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of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

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(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 27, 2008

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PETITIONS

Child-Care Centres

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

These are the reasons for this petition:

There is an ongoing critical shortage of child-care spaces throughout Manitoba, particularly in the 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 Tammy Walker, Sheri Prowe, France Kieffert and many, many others.

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

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 Helen Blatz, J. Blatz, Alan Rauhul 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 Rivers Collegiate 35 grades 9 and 10 students under the direction of Mrs. Leslie McFadden. This school is located in the constituency of the honourable Member for Minnedosa (Mrs. Rowat).

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

ORAL QUESTIONS

Bill 37

Public Hearings

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, with evident pride today many members of this Legislature had the opportunity to meet and to listen to the words of Ukrainian President Yushchenko. He spoke today very eloquently about the need for vigilance when it comes to protecting democracy, the willingness on the part of those engaged in public life to be prepared to listen to difficult truths and to be able to engage in hard debate.

I want to ask the Attorney General, who I know with great pride was part of today's events and will be part of the events today, as will members on this side of the House, I want to ask him: Given that Bill 37 is a decided step in the wrong direction, a step away from freedom and democracy, will he acknowledge in the spirit of the day today, the cross-partisan spirit of celebrating democracy, will he acknowledge that Bill 37 is a step in the wrong direction? Will he refer that bill to an all-party committee to go out, listen to the input of Manitobans and amend this bill to take it in the right direction toward democracy, rather than in the wrong direction away from democracy, which is where it now stands?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, one of the, I think, things that the President of Ukraine noted was that we have a vibrant democracy here which allows people to debate and to discuss issues.

We had public hearings yesterday, last night, on Bill 37, where 97 people were signed up, and the standing committee only got to hear from 10, because we got to hear for two and a half hours from

the Member for Steinbach (Mr. Goertzen) on points of order, Mr. Speaker. The first two and a half hours of the standing committee were monopolized.

I want to quote from the standing committee yesterday. The Member for Steinbach said to one of the presenters: Don't you think we'd be better served if members of the public were to take this bill to the public in the form of broad public consultations, perhaps with all parties? The speaker said to the Member for Steinbach: Isn't that what we're doing?

Mr. McFadyen: Also at committee last night, one of the presenters, a retired schoolteacher, when asked about the provisions in Bill 37 that allow a majority controlled government committee to vet communications, when asked how she felt about that, she replied, and I quote: I would have thought that we lived in a free society. That was her response to that question, Mr. Speaker.

I know that the members opposite want to try to rush this bill with ugly haste as quickly as they can through the process. Democracy doesn't work that way, Mr. Speaker. It takes time. It takes consideration. It requires an opportunity for all Manitobans to study the bill, understand the bill, come forward to committee, listen to debate among MLAs, make presentations, be present while amendments are being considered and debated, which means committee hearings in the evenings, during the week, through the amendment phase.

Mr. Speaker, will the minister commit himself to an open process that maximizes the opportunity for Manitobans to participate now that he's said no to broad public consultations?

Mr. Chomiak: By agreement, we asked the other side to sit this week, and we're sitting this week. By agreement with the opposition, we're sitting six hours in the evening. We asked—they put out a press release while we were discussing it, Mr. Speaker. By agreement—*[interjection]* That's what happened.

We agreed to six hours. We're prepared to extend those hours. We're prepared to sit Friday, Saturday, Sunday, Monday, Tuesday, Wednesday, every day of next week, the following week, the following week, to discuss it with the public. But if the Member for Steinbach (Mr. Goertzen) talks for two and a half hours in the committee, we're going to not hear from Manitobans, as the Leader of the Opposition pretends to want to do.

Mr. McFadyen: We know from the minister's rant that they want to move this bill through as quickly as

they can, minimize opportunities for public input, minimize opportunities for the public to be present to listen to the amendment phase, the line-by-line consideration of the bill. I know that's their strategy, because they want to rush it through as quickly as they can.

Mr. Speaker, I hope that the member listened carefully to what President Yushchenko had to say today, that democracy does not happen by accident. It happens through diligence and through the vigilance of all participants in the process.

* (13:40)

This is not a bill to be rushed, Mr. Speaker. There is no urgency in getting this set of amendments passed. We've got three years to get it done before the next election campaign. Why don't they take a deep breath, put it into a process that will allow all Manitobans to participate by holding evening committee meetings Monday, Tuesday, Wednesday, Thursday evenings, to ensure all Manitobans can be present, not only to present but to listen to debate between the members, to listen to the line-by-line consideration, and have input at the amendment phase in the process, or is he going to attempt to do what he just signalled in this House, ram it through by sitting late nights, over the weekends, in the mornings, at times when Manitobans cannot be present, cannot participate? Is he going to embark on the shameful process of closure on this important bill, Mr. Speaker?

