committee and look forward to its actual proclamation.

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

*Motion agreed to.***Bill 23—The International Labour Cooperation Agreements Implementation Act**

Hon. Nancy Allan (Minister of Labour and Immigration): I move, seconded by the Minister of Competitiveness, Training and Trade (Mr. Swan), that Bill 23, The International Labour Cooperation Agreements Implementation Act; Loi sur la mise en œuvre des accords internationaux de coopération dans le domaine du travail, be now read a second time and be referred to a committee of this House.

Motion presented.

Ms. Allan: Mr. Speaker, in today's highly competitive trade environment and increasingly global marketplace, it is important that we ensure fundamental labour rights are not undermined by countries seeking a competitive advantage. This not only protects the minimum rights of workers abroad but ultimately also protects our own workers and our economy from the threat posed by substandard labour practices in other countries.

A primary channel for accomplishing this is through international labour co-operation agreements, which are negotiated and signed by Canada and other countries in parallel with trade agreements. They promote fundamental internationally recognized labour principles and rights, ensure that the signatories enforce their domestic labour laws and provide a framework for labour co-operation activities. They also include processes for countries to resolve labour-related disputes. Because most labour matters in Canada do not come under federal jurisdiction, a minimum threshold of provincial participation is required for dispute-resolution mechanisms in the agreements to take full effect.

* (15:30)

The federal government has, therefore, invited the provinces to sign on to the labour co-operation agreements with Chile and Costa Rica. Canada's first labour co-operation agreement was with the North American Agreement on Labour Co-operation, the NAALC, signed with the United States and Mexico in conjunction with the North American Free Trade Agreement.

Manitoba was one of the first provinces to sign on to the NAALC, along with Alberta, Québec and Prince Edward Island. Canada has now signed labour

co-operation agreements to accompany trade agreements with Chile and Costa Rica.

Bill 23 allows Manitoba to approve and implement these agreements and any other future similar agreement where it wishes to do so. While Manitoba has specific legislation to implement the NAALC and the environmental side agreement to the North American Free Trade Agreement, Bill 23 provides legislation that is flexible enough to accommodate not only the new labour agreements but also the new Canadian Intergovernmental Agreement that will implement them within Canada.

The bill has two parts: Part 1 contains general provisions to allow the government to approve and implement a labour co-operation agreement or to withdraw from benefits, concessions, or obligations under an agreement per a regulation under the bill. Part 2 of the bill specifically implements the provisions of the Chile agreement that contain judicial proceedings and monetary penalties similar to the NAALC. This is required because these types of provisions cannot be activated through regulation. The Costa Rica agreement contains no judicial proceedings or monetary penalties and could, therefore, be implemented through regulation.

The judicial and penalty provisions of the Chile agreement would only be activated when several other channels have been exhausted. This, along with the fact that a labour co-operation agreement only requires a jurisdiction to enforce its domestic labour laws, means that the risk of Manitoba incurring a penalty is extremely remote. Manitoba's labour legislation and its enforcement is at a very high standard. In the 10 years we've been a signatory to NAALC, Manitoba has never been the target of a complaint.

Finally, Bill 23 allows Manitoba to withdraw by Order-in-Council from its commitment to be bound by a labour co-operation agreement if Canada terminates the agreement of our government from it. Participating in labour co-operation agreements will further demonstrate our commitment to the area of labour rights and help promote international labour standards. It will help Canada meet provincial thresholds for full implementation and also increase Manitoba's influence in making our priorities heard in Canada's international labour policy.

These agreements also protect domestic industries and jobs by preventing other countries from gaining an unfair advantage by lowering labour

standards. I commend this bill for the approval of the Assembly.

Mrs. Mavis Taillieu (Morris): I, too, just want to speak briefly to Bill 23, The International Labour Cooperation Agreements Implementation Act, and recognize that this bill does provide a mechanism for the government to approve international labour co-operation agreements. I do believe I heard the minister say that this bill is drafted at the request of the federal government, so we recognize the co-operation in complying with that request from the federal government to enter into this agreement.

The agreement, I think, as the minister has said, would allow labour co-operation agreements to ensure that there is a level playing field when you're speaking about recruitment of people coming into this country in terms of the standards, child-labour standards, minimum-wage standards, workplace safety and health standards, and the like.

So, Mr. Speaker, just having looked over a little bit of this bill and certainly researched the federal agreement on the federal government Web site, had a chance to speak to some people in regard to this, I can say that I think that it sounds like it's in compliance with the federal government's request. So we look forward to seeing what people have to say at committee. With those few words, we'll hear what others have to say.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, as the Member for Morris has pointed out, it's somewhat housekeeping in the sense that it is a national government that has actually, over the years, moved towards more of the recognition of labour standards that are warranted throughout the world.

It wasn't that long ago, you might recall the phrase of Team Canada. Team Canada was the idea of a former prime minister, I believe it was Paul Martin, who thought that we should be approaching jointly as provinces and as a national government to other countries and try to recruit benefits for both countries. The prime minister at the time was Jean Chrétien and he led the Team Canada. A wonderful man, I must say.

Having said that, Mr. Speaker, I think that the idea of our economy becoming more of a world economy or part of a world economy, that there is a need for us to ensure that there are labour standards. What this bill does is to help facilitate that standard, which is a positive thing. I'm glad to see that Ottawa

is moving forward and the minister is respecting what it is that Ottawa is requesting of the Province of Manitoba regarding labour. Thank you.

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

Motion agreed to.

Bill 24-The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices)

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): I move, seconded by the Minister of Science, Technology, Energy and Mines (Mr. Rondeau), that Bill 24, The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices); Loi modifiant la Loi sur les écoles publiques (cyberintimidation et utilisation de dispositifs électroniques), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Bjornson: It's of great pleasure that I stand before the House today to speak on the second reading to Bill 24, The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices).

The world children are growing up in, Mr. Speaker, is very much different from the one we members of this House knew as kids ourselves. Technology has, for better and for worse, impacted our lives and the lives of our children in a number of different ways.

While technology has facilitated and expedited the manner and mode of communications, making it instantaneous and accessible from almost anywhere, it has also created a whole new world of social interaction for young people using e-mail, web sites, instant messaging, chat rooms and text messaging. Like all technology, while this new way of communicating has several positive advantages, the opportunity for abuse is an unfortunate reality for many.

A recent program on television, *W5*, suggests that cyber-bullying, that is, the use of technology such as the Internet or other communications technology to support deliberate, repeated and hostile behaviour by an individual or group intended to harm someone else, is a common occurrence in Canada. They suggest that one in five boys, and one in three girls, have been involved in cyber-bullying either as a victim or as a perpetrator.

The nature of this all-pervasive technology can be particularly damaging on an emotional level. There is no refuge for a victim. Hateful comments about someone appear on Web sites, e-mail and instant messaging. Young people and others in our school system cannot escape its reach. Built-in digital cameras on cell phones, for example, can, via e-mail, invade the privacy of others and, within mere minutes, disseminate photos intended to embarrass and humiliate.