Hon. Gary Doer (Premier): Well, Mr. Speaker, I've been here for a few years, and normally it's the practice of all members of the Legislature, no matter what side of the House they're on, to have as the first priority of the committee meeting the public present on legislation.

I was absolutely shocked with the behaviour of members opposite—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We were able to hear the question. Now let's have some decorum so we can hear the response.

Mr. Doer: We know that different parties that have different disagreements will use the House and other means to delay matters, but, Mr. Speaker, to delay the public hearings last night by literally a couple of hours at the expense of people that were waiting to present, normally—I would give some advice to members opposite—they watch the people that are

filibustering in the committee, and, Mr. Speaker, why don't we, when we start tonight, let the public speak?

The members feign interest in public debate. They feign interest in hearing from the public. They only want to sit four days. You know, I think the old biblical saying is God rested on the seventh day. The Tories rest on three days. We're ready to work and hear the public of Manitoba, Mr. Speaker.

Bill 37

Union Exemption from Lobbying

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I was shocked last night at committee to see this Premier (Mr. Doer) of Manitoba attack public citizens who came to speak at the committee. I've never seen anything like that in my life.

Mr. Speaker, in Bill 37, The Lobbyists Registration Act, very broad language is used which exempts unions from the same rules that others have to follow. If this Minister of Justice feels so strongly about regulating people that lobby government, why has he excluded his union friends from Bill 37?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, they're not excluded from the bill except for the purposes of during their collective bargaining. Otherwise, they're considered part of the bill, and members could have asked that if they would have not been filibustering so much yesterday.

Mrs. Driedger: Actually, Mr. Speaker, the minister is wrong. Unions can talk to the government at any time about the administration of a union agreement, and they don't have to follow the same rules as everybody else. The definition of administration is so open-ended that it could mean anything at any time.

So I'd like to ask this minister why he has given his union friends a free pass on this legislation.

Mr. Speaker: Order. We must be able to hear the questions, please, okay? The honourable minister has the floor.

Mr. Chomiak: We make no apologies. This is the first attempt by our Legislature to have lobbyist legislation. We looked at other jurisdictions. We took other jurisdictions' wording. If the member has amendments or wording that she wants to put, she can, and we'll consider it. We've said this is an open bill. This is a process that's never been done before.

But that won't happen if the Member for Steinbach (Mr. Goertzen) and members keep filibustering the committee by raising points of order for two and a half hours. We can't even get to clause-by-clause to hear those amendments, Mr. Speaker.

But we're open to hearing any viewpoints or amendments. If the member has an amendment, we will consider it. If the member thinks it's too tight, we'll loosen it. If she thinks it's too loose, we'll tighten it. This is a first-of-its-kind legislation. We're prepared to learn as we go along in this, Mr. Speaker.

Mrs. Driedger: Mr. Speaker, the broad language that the government used excludes union and leaves the impression that there are different rules for the unions. Businesses have to report; unions don't.

So how democratic is this? Why aren't the rules the same for everybody? If this minister believes in democracy, why doesn't he get this right in the first place? Why does he leave the wiggle room for his union buddies?

Mr. Chomiak: We're prepared to entertain any amendments that'll deal with the so-called unfairness. As government, we're also employers. *[interjection]* Mr. Speaker, the members, if they don't want a lobbyist bill, that's fine. We're putting through a lobbyist bill. We want to hear what the public has to say. We want to hear what they have to say so that we have fairness in the province of Manitoba.

I'd also like to indicate that in B.C., when they crafted the bill, the first person charged under the bill was the former assistant to the Premier who didn't realize that by going to the city of Vancouver he was charged under the bill. They were going through new ground in doing that, Mr. Speaker.

This is a learning process. We don't have a lot of lobbyists in Manitoba, but we want to make sure that we do it right. I'm happy to hear any presentations if we can get to presentations with this group.

Bill 15

Consultations with Organizations

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, Bill 15, the, so-called Climate Change and Emissions Reductions Act, is currently before the committee of this Legislature. Last night we heard from several presenters who represent a number of stakeholders in our community that they were not properly consulted when it came to this bill.

Mr. Speaker, when I asked David Adams, president of the Association of International Automobile Manufacturers of Canada, who will be hurt the most by this bill, he said, and I quote, the environment. Mr. Speaker, why? Because when this government tries to control the car dealer business in this province, consumers in Manitoba will purchase their cars in other provinces which offer more choice. This bill will do nothing more than drive business out of Manitoba and do nothing to decrease overall greenhouse gas emissions.

Will this government admit that this bill is nothing more than a feel-good, sound-good bill that won't actually make any real reductions in greenhouse gas emissions in this province?

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): I was hoping that the member was listening to all the presenters. Mr. Speaker, a number of presenters talked about meetings they had with myself, my deputy or my department, participation in climate change workshops that were held around the province with multiple stakeholders. I remind the person opposite that 37 percent of the emissions in this province are caused by transportation and as the Lung Association said, we want to have a cleaner environment, a more appropriate environment, and we want to make Kyoto.

I know members opposite said that they didn't believe in climate change, they didn't believe in improving the environment, they didn't believe that there was any scientific proof that pollution is bad, but we know that we want to be leaders in the country. We want to work with partners and that's what we've done, Mr. Speaker.

Mrs. Stefanson: I think we all want to see a reduction in greenhouse gas emissions in this province. What we question is the way that this government is attempting to achieve that. There is a theme with this government: come up with a feel-good slogan, attach it in front of a sound-good bill and send out a feel-good and sound-good press release. Well, Mr. Speaker, things that feel good and sound good do not necessarily make anything real good, and I know that's not good English.

Why did the government refuse to consult with these people, and by consulting I mean not just round-table discussions, et cetera, Mr. Speaker; I mean really listening to these organizations.

Mr. Rondeau: I think the member opposite should talk to the Member for Russell (Mr. Derkach) who is agreeing with the Canadian Taxpayers Federation that there was no problem with climate change. There was no climate change and no problem with pollution, and so the members opposite should get together.

But you also should note, Mr. Speaker, that a number of the presenters talked about their consultations. They talked about province-wide consultations. They talked about working with Dr. Axworthy and others as far as sector consultations. They talked about meeting with the deputy minister. They talked about meetings with myself.

They talked about all this, and then we talked about the bill which is having a committee that's from the industry, from the community, that's giving advice on how to make it feasible to implement the bill. That's progress, Mr. Speaker.

* (13:50)

Mrs. Stefanson: Mr. Speaker, Bill 15 is nothing more than an attempt for this government to say they are trying to do something without actually having to do the work, Mr. Speaker.

Mr. Speaker, the bill calls for the government to reach 5 percent of their Kyoto target by 2010, leaving the other 95 percent for the remaining two years which coincidentally happens to be after this Premier's fixed election date.

If the Premier is so serious, Mr. Speaker, about reducing greenhouse gas emissions and about reaching his target, why is he waiting until after the next election to do so? Why is he planning on waiting until after the next election?

Mr. Rondeau: Mr. Speaker, I know the climate change plan has only been out for six weeks. I know it only has 60 different actions versus vehicles, green buildings, geothermal, all the energy efficiency. I know we're leaders in energy efficiency. I know we're moving forward in a green economy to build wind farms. I know we're working on more demand side.

The members opposite should take the time to read the green plan because it was noted by a number of experts, third-party experts, it's the best plan in the country. It's leading not only Canada but most jurisdictions in the world and I'm proud of it.

You may be deniers. We're moving forward and I'm proud to be a government that has a plan in moving forward expeditiously.

Bill 34 Priority of Child Safety

Mrs. Mavis Taillieu (Morris): Mr. Speaker, last night in committee we heard a presentation from a foster parent who said that he feels children have been removed from his home on the basis of culture. As a foster parent, he supports the idea of reuniting children with their families but never at the cost of their safety and well-being.

Bill 34 will make safety the prime consideration when determining a child's best interests, but how does the minister plan to ensure that all front-line workers and agencies fully understand and adhere to the directive? It's not just as simple as putting language in a bill, Mr. Speaker.

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I had an interesting discussion with the presenter. He has been in the media and confirmed last night that, in fact, there was a breach of the licence, so that's why it was removed. It was a breach of the rules, not because of culture.

But on the main question, Mr. Speaker, it's important that the House support the bill that's currently before committee. We think it's very important that we send a very clear, unequivocal message for all Manitobans and to the front line, backed up by training and standards, that safety is job one. Nothing can trump it.