Changing and advancing technologies, Mr. Speaker, don't automatically come with rules. Most school boards and schools have recognized this concern and have taken steps already to address this issue. In supporting such initiatives and providing further leadership in recognizing cyber-bullying, I'm pleased to introduce this bill which will further define the duty of care owed to students in this age of omnipresent technology.

*(15:40)

This legislation builds upon the steps taken by this government through the Safe Schools Charter. School boards, if they have not already done so, will be required to establish written policy respecting the appropriate use at school of cellular phones, including phones equipped with digital cameras, and any other personal communication devices identified by the board, in addition to policy already required on appropriate use of the Internet and e-mail.

School codes of conduct will be expanded to address the issue of cyber-bullying as an unacceptable act in addition to other forms of bullying and harassment. These same codes of conduct must, as will school board policies, require that students and staff adhere to the appropriate use of digital cameras, cellular phones equipped with digital cameras and other personal communication devices.

We know that schools, in addition to steps taken through the curriculum to promote positive social behaviours, educate students on the seriousness of cyber-bullying. They have developed acceptable-use policies related to school computers. They need the support of their government and legislation to reinforce positive behaviours and set out consequences for violating the expectations of appropriate and civil behaviour.

Manitoba Education, Citizenship and Youth has supported the efforts of schools and teachers through partnership with Child Find Manitoba and Manitoba

Justice promoting on-line child protection. A Kids in the Know personal safety resource package, including Internet safety, was developed for use by teachers and is linked to the physical education and health curriculum. Since 2001, Internet content filtering service has been made available to school divisions.

Our literacy with information and communication technology, or literacy with ICT, across the curriculum, has incorporated Internet safety and ethics and responsibility outcomes for students in grades kindergarten to eight. The Manitoba Education Web site has been enhanced to include a Safe and Caring Schools Web page containing interactive Web site resources for children, youth, parents and educators.

My staff has been very active in the field, providing professional learning opportunities in schools and school divisions around child protection and abuse protocols, around behaviour planning, violence and bullying and threat assessments. The recently concluded Not in My School video challenge was highly successful, and it listed creative entries from more than 60 schools, focussing on positive solutions to bullying. In complementing these initiatives, this legislation will bolster the efforts of school personnel, students and teachers in making schools safer places for our children.

Our schools do good work, Mr. Speaker. The thousands of worthwhile activities that happen in our classrooms each day speak to positive learning experiences, and opportunities for personal growth and development for our young people. This legislation will reflect the seriousness with which this government treats the issue of cyber-bullying, extends a positive duty to school boards and schools to develop local policy to address the problem and sends a strong message that our students are owed a safe learning environment free from the devastating consequences of bullying, whether of the schoolyard variety or through the use of technology.

I urge the passage of this bill to the House. Thank you, Mr. Speaker.

Mr. Ron Schuler (Springfield): I do wish to make a few comments on Bill 24 on the record.

This is one of the few bills that this minister hasn't actually bungled, and that is actually the good news part of this bill.

There are a few things that we think could be improved on, but when a minister actually doesn't brutally bungle something, I think we should compliment him on it. Clearly, not like Bill 28, which we had a discussion about yesterday, and a few of the other things that the minister has mismanaged in presenting to this House.

Bill 24 deals with a reality that all of us face, whether it's us going out in the community. There is a debate going on, should we have police cameras or should the community—should governments have cameras on every street corner to be able to capture what might be going on? I don't remember the number in that and I should. There's a number out there, how many cameras exist in London and how many hours of tape roll every hour. Basically, you can't move within the city of London without being on a camera. The reality is that we have cameras on our streets photographing us when we—well, when someone happens to be going a little too fast or happens to be going through a red light.

We know that technology is prevalent. We know that technology is prevalent in our homes. I don't know if the House particularly cares, but we now seem to have a Wii in our house, and that doesn't mean myself and my family, it means a game. It's just the way it is. The minister and I could probably agree that we actually can remember a house when there was no Wii, Xbox, PlayStation and all the rest of it. In fact, I had a discussion today with a woman and she said—she's a little bit older than I—she looked forward to getting up in the morning and running out of the house, and the reason was there was nothing to do in the house. There was no TV; there were no games; there was nothing, no technology, no video cameras, no instant cameras which we can plug into our computer and have a picture instantly. So we recognize that we face a completely different society.

What does happen when there are great new inventions is there are those out there that use them for something other than good, they use them for wrong, and, unfortunately, we have seen, for those of us who do occasion the wellness centre, or some place where you go and you work out, there are now signs posted, you're not supposed to be using your cellphones. It has nothing to do with the fact that you make a phone call, it's because pictures can be taken. We know that in a lot of instances now don't allow cameras. I happened to be in India in February and they do not allow cameras, cellphones, keyless entry from cars into many of the historic sites in the world

because of what they can be used for. They can be used for explosive devices. So we know now that a lot of the technology that has been created is often used, or can be used, for something other than good.

So this bill basically updates legislation and includes in bullying. Probably the bullying of days gone by was much easier to identify, because if two kids went out on the playground and one kid came back with a bloody nose, you knew that one of the kids was beat up and one of the other ones was doing the beating up. With this technology, it is often so anonymous it's very difficult to know who's doing the bullying, and that's—for anybody who's followed some of the stories that have gone on where individuals have been bullied, whether it's on something put on to YouTube or it's Facebook or whatever the case may be. In fact, there's an incident now where a student impersonated a teacher on Facebook, and clearly it's time to get our legislation up to speed to where things are going.

I've done this test at many different places, and I would ask this House any member, you know, does anybody here know what RuneScape is, and there are no hands that go up in the air. Well, I happen to know what RuneScape is, Mr. Speaker, and I will explain it to you because I didn't see you raise your hand. RuneScape is actually runescape.com, which the kids call RuneScape and it's a game you play on computer.

The other day one of my kids said to me, my youngest said to me, there's somebody that didn't say something very nice. For decency's sake, I won't repeat what was typed onto the computer to my eight-year-old. My oldest was sitting there and we looked at it—and there is a way that then you only allow your friends to sign on and only those people can speak to you. I mean, it really is a completely different world. This was nothing, nothing which we faced before. Some faceless, anonymous nobody—we have no idea how old this person is—this could be a four-year-old, this could be a 44-year-old. Have no idea who posted that message, and it was actually very inappropriate.

That's what our children are facing in today's society. So legislation has to come forward. Unfortunately, the legislation tends to always be following rather than leading because I doubt—you know, I've seen RuneScape. I've watched my kids play it and it bores me to tears, but I doubt any of us here other than our pages, who actually may have been on RuneScape—and that's what we're going to

have to do in our society is to protect the young, to protect them from people who are bullying or preying on our young. It really is a completely different society that our children are growing up in.

* (15:50)

I would probably recommend to the minister and to the government that we would perhaps look at something as being maybe less definitive in that there are things that are actually missed already in this legislation, that I'm sure there are going to be others that will get up and speak to it, but we know that there is going to be a time when we're going to have to update our legislation to deal with the kinds of things that the next generations are dealing with already and will be dealing with insofar as the advancement of technology.