Mrs. Taillieu: Mr. Speaker, I also spoke to the foster family last night and know that those two separate incidents were indeed separate.

Mr. Speaker, the foster parent who presented at committee last night said he and other foster parents have been threatened. Workers have said to them: Well, we can always move the child if you don't co-operate.

How is Bill 34 going to address this serious and apparently widespread attitude among the agencies?

Mr. Mackintosh: Mr. Speaker, we also had a discussion, a follow-up with the presenter. If he had any families that had concerns, we would certainly be prepared to listen to those families. He did relay a situation of one other family where a child was being removed to be returned to the grandmother.

So there's questions as to whether that is just culture at play or, in fact, a family reunification.

But the legislation, Mr. Speaker, is what's first and foremost before this Legislature. It's important that the signal be clearly sent. There's no room for confusion: Safety, job one, period.

Mrs. Taillieu: Mr. Speaker, I do know that the minister did speak to the family after he saw me speaking with them.

Mr. Speaker, Bill 34 is a step in the right direction—after all, we did suggest that—but it means nothing if it's not backed up with concrete action. This minister has to do more than just talk the talk for a change.

It is the failure to make safety a priority in practice that cost Tracia Owen and Gage Guimond their lives. Will the minister ensure that all children are no longer removed from safe and loving families based only on family interests?

Mr. Mackintosh: Mr. Speaker, the wording of the bills before committee—I just note, in 1997, there was a very clear statement that was made with regard to the child welfare system. The former minister said: The Department of Family Services has introduced standards which require Child and Family Services agencies to place high priority on ensuring that Aboriginal children are placed with family or extended family or other families within the child's community of origin or other families of the same tribal council or region as the child. The department is currently reviewing these standards with the view to further strengthening them to ensure full compliance.

Mr. Speaker, those were standards that were introduced. It's very important, though, that that be within the context of safety being job one. Culture and race may be important, very much so, but nothing more important than safety.

Cree Nation Child and Family Caring Agency Tabling of Section 4 Review

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, I'll remind the minister that this is 2008 and they keep harping about something that happened in the '90s.

Mr. Speaker, last week we asked the Minister of Family Services and Housing about some very serious allegations of gross mismanagement and misspending in the Cree Nation Child and Family Caring Agency. The care of vulnerable children has

suffered as a result of extravagant staff retreats, raises and PR campaigns.

Will the minister table the section 4 review of the agency that was completed just this last week?

Hon. Gord Mackintosh (Minister of Family Services and Housing): In actual fact, I've been advised by the northern authority that the review has gone in final draft form to the agency for its final rebuttal and for its action plans.

Now that's the process. I understand that the entire process is expected to be completed within weeks, Mr. Speaker.

Tabling of Staff Travel Policies

Mr. Stuart Briese (Ste. Rose): Will it be released then? This minister refuses to be accountable for the actions of child welfare agencies. This is happening under his watch. Manitoba children and the families that care about them deserve answers.

Nearly two weeks ago I asked the minister to table the travel policy for agency staff, management and board members. He has had two weeks. Will he table that policy today?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I think the member has forgotten that what was tabled in this policy was a clear directive to the authorities and the agencies in an unprecedented directive that when it comes to the flow of provincial dollars, that is not to go to non-educational, out-of-province annual general meetings, or staff or board retreats.

I understand that there is support for that, indeed, from federal quarters, as well. We certainly are very heartened to hear of that partnership with the federal government, Mr. Speaker. That is absolutely critical.

So that, Mr. Speaker, is the policy and the accountability of this government at work.

Mr. Briese: Mr. Speaker, the minister did, indeed, give me that letter, but it was a policy that seems to have been adopted just in the last two weeks. Was there no existing policy before that time? He can't seem to produce a single travel policy. He won't produce a section 4 review of a troubled CFS agency.

I, again, ask the minister: Why has he refused to table these documents?

Mr. Mackintosh: Well, in terms of the travel policies of the agencies, I understand that the majority of those have now been collected. We'll be providing those in light of the context, though, of a new directive.

But, also, it's also within the context of a directive that travel is to be done in accordance with the General Manual of Administration of the Province of Manitoba when it comes to provincial dollars.

Inland Port Facility Government Strategy

Mr. Hugh McFadyen (Leader of the Official Opposition): On a new topic, and to the Premier. The establishment of an inland port in Winnipeg, Manitoba, is a crucial element in building the economy of the future for our province. The potential loss of that port to another city or province could have impacts for generations to come on our economic position within western Canada, Mr. Speaker.

Now, we know that in past history, distant history, the creation of the Panama Canal dealt a serious blow to trade through western Canada and a serious blow to Winnipeg's economy. Similarly, many experts are saying that the loss of an inland port facility in Winnipeg, in Manitoba, could deal a multi-generational economic blow to our province that could send young people elsewhere and deny us the resources we need for health care and other areas that are important to Manitobans.

I asked the Premier in Estimates more than a month ago what steps he was taking, and he said at the time that he thought it was important to move forward; otherwise we ran the risk of losing it. There's nothing better than an all-community effort and I'll absolutely take you up on your offer.

I just want to ask the Premier: Since that question was put to him some 32 days ago, what progress has he made on this important issue?

* (14:00)

Hon. Gary Doer (Premier): Well, we're working on a scheduling of a meeting with business which they have agreed to host. Secondly, Mr. Speaker, it's part of the discussions we're having with the national government on infrastructure. Obviously, the member opposite is aware of the gap between our position and the federal government's position on the

counting of the floodway. We stick to the original February 2007 announcement.

Mr. Speaker, we already, in our view, have a great deal of success in terms of the assets for an inland port. I talked about this at the Canadian Pacific Railway annual meeting. I talked about it with many other transportation people there. We're putting in assets in Inkster Boulevard. We're putting in assets on the Yellowhead Highway.

I would point out the only thing between Manitoba being an inland port and not is a political decision in Ottawa that's contrary to economic merit. We're the only province with both the CPR—or the only major city with the CPR and CNR going through it. We have the major north-south route, including BN, Burlington Northern railway. We have the railway in the north, OmniTRAX, to the Port of Churchill. We have five out of the 10 major trucking companies in Manitoba.

We have said to the federal government that in terms of provincial priorities, we believe that the inland port is a priority for the provincial government. I have talked about this with the mayor. Just last Friday, we had a meeting on the inland port and we're discussing it with the PMO as we speak.

Mr. McFadyen: Mr. Speaker, we know that there is an intense lobbying campaign taking place across western Canada. The cities and provinces to the west of us are aggressively positioning themselves to take this major asset away from Manitoba, this major potential asset away from Manitoba, and locate it within their jurisdictions.

In the meantime, Mr. Speaker, the Premier talks about closed-door meetings and other steps, but he also makes the comparison, though, to the disease lab and the all-party effort and all-community effort that was used to restore that important asset in Manitoba, and yet 32 days after having raised it with him, not a single sign publicly of progress on the issue.

I want to ask the Premier: Given that we both acknowledge the potential for political decision making to cost Manitoba this crucial asset, will he stop pointing the finger of blame at the federal government who have added \$140 million on other projects including highways, railways to Churchill and other things, and \$300 million in new transfer payments not dedicated to anything, free for him to use on his priorities.

Why hasn't he made it his priority to show political leadership on this crucial economic asset for the future of Manitoba?

Mr. Doer: Well, Mr. Speaker, I remember the same kind of the-sky-is-falling questions from the Leader of the Opposition in dealing with the Canadian Museum for Human Rights. When we were working with the national government and the private sector, the City of Winnipeg, when we were working on that, the members opposite would say, oh, there's no announcement for the last, you know, X number of days. Well, you don't make an announcement until you have one.

Mr. Speaker, we are—[interjection] All the items and projects that the member opposite couldn't get built when he was mayor—we are actually building the general hospital in the city of Brandon. We are building and re-locating the Assiniboine Community College. When the former Tory government announced a private wine store, six of them in Winnipeg, all we heard from the member opposite were the sounds of lambs, quiet, nothing. He's a big talker in here, but when he had a chance to do something as mayor, he did zippo for the people of Brandon.

Mr. McFadyen: Mr. Speaker, I know that the Premier has announced the 14th Street bridge, 14 times in Brandon. I think he made a big announcement around the 18th Street bridge, 18 times in Brandon. He announced the Ainsworth Lumber deal. I know he's got all kinds of—oh, yeah, the Maple Leaf Distillers deal. What was that announcement all about?

I know whenever he thinks he's even got a glimmer of good news, Mr. Speaker, he's out there with a mission-accomplished banner up behind him announcing the good news.

I want to ask the Premier if he would just take a look at his facts and if he's aware of the fact that Sam Katz is the mayor of Winnipeg.