Thank you, Mr. Speaker.

Mr. Kevin Lamoureux (Inkster): I also would like to put some words on the record in regard to Bill 24.

The issue of cyber-bullying has been around for, actually, a number of years, and I suspect that if the Minister of Education (Mr. Bjornson) was to canvass the current school divisions, you'd probably find a number of the school divisions and schools throughout the province already have some sort of cyber-bullying policy.

Mr. Speaker, we applaud those schools and divisions that have really taken a proactive approach at dealing with this very serious issue. As the Member for Springfield (Mr. Schuler) has pointed out quite well in terms of bullying, it takes effect in many ways. Young people commit suicide as a result of it. Young people are beaten to death. There is extreme bullying that occurs virtually every day across Canada. In Manitoba, I'm sure there're different forms of bullying that occur every day, and the need for legislation, I believe, is there. It's very real. We look at the legislation that is being proposed, and I guess the only concern that I would have or possible question that I would pose to the Minister of Education is to what degree is the Province providing some leadership on the issue.

For example, does the Province have a code, different codes or suggestions that are in a written form or that you can access through the Internet as to what school divisions or other schools can refer to as opposed to having to reinvent the wheel? Maybe, in some cases, as I say, most already have codes that are in place. To what degree is the minister aware of the policies that are there in different school

divisions today? Are there things that are out there that we can somewhat adopt and encourage for others to incorporate in terms of their own policies? I'm not sure as to what degree the current Minister of Education has really looked into that, and I would've liked to—and maybe it'll be in third reading or in committee stage where we'll hear some comments on that. There's no guarantee that I'll be present at the time, but, hopefully, he will be able to provide some comments in regard to that.

Without further ado, Mr. Speaker, I would suggest that it is a great bill. It's good to see the government has brought it forward. Thank you, Mr. Speaker.

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

Motion agreed to.

Bill 25—The Embalmers and Funeral Directors Amendment Act

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Family Services and Housing (Mr. Mackintosh), that Bill 25, The Embalmers and Funeral Directors Amendment Act; Loi modifiant la Loi sur les embaumeurs et les entrepreneurs de pompes funèbres, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Selinger: I am pleased to speak about Bill 25, The Embalmers and Funeral Directors Amendment Act.

Funeral directors and embalmments are licensed and regulated by the board of administration of The Embalmers and Funeral Directors Act. This legislation has not been amended for quite some time. The proposed amendments were recommended by the board of administration.

Mr. Speaker, to enhance consumer protection, the proposed amendments will require certain information to be provided to a consumer before funeral services or supplies are provided. The information to be provided will be specified in a regulation; it is anticipated that the information will specify what services are required, what services are optional and the prices for various services. This will enable consumers to make price comparisons and informed decisions about funeral arrangements.

Mr. Speaker, the proposed amendments require the Board of Administration to prepare and publish a code of ethics for funeral directors and embalmers. This will provide funeral directors and embalmers with guidance and direction on appropriate professional standards.

Currently, the Board of Administration can suspend or revoke a licence of a funeral director or embalmer. The proposed amendments will provide the Board with additional enforcement tools, including the ability to issue a reprimand, a levy, a fine and order costs relating to a hearing. The Board will be required to issue a written decision after a hearing and provide a copy of the decision to the licensee. The Board will also be able to publish information about the hearing decisions. Finally, Mr. Speaker, the proposed amendments increase the fines and terms of imprisonments for offences under the act.

With these comments, Mr. Speaker, I am pleased to recommend the bill for consideration by the House.

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, it is a pleasure for me to rise and participate in debate on second reading of Bill 25, The Embalmers and Funeral Directors Amendment Act.

I would like to say that this legislation is, indeed, in keeping with the funeral directors that I have spoken with and who have worked long and hard over a number of years, preparing what we see in this legislation before us today.

It is, though, not with complete support that I rise today. I know that there are areas in which this legislation can, indeed, be improved upon. I very much look forward to the presenters that are expected at the committee stage, pertaining to this bill. I believe that there is going to be particular mention made to how this bill addresses advertising. I also believe that there will be consideration given towards the definition of disclosure.

As it currently stands, there are significant undefined areas where this bill, although the language calls for more disclosure, the definition does not support what the bill is and what the minister has, in fact, stated in this House.

Also, the funeral directors are concerned about prearranged funerals and how monies are effectively safeguarded by those of us that put on deposit dollars that we hope will satisfy the interment which all of us, being mortal, will come to be.

I believe, though, that this legislation is deficient in that area regarding the prearranged funerals. I think that the minister could look to potentially entering into regulation the consultative process which the minister has to date been complying with but, again, it needs to be more extensive because the business of hosting funerals and prearranged funerals is not just confined to the local funeral director's business; it is indeed, an interprovincial, a national, an international business where all of us have seen mailings in our mailbox that have come from south of the border, offering to take care of us after our passing.

* (16:00)

I believe that legislation is definitely needed to safeguard consumer interests and to protect the dollars that we set aside, and prevent the financial burden upon our children and our loved ones that will ultimately bear our loss when our time comes.

Mr. Speaker, it is certainly a bill that I believe is long overdue. The minister alluded to the fact that there has been little, if any, change to this particular act for quite a number of years. I believe it was stated that this is the first major overhaul of this legislation in some 50 years.

It is something that, I believe, is long overdue. I look forward to the persons that will be coming forward to make presentation because I trust that they will, once again, bring forward to the minister's attention the areas that are in need of amendment and further consideration for legislation and regulation in the future. Thank you very much.

Hon. Jon Gerrard (River Heights): Just a few comments on Bill 25. I think it's pretty clear that some changes in legislation are needed in this area. I have talked to a number of funeral directors. The move to having fines is, generally, seen as a pretty good step forward in terms of the way this act would work.

At the same time, I'm hearing from a number of funeral directors some concerns that the bill is not strong enough, a lot of concerns, for instance, about the telemarketing after somebody dies and that this is not an appropriate time for telemarketing, given the vulnerable position that people are in right after a death.

There are a variety of other concerns, particularly related to the relationship between this act and The Prearranged Funeral Services Act that clearly need some clarification.

I look forward to hearing the presentations at the committee stage and look forward to, hopefully, the minister being ready to receive favourably some amendments to the act to improve and strengthen it.

Mr. Peter Dyck (Pembina): I move, seconded by the honourable Member for Lac du Bonnet (Mr. Hawranik), that we adjourn debate.

Motion agreed to.

Bill 26—The Legal Profession Amendment Act

Hon. Gord Mackintosh (Acting Minister of Justice and Attorney General): I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 26, The Legal Profession Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Mackintosh: In this province, Mr. Speaker, a number of professions are self-governing or self-regulated. The governing regimes for each of these professions are set out in individual acts of the Legislature. The act being amended here establishes the authority of the Law Society of Manitoba to govern members of the legal profession and sets out the regulatory system to be used.