Mr. Doer: If the member can't control his members, I certainly have the right to respond to them. It's not the 14th Street bridge; it's the 18th Street bridge. Maybe we have to announce it a third time to the member opposite.

Secondly, Mr. Speaker, the Brandon General Hospital was announced six times, seven times—I'm sorry, cancelled seven times, but when we did it the seventh time, it is actually completed. I would point out his hero President George Bush was the one that

said mission accomplished a number of days ago. I know the junior Republicans like that slogan. It's not our slogan. We strongly believe—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Let's have some decorum, please.

Mr. Doer: We had a very good meeting with the mayor of Winnipeg, Mayor Sam Katz, last Friday. If merit is going to be part of the federal Cabinet's decision on where they're going to spend the Gateway money, \$300 million for western Canada, then Manitoba will be the inland port.

If we have a CF-18 decision, which we've seen in the past, Manitoba will not necessarily win if politics overrides economic merit. Mr. Speaker, we have economic merit on our side, but we are very vigilant because we have received decisions in the past, like the CF-18, which is determined by political consideration, not by economic merit.

Flin Flon Health Assessments Tabling of Report

Hon. Jon Gerrard (River Heights): Yesterday I raised concerns about the higher than expected numbers of cancers in Manitoba compared to Alberta. One of the reasons for the higher numbers of cancers might be an association with specific sites. For example, last year there were major concerns about pollution and toxic metal contamination in Flin Flon.

I called on the Minister of Health (Ms. Oswald) then to ensure that there's a study of the health of people in Flin Flon, a study which would include data on the number of cancers that have occurred in people in Flin Flon.

I ask today: Has the minister completed this study and will she table it today?

Hon. Stan Struthers (Minister of Conservation): Indeed, the process is unfolding as it should when it comes to the health assessment. More so than that, Mr. Speaker, we've worked with the mayor and the administration at the City of Flin Flon to make sure they were moving forward in terms of protecting children who play at the playgrounds that were part of the tests that the Department of Conservation had done in the first place.

We're working very proactively with the mayor, with his council, with the people of Flin Flon, and I

want to reassure the Member for River Heights that that health assessment is moving forward.

Mr. Gerrard: I called for a look at the health of people, not a measure of whether there were toxic metals in rabbits or berries and things like that which is what his health assessment is about.

I table today number data on the number of people with brain, kidney, bladder and lung cancers in Flin Flon for the period 1996 to 2005. The data show that the incidence of kidney, bladder and lung cancers is higher in Flin Flon than it is in the rest of Manitoba. The result of this occurring by chance would be less than 1 in 50.

I believe it's important for people in Flin Flon that the minister completes a real health study of the health of people in Flin Flon. When will the Minister of Health (Ms. Oswald) provide this study?

*(14:10)

Mr. Struthers: Well, Mr.—

An Honourable Member: It should be the Minister of Health. This is a health issue.

Mr. Speaker: Order.

Mr. Struthers: The Member for River Heights (Mr. Gerrard) should open his ears and listen to the answer.

Mr. Speaker, I very clearly said that it's a health assessment. It's a health assessment that is part of the normal process that unfolds in these sorts of situations. It's a health assessment done in conjunction with the people of Flin Flon. Now, maybe the member across thinks he knows better than the people that live in Flin Flon, who actually live in that community where the tests were done.

We're working proactively to prevent the contact between children and the metals that the member is concerned about. We're doing that, Mr. Speaker. We're going to continue to do it so that we can protect the people who live in that community.

Community Police Stations Closures

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, we'll all remember NDP promises: We're doing more to make our communities safer and stronger; No. 4, our priorities for the next four years, safer communities.

Mr. Speaker, in Winnipeg's North End, the McPhillips community police office is closing. This

is going to have a significant impact on the issue of safety and crime in our northern communities in Winnipeg.

I've got to ask the question to the government: How is—*[interjection]*

Mr. Speaker: Order.

Mr. Lamoureux: —closing community—on a point of order, Mr. Speaker.

Point of Order

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

Mr. Lamoureux: Mr. Speaker, on a point of order. The Member for Wolseley (Mr. Altemeyer) sits virtually right beside me. I am attempting—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. When a point of order or a matter of privilege is raised, I need the co-operation of the House because I need to hear every word that is spoken because at the end I have to make a ruling. So I'm asking the co-operation of all honourable members.

The honourable Member for Inkster, up on a point of order.