The bill contains a variety of small changes to The Legal Profession Act which will improve the Law Society's ability to protect the public interest in the delivery of legal services. Specifically, these amendments clarify several matters relating to disciplinary proceedings, including who has the authority to issue a subpoena, that evidence may be given on affirmation as well as on oath and that, when a member is permitted to resign as part of a disciplinary process, his or her name is struck from the rolls of the Law Society. The amendments also clarify the Law Society's rule-making power in relation to general bank accounts.

To allow for continuity and as part of its succession plan, the Law Society has adopted a practice where the benchler who is vice president in one year becomes the president the following year. In this bill, the election process has been changed to eliminate the requirement of a vice president to run for re-election as a benchler, which supports the Law Society's existing succession practices.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

This bill also contains provisions which will permit the Law Society, or a member to appeal an order of cost and permit the Law Society to appeal any decision of a discipline committee, including procedural decisions.

Madam Deputy Speaker, it's worth noting that the Law Society has been actively consulted with respect to these changes, and I thank them for their contribution to improving the act. The provisions of the act and the amendments are to support the Law Society's aim to ensure that Manitobans are well served by a competent, honourable and independent legal professional. Thank you.

Mr. Gerald Hawranik (Lac du Bonnet): Madam Deputy Speaker, I welcome the opportunity to put a few brief remarks on the record with respect to Bill 26.

I note that the bill isn't very long, but the effect itself, what it does itself, makes a difference, I know, to the Law Society. I understand and have spoken to members of the Law Society over the last number of weeks about this bill, Bill 26, and it seems to be in keeping with what the Law Society has recommended in terms of changes to the act itself.

I have a bit of a concern in terms of section 76(2) and I notice that the appeal by the society is allowed now to the Court of Appeal with respect to a question of law. My concern, and I've voiced this concern to other members of the society, that, in fact, perhaps members themselves, lawyers themselves, should have that right as well. It shouldn't just be restricted to the Law Society. That's something that was a bit of a concern, I think, by members that I talked to about the particular bill but otherwise the bill seems to conform with the intent of what the Law Society wanted in terms of extra powers in terms of regulation.

I know that it's in the public interest, Madam Deputy Speaker, to ensure that the Law Society does have the tools to deal with lawyers' trust accounts and general accounts and to protect members of society who deal with lawyers day in and day out in this province. I know that the Law Society does a tremendous job in terms of protection of the public interest, not that they police lawyers constantly, because I can tell you the vast majority of lawyers in this province are very law-abiding. They're very honest, and they're very giving of their time for community projects and so on. It's only the very few that give the rest of us a bad name.

I heard a joke the other day saying that 99—and you know I hear lawyers' jokes continuously, on a daily basis, and I don't think that's any different than any other lawyer in the province. The joke went something like this: 99 percent of the lawyers give the rest of us a bad name. I can tell you, Madam Deputy Speaker, that if I wasn't a lawyer I'd probably laugh at that, but the reality is that 1 percent perhaps, less than 1 percent gives the rest of us a bad name. I can certainly speak from experience in having dealt with probably most of the lawyers in the province over the years that I practised law and continue to practise law.

I can tell you that the vast majority are very community-minded. They give of their time. They volunteer in their community and they give of themselves, and for that I applaud them. It's just a very small proportion of lawyers who, for various reasons, whether it's depression or whether it's addictions or whether it's a multitude of possible other reasons, stress or whatever it is, sometimes do not act in a fair and honest manner. On occasion, you'll see that money out of trust accounts disappears, but I can tell you that the Law Society is there to protect the general public and I can tell you that it's a very effective organization.

* (16:10)

In fact, I was elected as a bencher of the Law Society and was a member of the discipline committee for a number of years. After having gone through that experience of being a bencher of the Law Society for a three-year period, I found that I was volunteering my time to the Law Society more than I was practising; as a result, I didn't actually run again for re-election after the three-year period. The Law Society is a very effective organization in protecting the general public. They have liability insurance that is available to lawyers across this province if you practice. To get a practising certificate you have to subscribe to that insurance plan. So, in the event that there's negligence, certainly, insurance is there to back up any claims against any lawyer.

Secondly, in terms of a fraud or something of that nature where money perhaps goes missing in trust accounts, the Law Society—all lawyers across the province contribute to a fund and all members of the public are reimbursed. So it's not that the rest of the lawyers run away from the problem. They certainly solve the problem on behalf of Manitobans

who, on a daily basis, deal with lawyers across the province.

These amendments add some powers to the Law Society to deal with accounts to ensure that they get answers from lawyers on a timely basis, and I would support that. I would certainly want to ensure that members of the public continue to be protected by the Law Society of Manitoba because that's what it was set out to be. We're self-regulating, we're a self-regulating society in the province, and I can tell you, Madam Deputy Speaker, that the system works very well and, contrary to what some members of the public might think, the Law Society really is there for the protection of the public. Having been a bencher for a term, I can tell you that the Law Society directs its efforts to protecting the public and not lawyers, and that's really the mandate of the Law Society of Manitoba.

So, for that very reason, I'd certainly like to hear at committee any representations made by the Law Society, and I expect that they will come to committee, whenever that's called, to make representations. In the event that, for some reason, something is missed in the bill or whether something is in there that shouldn't be there, I'm certain that they will make a very good presentation to committee and we'd certainly have to consider any amendments that they may wish to bring forward.

Thank you very much, Madam Deputy Speaker.

Mr. Kevin Lamoureux (Inkster): I, too, just wanted to echo a few words that the speaker before me commented on in regard to the Law Society and how important it is that we recognize that it's there to protect the public interest and that we respect the independent nature of the Law Society and actually commend them on their years of service to Manitobans at doing just that: protecting the public interest.

Mr. Speaker in the Chair

We anticipate the acting minister had indicated clearly that the Law Society was appropriately consulted, and I suspect, by listening to what the minister had said, to assume that the Law Society was in agreement with the changes that are, in fact, being proposed to the Legislature. To that degree, I would suggest that we respect it.

What I'd like to be able to do is to make reference to issues that I have, on several occasions, had to contact the Law Society, and the vast majority

of the cases was actually quite satisfied. I can recall one incident, unfortunately, where it was in regard to a constituent, and the constituent raises one of the concerns that, I think, at least the Law Society needs to be aware of, or I'm pretty sure that they would be aware of. It's just one of those ongoing things that I think that we always try to improve upon, and that is the need, at times, for the Law Society is very real for specific individuals in dealing with cases where they feel that a lawyer has not served them well going through the court process, and, from a consumer point of view, trying to resolve those types of issues as quickly as possible to establish a process that is both fair and quick, because of the stress and anxiety and frustrations, not only for the person alleging the concerns about a lawyer, but also even for the lawyer themselves. That's the only thing that I would like to really say on the bill.

I think that in principle, obviously, we anticipate that the Law Society is fully aware of the content and supportive of the changes and we look forward to it going to committee. Thank you, Mr. Speaker.

Mr. Peter Dyck (Pembina): I move, seconded by the honourable Member for Turtle Mountain (Mr. Cullen), that we adjourn debate.

Motion agreed to.

Bill 27—The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended)

Hon. Christine Melnick (Minister of Water Stewardship): I move, seconded by the Minister of Agriculture (Ms. Wowchuk), that Bill 27, The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended), be now read for 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 will table this message.

Motion presented.

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

Ms. Melnick: Bill 27 establishes a mechanism to require payment of fair compensation in those unusual cases where individual properties suffer temporary, adverse impacts from artificial flooding

caused by operations in the broader public interest. The bill also sets out a process for a transparent approach to the operation of the Province's water control works.

The implementation of this act will begin first with the Shellmouth Dam facilities. Bill 27 is similar to The Red River Floodway Act in that it provides compensation for property damage or loss and economic loss due to artificial flooding resulting from the operation of a provincial water control structure. It sets out a process for putting in place operating guidelines and reporting.

This bill also provides for the establishment of an advisory committee on operations of water control works made up of local representation and staff from the Department of Water Stewardship. The advisory committees will be reflective of both upstream and downstream needs and interests in the operation of the water control structures.

The operating guidelines will be established largely through these advisory committees and, again, the department will be involved in the development of the operating guidelines. This will provide a greater level of protection to Manitobans from the operation of provincial water control facilities.

Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Just a few brief comments. I think that it's clear that there needs to be an approach for management and compensation relative to the operation of the Shellmouth Dam. It's not clear to me, and maybe in due course the minister will make it clear: when this says other water control works, are we going to have a bill for every dam in the province, or are we going to have one management compensation approach that's similar for dams generally? If we end up with a bill for every dam in the province, that's going to be a lot of bills and a lot of different regimens.

* (16:20)

So I think there needs to be a little bit of clarification, and there needs to be a fairly uniform approach so that dams, wherever they are, have a similar approach. We certainly wait for a clarification on that, look forward to the progression of this bill to committee stage, Mr. Speaker, and further discussion at that point.

Mr. Leonard Derkach (Russell): Bill 27 is a bill that I think requires a little bit of scrutiny in this

Chamber, Mr. Speaker, since this bill is one that addresses a wrong that has been perpetrated for a long time on people in the Assiniboine Valley below the Shellmouth Dam.

There have been some real dramatic events that have happened along the Assiniboine River below the Shellmouth Dam, and, unfortunately, unless you live there and you understand the dynamics of how the impact of the flooding occurs, even governments and officials sometimes address issues in the wrong way and in the wrong place.

Mr. Speaker, I say this because I live in the area, and I live this issue almost every day of my life right now because of the regime that has been so badly mismanaged of the dam. The regime of that dam is managed by an advisory group who give advice to the department, but this advisory group, unfortunately, isn't all made up of people who are impacted directly by what happens if the dam overflows or if, in fact, the dam is opened too much, because many of these people live down the Assiniboine Valley below the Qu'Appelle River, and very little consideration is given to what happens beyond the Qu'Appelle River.

The Qu'Appelle River is a very significant river and it adds a lot of water to the Assiniboine River. Now, at this time of the year, or maybe a little earlier than this now in this particular year, when you've got waters coming in from the various watersheds into the Assiniboine River—and I'm referring to the Qu'Appelle River specifically—you will get a backup of water from St. Lazare all the way up to the Shellmouth Dam. In that event, what happens is farmland goes under water.

For years, the people between the St. Lazare area and the Shellmouth Dam have said that they have to have some control in terms of the regime of the dam, and they have never been afforded that. Now, they had that at one time. Back in the '90s, there was an advisory group that was made up largely of people between Shellmouth and St. Lazare. The reason for that was these were the people that were impacted first and impacted more significantly. Later, people below the Qu'Appelle River, below St. Lazare, will be impacted because of waters coming out of the Qu'Appelle and the Assiniboine. So you will get sustained flooding in areas in the Miniota area, in the Virden area, and right into Brandon. But that's almost a different issue, Mr. Speaker, because that area is impacted in a different way than the area between St. Lazare and the Shellmouth Dam.

Now, unless you live there and unless you watch what happens to that river when the gates are open, you will never, ever be able to understand why flooding takes place. I have a farmer in my constituency at Millwood and his name is Cliff Trinder. Cliff Trinder has a fairly significant farm running all along both sides of the river. Last year, he was ready to go and seed his farm. He had the fields worked. The seed was ready. The fertilizer was ready. The tractor and the seeder were hooked up. He was ready to go and seed the land. He was going to start it the next morning. When he woke up, the entire area was flooded. Now, this wasn't the first time that he endured this kind of hardship. It had happened the year previous to that. This was land that eventually was not seeded last year and hasn't been seeded for four years.

Now, nobody compensated him for it because he never even got out there to get his seeder into the ground so that he could collect the crop insurance that says your land has been inundated and, therefore, the seed has been rotted, so we'll compensate you for it. That couldn't even be compensated under that program.

Year after year, farmers along that Assiniboine Valley are impacted in a real serious way. The Minister of Agriculture (Ms. Wowchuk), I know she's pretty interested in this issue because she has spoken about this issue; unfortunately, unless you spend a lot of time in that area and really understand the issue, you will not be able to clearly understand how to address the impact that has been done on the entire area.

This bill says that these people who live in the Assiniboine Valley will be compensated in the same way that the people in the Red River Valley are. It doesn't take into account the differences in the way flooding occurs along the Assiniboine River, as opposed to the Red River. You can flood the Red River, as happened in 1997, the flood of the century came in, flooded the entire Red River Valley. Yet, that year, I think there was something like 4,000 acres that wasn't seeded; the rest of the ground was seeded.

In the Assiniboine Valley, because of the kinds of topography you have in that valley, because it's a very steep valley and there are old oxbow lakes and everything else like that in that valley, water is held in those pockets. As a matter of fact, what you'll find is that you'll have a depression in your land, and

there's no flooding at all. You come back to it a day or so later and that depression has been filled with water, coming from below the ground rather than coming overland.

There are all kinds of unique circumstances that exist in the Assiniboine Valley. So what is the solution? I think the solution lies in the way that the regime of the dam is managed and then to compensate those who have been impacted because you've had to let water out of the dam in a way which recognizes that we have a balance between what we have to do in terms of keeping the dam from rising too high and, secondly, recognizing that there is damage that is going to occur, because this is what is called artificial flooding.

I remember arguing with the former minister of Water Stewardship, in last year's flooding and the year before, that this was artificial flooding. The minister contended in this House that this was not artificial flooding. Finally, after numerous weeks of debate, he recognized—as matter of fact, it was the Premier (Mr. Doer) who recognized that, in fact, there was damage done through artificial flooding, because the gates had to be raised in order—and also the spillway overflowed, inundating a lot of the productive farmland.

What needs to happen, Mr. Speaker, is this bill needs to be amended. This bill needs to recognize the unique circumstances of the Assiniboine Valley. Maybe the Qu'Appelle Valley is not unlike the Assiniboine Valley but the Qu'Appelle Valley, largely, is on the Saskatchewan side. So we don't have a lot of ability to mitigate what happens on the Qu'Appelle River, but we certainly do on the Assiniboine River.