Mr. Lamoureux: Mr. Speaker, the Member for Wolseley sits right beside me. It is quite annoying when I'm trying to ask a question and four feet from me this member is yelling. It's like the mosquito that just won't go away. I think he needs to be taken care of.

Mr. Speaker: Order. On the point of order raised by the honourable Member for Inkster, I want to take this opportunity to point out to all members that it is very important for all of us to hear the questions and the answers. So we need the co-operation of all honourable members, please.

* * *

Mr. Speaker: The honourable Member for Inkster has the floor.

Mr. Lamoureux: Thank you, Mr. Speaker. My question is a very important question. The NDP promised safer communities. Community police offices will be closed.

My question to the Minister of Justice: How does he reconcile, Mr. Speaker, the fact that you're

closing community police offices and promising safer communities? How do you reconcile that, Mr. Minister?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, our commitment, of course, is we've increased police officers for the city of Winnipeg by over a hundred. The City of Winnipeg police chief and council and the Police Service and the public recently made a number of changes, and I'm quoting from it, done by the chief of police: Many of these changes came as a result of the input from our members, et cetera. We've established a community support unit in each of the services, six uniform patrol districts, staffed with a total of 67 members. These units will take over the problem solving that represents much of district workloads. The main responsibility will be building relationships. There will be extended hours. There'll be alternative telephone response. There'll be tactical support units. There will be expanded service centres, Mr. Speaker, expanded hours, and there will be officers on the street.

The City of Winnipeg police chief I have confidence in has restructured to provide more community supports to the community. I think, if he has problems, he should pick up the phone and talk to the City of Winnipeg police chief because he's happy to talk to anybody, but the member should also consider the fact that he—

Mr. Speaker: Order.

Immigration Statistics

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, my question is for the Minister of Labour.

We promised to increase immigration by a thousand people each year. We have reached our target of 10,000 people a year.

I wanted to find out from the minister how we're doing in terms of going forward with our goal of reaching 20,000 people a year, and our goal right now of adding a thousand people each year.

Hon. Nancy Allan (Minister of Labour and Immigration): The Leader of the Opposition (Mr. McFadyen) said that this was a waste of time, but we here in Manitoba don't believe that having an immigration strategy to grow our province and grow our economy is a waste of time, Mr. Speaker.

We're pleased with the numbers that we have reached in regard to growing our immigration

program. We are going to hit 11,000, Mr. Speaker. We are very, very pleased that one of the unique parts of our immigration strategy is having an immigration program outside of an urban centre, outside of Winnipeg. Twenty-three percent of all of the provincial nominees that come to Manitoba go to communities like Steinbach, Winkler, Morden, Thompson. So we're proud of our immigration—

Mr. Speaker: Order.

Dry Soil Conditions Effect on Agriculture

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, southwest Manitoba is experiencing extremely dry conditions. There's been very little rainfall even since last summer and virtually no run-off this spring at all. We're near June and cattle producers in this area are still feeding hay because their pastures aren't growing and dugouts are drying up.

Crop producers are also deeply concerned about soil moisture levels and their ability to generate a crop at all this year.

Mr. Speaker, can the Minister of Agriculture (Ms. Wowchuk) tell affected producers if she recognizes the serious situation unfolding in southwestern Manitoba and, if so, what's she doing about it?

Hon. Stan Struthers (Acting Minister of Agriculture, Food and Rural Initiatives): Well, Mr. Speaker, I'm very proud of the work that my colleague the Minister of Agriculture has done to work with farmers, with the Keystone Agricultural Producers, with others, with the Manitoba Cattle Producers Association, with a whole number of groups, including the Association of Manitoba Municipalities. *[interjection]*

Well, the museums in southwest Manitoba probably thank us for the work that we're doing in terms of making sure that there is a critical mass in our communities that make sure that farmers are in a position to make some money and spend back into our small communities, because, Mr. Speaker, the Minister of Agriculture is working very hard with all those involved to make sure that the kind of support to farmers is readily available.

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

Before moving on to members' statements, I just want to remind all honourable members that there is

agreement that, right after question period and on, there are to be no recorded votes and no quorum calls. That's already been agreed to by the House. Just a reminder to the House.

MEMBERS' STATEMENTS

2008 Manitoba Women Entrepreneur of the Year Awards

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, on May 22 I had the pleasure of attending the 2008 Manitoba Women Entrepreneur of the Year Awards, where extraordinary women were honoured for their excellence in the business community.