The other thing about the Assiniboine Valley and the Assiniboine River that is unique and not like the Red River Valley is that, because of the steepness of the valley and because of the types of soils we have in the Assiniboine Valley, there's extreme erosion that occurs when you open up that dam.

When the dam was built in 1967 to '73, one of the things that was supposed to happen, under the master agreement that was signed between the people in the Assiniboine Valley and the government of the day, was the riverbed between the Shellmouth Dam in St. Lazare, specifically Highway 16, more pointedly between the Shellmouth Dam and Highway 16, was supposed to have been dredged. That whole river was supposed to have been cleaned out of debris and materials that were hampering

water from staying in the channel. To this date, that has never, ever been done. It has contributed to the excessive water flowing over the banks of the river, inundating a lot of productive land.

* (16:30)

Mr. Speaker, when you bring a bill of this nature to the House and you say we're going to treat the Shellmouth Dam and areas below that in the same way that we will treat owners of property in the Red River Valley, that doesn't quite meet the mark because the two rivers are extremely different. The topography of the areas is extremely different. You can flood the Red River Valley and still put in a crop in the year with you.

If you flood the Assiniboine Valley, you are not going to get a crop in, not for one year, for a minimum of two years, and in this particular case that I illustrated today, it's been four years since Cliff Trinder was able to put a crop in his farm. Now he has called the Premier's (Mr. Doer) office. He has asked for a meeting with the Premier. I have written to the Premier as well, asking that he meet with this farmer and with not just him, but, indeed, there is a Jean Nervis [*phonetic*], there is a Cliff Trinder, there is a—Bill Kaye's [*phonetic*] son, who is also impacted by that. I think it's Bill Kaye himself. Interestingly enough, Bill Kaye was the reeve of the municipality when the agreement between Duff Roblin and the municipality was done to ensure that people were properly compensated for flood damage, and that the area was also compensated for inundating all of that land.

You know, Mr. Speaker, when you look at the master agreement that was signed by the then-premier, Duff Roblin, the people of the communities, through their Reeves and mayors, that agreement, to this day, has never been lived up to. Now, what would other places in this province say if the premier of the day put his signature to a document, and because of subsequent governments, those agreements were never lived up to?

Mr. Speaker, when we were in government, we moved significantly forward to address many of those deficiencies that were not lived up to during that time. I'm going to name those deficiencies that were lived up to. We created what was called *SAVED*: the Shellmouth, Assiniboine Valley development corporation, to which we could flow funds from the Province to address economic development along both sides of the valley to ensure that there was mitigation for the people who were

removed from that area as a result of flooding, and the communities that were literally destroyed because they were cut off from civilization.

Mr. Speaker, we moved a long way, but since we left government I would have to say that very little, if anything, has been done.

Now, yesterday, the Minister of Conservation (Mr. Struthers) announced three areas of cottage development around the lake. But, Mr. Speaker, if you look at the master plan for the Assiniboine Valley and the area surrounding the Lake of the Prairies you will find that indeed there were many, many more fairly significant developments that were talked about by the government, were committed to the people of the area, and money was supposed to flow to an economic development agency to ensure that there was, indeed, economic development. Now, through a long-term agreement, this government is still compelled to spend money toward economic development through the SAVED organization, but it is a pittance in terms of what is really owed to the area.

Mr. Speaker, we have other ills in this province where other organizations and other communities have seen governments renege on their commitments, but this is one area that impacts on a huge area, and is a huge economic impact.

Now, I have to say that I commend the government for at least noting that this particular area has suffered, and that this particular area hasn't been treated fairly, by bringing in a bill of this nature. But, Mr. Speaker, when I look at the eligibility criteria and all of the things that the people who own land have to go through in order to get compensated for the damages that they have incurred, it may work in the Red River Valley, but this is not a formula that's going to work effectively for the people in the Shellmouth Dam area and below.

Mr. Speaker, we shouldn't underestimate the importance of the Assiniboine River to the fresh water that we have in our province, because every day of the year this river makes its way through the province it contributes significant fresh water to the users downstream. From its head, which is just north of the area that I live in, right through communities, whether it's the community of, well, Shellmouth to begin with, Russell, St. Lazare, and you can go through Miniota, Virden and all the areas downstream. Brandon is a big user of water out of the Assiniboine River. It also dumps a huge amount

of effluent into the river, which then makes its way out to Portage. They clean it up; they use the water, and then they add more effluent to it and they send it into Winnipeg, where, again, it's going to be—and then we're going to try—well, if you were to fly into Winnipeg with a small plane—and I've done this, we've flown in from the west in a small plane in July—the Assiniboine River in the city of Winnipeg is green. If it's low enough, you can actually see the pipes that stick out into the river from the effluent that's being dumped.

I would have to tell you I doubt whether much of it is being treated properly that is going into the river. But that is not for me to judge. I think, when you look at the colour of that river that winds its way through this beautiful city, you have to ask yourself the question, what is going on with the river when it starts to enter the city of Winnipeg? Why does it turn so green as it winds its way through this beautiful city?

Mr. Speaker, the Assiniboine River is a source of water that is important to every single Manitoban. It is the only river in Manitoba that the government and we as Manitobans have control over. If you look at what happens in the Red River, we don't have much say as to what happens to the waters that come into the Red River. We don't have much say as to what happens to the waters that come into the Souris River, but we certainly have a lot of control over what happens with the Assiniboine River because that river is largely within the jurisdiction of Manitoba. It doesn't flow out of Manitoba into another jurisdiction. It stays in the boundaries of this province and then is flushed out into Lake Winnipeg and, indeed, into Hudson Bay.

Therefore, if we are going to control the health of Lake Winnipeg, we had better look at controlling the health of the Assiniboine River because it is an important contributor of fresh water to our province, to this city and, indeed, to Lake Winnipeg.

Mr. Speaker, I want to go back to the importance of then ensuring that people who live along the river just downstream of the Shellmouth Dam are also given due consideration when they are impacted negatively by the amount of water that we as a society, government through the department of water resources or Water Stewardship, want to hold back behind the dam or how much they want to let out at a particular time of the year because of either excessive amounts of water or shortage of water. When those people are impacted along that river,

there has to be adequate compensation for them, because it is no fault of theirs that the government, whoever the government is of that day, has to make decisions that impact on those people.

I go back to the '90s when we had a discussion around the Cabinet table regarding this important area. It was at that time that there were suggestions coming forward that perhaps government should be looking at purchasing all the land in the Assiniboine Valley between Shellmouth Dam and Highway 16 and beyond, and then renting that land, leasing that land back to the producers who live in the area. If there is a flood, at least then those people are not out the cost of the capital cost of the land and then can continue on with their lives. *[interjection]*

I'm hearing squawks from across the way, Mr. Speaker. The Minister of Infrastructure (Mr. Lemieux) has his own problems. I don't think he needs to get into this one. But I can say this, why didn't governments achieve that? Well, some things called elections come around, and at which time the agendas of people change because a different party comes in to govern the province, and that's exactly what happened.

This government has an opportunity right now, right now, because they've got three more years to be able to address this issue and then negotiate with the people along the Assiniboine Valley for something that is equitable, for something that is right and for something that is humane for the families who live in that area. This just isn't a matter of saying, well, this land is flooded, so what? This is what people make their living on. This is what families are fed on. This is what livelihoods depend on.

* (16:40)

When I speak to this bill, I speak with some knowledge about the area. I speak with the experiences that I have witnessed, people having as a result of the regime of that dam and how it's managed.

The other issues that I have to mention are the professionals that have been taken away from that area who have dealt with the regime of that dam. This is a pretty significant structure in our province. Can you imagine a structure of this nature where sometimes through the night when you have excessive rainfall or excessive water coming in decisions have to be made with regard to either closing or opening the floodgates of that dam; the person who operates this, because of choice, decides

that he doesn't want to live in the area, but now is housed in Dauphin, well over 100 miles away.

Why is it that kind of a director for water resources, housed right in the area, where the regime of that dam has to be controlled? It is up to government to assign that kind of an individual to that area, but government has chosen instead of filling the position that was vacant for that area in that region have decided to leave that position in Dauphin.

Mr. Speaker, I wonder whether that is political or whether, in fact, there is a will of government to ensure that those people who have to oversee something as important as a structure and the regime of it, should be living right in the area where they can communicate with the reeves and the councils who live in that area and also with the advisory board from along the Assiniboine Valley.

Can you imagine anything so ridiculous as having people who perhaps are in control of structures here at the river, the floodway, not living in Winnipeg but perhaps living somewhere in North Dakota or living in Portage or living in Brandon? I don't think that would be acceptable to the people of the city of Winnipeg and neither would it be acceptable for us as legislators. It shouldn't be acceptable to the people in the Shellmouth area to have the person who is responsible for the controls of the dam to be living in Dauphin.

When we were in government, not only did we have those people living right on-site but we also had the fish biologists living right in the area, because this has become an important fishery in the area and it is an important fishery today.

Do you know that the fish biologist was taken out of the area, and why? Why was a fish biologist removed from that area and now the fish biologist is coming from where? He's coming from Dauphin. The fish biologist is coming from Dauphin. He doesn't live in Roblin; he doesn't live along the Lake of the Prairies. He's living in a remote area in Dauphin, but is supposed to be the biologist dedicated to look at and manage the resource in the Lake of the Prairies. It gets worse and it gets worse.

The Minister of Conservation (Mr. Struthers), last year, huffed and puffed about the development that's going along Lake of the Prairies. Well, he really had nothing to do with it. He was a Johnny-come-lately. This was a Johnny-come-lately government that saw development happening by

private developers, mind you. Private developers were developing cottage development sites along Lake of the Prairies, doing a proper planning process, entering into proper arrangements with municipalities to ensure that they had adequate water, that they had adequate sewage disposal and contributing to municipalities for enhancing their structures, their infrastructure to handle the effluent.

Well, here comes the Minister of Conservation from Dauphin, and he's going to huff and puff about starting three new developments along Lake of the Prairies. Great. Now, he didn't go to private developers and say, look, fellows, why don't you develop a cottage development here, there and there? Do it like it's been done before and then you're responsible for entering into your agreements with municipalities for effluent.

Well, no, the government was going to do it. Well, today we have cottage development along Lake of the Prairies owned by the government, but is there a plan for the effluent disposal? No. No, you dump it in the lake. Then they squawk in the House about protecting Lake Winnipeg, and where does the Assiniboine River flow? Into Lake Winnipeg.

Now, today I heard an interesting term in the House. I heard the Premier (Mr. Doer) of this province refer to the hog farmers in this province, in the Red River Valley he referred to that whole area as hog valley. We have a new term in this province now. Mr. Speaker, never, ever have I seen a Premier get down into the gutter so deep that he has had to accuse an area of being hog alley or hog valley or whatever—I'm not sure whether it was hog valley or hog alley. But, nevertheless, that is not a complimentary term to any region of our province. It's an important economic development area.

The Red River Valley is an extremely important economic engine in this province and for somebody to denigrate that area by referring to it in a derogatory way is just not right. He says who are you going to support? He asked the question, who were you going to support? Are you going to support us as a government protecting the water of this province or are you going to support the hog alley? As if those people have no conscience, no desire to ensure that the water that we have in our province is safe for drinking, safe for recreation use, safe for the users of Manitoba.

I have to tell you, Mr. Speaker, that no other industry in this province is more concerned about good drinking water, safe drinking water, an

adequate supply of water, making sure effluent is disposed of properly than the hog producers in our province.

There isn't one example, not one example that this government can point to, that anyone can point to, of a hog lagoon polluting a water stream, polluting some land or polluting an neighbour's water system. Not one example in all of the hog barns we have but, Mr. Speaker, I can tell you that the lagoons that the government has responsibility for are leaching into the water. They, in fact, are creating salt zones around the lagoons and communities, and the government is not paying any attention to it. Why? Because we're government.

Mr. Speaker, that's exactly the attitude the Minister of Conservation had when I asked him the question about why he didn't enter into an agreement with the municipality of Shellmouth, Bolton, Shell River, Roblin or San Clara, for that matter, in terms of getting rid of the effluent from the cottage development sites that he approved.

Mr. Speaker, he told the municipality himself, well we really don't have to because we're government. Can you imagine? That's quite an attitude.

Now, Mr. Speaker, the Minister of Conservation, I don't think he personally is a bad individual, but he has the thumb of government over him and all he can do is mimic what he is being told by his masters.

Mr. Speaker, to date the people who have developments at Bodnaruk Hill, for example, where are they putting the effluent? Are they supposed to dump it in the lake? Where are they supposed to put it because the Shellmouth, Bolton sewage lagoon is full.

An Honourable Member: It's leaking.

Mr. Derkach: Shell River—no, that one isn't leaking. Shell River's is leaking and it's full. Roblin's is leaking and it's full, and there's no capacity in those lagoons.

Well, you know what the minister told me? Yeah, but we're building one in San Clara. Well San Clara happens to be about 75 miles away from the lake. Now he expects that these cottage owners that are now—bought these cottage lots from the government—are now going to have sewage trucks hauling sewage 75 miles to a lagoon that isn't built

yet. Well I think it might be built now. I'm not sure. It might be completed now.

Now, when you talk about meeting the goals of Kyoto, does it make any sense to be having diesel trucks moving sewage 75 miles? Mr. Speaker, I ask the minister when you're looking at these kinds of issues, perhaps instead of putting the cart in front of the horse, we should do it the other way around and ensure that there is capacity for sewage when we put out cottage developments, indeed, that there are agreements in place between the developer, in this case the government, and the municipalities for that kind of an issue.

* (16:50)

But, Mr. Speaker, coming back to this bill—*[interjection]* Well, this is all relevant because it's all the area. What really happens here is there's a potential for contamination of the water that flows out of the dam onto the lands of the farmers below and then contaminating their water sources as well. So there's a real connection here. Maybe the Minister of Conservation (Mr. Struthers) doesn't understand it, but every one of these farmers has a water well that he draws his water out of in order to sustain his family farm, and if those are polluted by water coming out of the dam, which is itself polluted, then that causes a problem as well.

Mr. Speaker, the bill, in itself, has a good title to it. I can agree with the title because it says that we are going to look after those people who are negatively impacted by flooding or by the regime of the dam, artificial flooding, and to that I can agree.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, it wasn't my intention, when the minister actually introduced Bill 27, to stand up and speak to the bill, but I thought it was rather important that I do for one reason. I sat and listened to the Member for Russell (Mr. Derkach). I listened to the Member for River Heights (Mr. Gerrard), my leader, talk about this particular bill. I even sat and I listened to the introduction of the bill by the Minister of Water Stewardship (Ms. Melnick). But what I had noticed is that, as soon as the minister finished introducing the bill for second reading, she walked over and she talked to the Minister of Conservation, as he gives the thumbs-up in terms of acknowledgment.

I don't know, she might have been listening to what the Leader of the Liberal Party was saying about it. I can't really say, for sure. But what I do know is that, when the Member for Russell (Mr.

Derkach) was standing up, for the last 30 minutes, the minister was definitely not listening to a word that the Member for Russell said.

Mr. Speaker, why I think it's important is because I think there's an issue of respect. Could you imagine if I, during private members' hour, or any member during private members' hour who is in the opposition bench, introduced a bill in second reading and then after introducing the bill in second reading, walked out of the Chamber. If I was to do that, I suspect that the government would be the first people on their feet, saying and pointing fingers, where is the Member for Inkster; he introduced an important bill.

I think there's a common courtesy that needs to apply inside the Chamber, that courtesy being that whether you are a backbencher, a member of the opposition or a minister and you bring a resolution or you bring a bill, government or private member's, that there is an obligation on the person that's moving it to at least listen to what is being said.

I don't want to say anything that would be in violation of our rules, so I'll leave it at that, Mr. Speaker. Having said that, I learned a great deal from the Member for Russell because I was here and I listened to what he had to say. I appreciate the differences, as a result of listening to the Member for Russell, in terms of the explanation about the difference in the Red River Valley versus the Assiniboine River Valley. I learnt something by listening to the Member for Russell. I appreciate the fact that this bill has a huge impact on him and how I believe he stood and talked about the bill because he wanted to share with the minister his concerns as an area MLA who is probably more aware of that particular issue than most if not all MLAs sitting in the Chamber.

So I would suggest, Mr. Speaker, even from the Leader of the Liberal Party who talked about the need or do we expect to see other pieces of legislation for every dam that's in the province or any future dam—the Leader of the Liberal Party brought up very important issues. I trust, and I hope now that we will have a minister who will have someone from within her department at least read what the comments were. You might not necessarily agree with the comments, but I think it's important that you at least listen to what is actually being said and talked about inside the Chamber, even if you believe that what is being said is not accurate or whatever it might be, much like, in the past, I like to think that

I've always been here to support bills that I've introduced.

Mr. Speaker, the principle of the bill is something which I believe we could see going to committee to hear feedback, but I'm hoping that some ministers, at the very least, will understand what it is that I was trying to say by standing and speaking on this bill. Thank you.

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

An Honourable Member: Question.

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

Motion agreed to.

**Bill 29—The Business Practices Amendment Act
(Disclosing Motor Vehicle Information)**

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Conservation (Mr. Struthers), that Bill 29, The Business Practices Amendment Act (Disclosing Motor Vehicle Information); Loi modifiant la Loi sur les pratiques commerciales (communication de renseignements concernant les véhicules automobiles), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Selinger: I'm very pleased to speak today on Bill 29, The Business Practices Amendment Act (Disclosing Motor Vehicle Information).

Mr. Speaker, for most people, one of the most significant consumer transactions they will enter into is the purchase or lease of a motor vehicle. In the fall of 2007, Manitobans became aware of the fact that some vehicles, which had been designated as lemons in the United States, were being sold in our province. A lemon designation does not mean the car is defective; it is an important piece of information that could affect the consumer's decision to either buy or lease the vehicle, or it could affect the price they're willing to pay.

Mr. Speaker, in looking into this issue, we concluded that clear rules should be put in place to ensure the consumers are informed not only of whether a vehicle has been designated as a lemon, but also of other important information about the history and status of the vehicle. Consumers make the best decisions when they are aware of all the key

facts; our objective in this proposed amendment is to ensure that they are given this information before they enter into a contract to buy or lease said vehicle.

The Business Practices Act provides that it is an unfair business practice for a supplier that is a business to make false claims or to do or say, or to fail to do or say, anything that might mislead or deceive a consumer. This applies to both consumers who actually enter into the agreement to purchase or lease as well as to potential consumers who may buy or lease goods or services.

Bill 29 will amend the current act to provide that it is an unfair business practice for a supplier of motor vehicles to fail to disclose information set out in a regulation under The Business Practices Act or The Drivers and Vehicles Act.

Mr. Speaker, The Drivers and Vehicles Act regulates vehicle dealers. A dealer who is in the business of selling motor vehicles and sells more than five vehicles in a 12-month period must have a permit issued by the Registrar of Motor Vehicles. Dealers are required to comply with regulations made under the act and, if they do not, they risk having their permits suspended or cancelled.

The advantage of linking The Business Practices Act and The Drivers and Vehicles Act is that the connection will ensure that consumer remedies and penalties under The Business Practices Act will be in place to address any failure by a supplier to disclose the required information.

Additionally, dealers who fail to disclose the prescribed information can lose their permit under The Drivers and Vehicles Act. We believe this will be a considerable incentive for dealers to be very certain that they provide the required information to anyone who buys or leases a motor vehicle.

Following passage of this bill, we will begin work on the regulation that will set out the information that must be disclosed. The first and key step in this process will be a broad-based consultation process with consumers and the motor vehicle industry. The consultation will provide the government with advice and recommendations on the type of information that must be disclosed by suppliers of motor vehicles and when and how the information must be provided.

Mr. Speaker, the government cannot predetermine the results of the comments of consultation process, but, in addition to information as to whether the vehicle has been declared a lemon,

we expect that some of the important disclosure items may include information on the vehicle's status and its history. This may include whether the vehicle qualifies for the Canadian Motor Vehicle Arbitration Plan, whether it was registered and used in another jurisdiction and whether it has deficiencies or a history that affects its use or value.

We believe the proposed bill will be a very effective measure to increase protection for anyone who buys or leases a motor vehicle in Manitoba. It

will help us all to make better decisions and wiser decisions in these important transactions.

I am pleased to recommend this bill for consideration by the House.

Mr. Speaker: When this matter is again before the House, the debate will remain open.

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 14, 2008

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