This annual gala began in 1992, and it is hosted by the Women Business Owners of Manitoba. This non-profit, independent organization promotes women entrepreneurs while providing education and mentorship for women in business. The awards are an opportunity to celebrate Manitoba's best talent and showcase individuals who are a source of inspiration for other women in our business community.

Nine awards were given out during the evening, including the Overall Woman Entrepreneur of the Year, with the various categories showcasing the achievements of women in current and emerging business practices. Congratulations to Lew Bayer, Nadine Coubrough, Claudette Griffin, Michèle Lécuyer-Hutton, Karen McMechan, Tara Potter and Kristina Poturica, who were all recipients of awards.

In addition, Mr. Speaker, I would like to congratulate the talented women who were finalists for these awards. All these women deserve recognition for their courage, dedication, innovation and bold entrepreneurial spirit exemplifying great business leadership in our province.

* (14:20)

Finally, I'm very pleased and proud to announce that the 2008 Manitoba Women Entrepreneur of the Year was in fact, yes it was, my sister Elizabeth Gage, who also received the Building Business award. Our family has witnessed the fantastic work Liz has done in her advertising and marketing agency, PCM International. Her company continues to grow with offices in Winnipeg, Vancouver and Toronto, and new offices planned for Montreal and Calgary. My assessment may be slightly biased but Liz is certainly deserving of this recognition, and I wish her great success in the future. Liz, Mom and Dad would be very proud of all that you have achieved. Way to go.

I would like the members of the House to join me in congratulating all the great women who are finalists and recipients of awards this year. In addition, I would like to thank the women business owners of Manitoba, volunteer supporters and sponsors, who all come together to create this wonderful event where the achievements of women entrepreneurs are showcased. It was a terrific evening and celebration of the many women in our community. Thank you very much, Mr. Speaker.

National Day of Healing and Reconciliation

Mr. Doug Martindale (Burrows): Mr. Speaker, I rise today to recognize the National Day of Healing and Reconciliation, a movement meant to effect healing and reconciliation among all races, creeds and denominations across Canada. Held annually on May 26, this day is based on the acknowledgement of our painful history, building peace through understanding, and a commitment to move forward collectively.

Mr. Speaker, the National Day of Healing and Reconciliation is dedicated to fostering awareness and understanding between people of various cultures and ethnic groups who have experienced injustice throughout their history in Canada. The intention behind this national day is to provide Canadians with an opportunity to educate themselves about their collective history and the government policies that impacted Aboriginal communities and other ethnic groups.

As Canada as a nation continues to embark upon the process of reconciliation with Aboriginal peoples for the painful history of residential schools, the churches who ran the schools have also been working towards healing with First Nations people. The United Church of Canada, for example, issued a formal apology to Aboriginal people for its role in residential schools 10 years ago, in 1998. Since that time, the church has worked to spread awareness of this part of its history. The church has set aside the period between the National Day of Healing and Reconciliation until National Aboriginal Day on June 21 to uncover the wounds of the past and to work towards healing and reconciliation in our society, especially with First Nations people.

Mr. Speaker, in order to heal past wounds, it is important to acknowledge and understand our collective history. The numerous events held across Manitoba to commemorate this year's National Day of Healing and Reconciliation are an important step in this process. I applaud all of the individuals

involved in organizing these events. Their leadership and vision are furthering our awareness and fostering understanding between cultural groups. They are truly an inspiration to us all.

McKinny Family

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, Manitoba was built on strong agricultural and conservation traditions. Despite adversities, many farm families remain dedicated to the way of life that they love. Today I would like to recognize one such family.

The McKinny family of the R.M. of Arthur has been recognized as the 2007 Conservation Farm Family of the Year by the Turtle Mountain Conservation District. I would like to take this opportunity to congratulate Bill and Shirley McKinny and their family for this well-deserved honour.

The McKinnys operate a mixed farm located five miles west of Waskada, on the west side of the Waskada Creek. They began experimenting with direct seeding methods in the '60s to conserve ground moisture for their crops. They used air drills, which allowed a greater clearance, leaving higher stubble to catch more snow and slow down the water leaving the fields in the spring, also leaving the local wildfowl habitat undisturbed. Spring waterways have been sown down to grass to reduce soil erosion. Also in the '70s, different species of trees were planted as shelter belts around the farm. Their pastures are supplemented with tame paddocks, which protect the native grass pastures from overgrazing and drought, thereby extending the grazing season. Many rare native grasses, flowers and endangered birds such as the burrowing owl and ferruginous hawk can be found in the McKinnys' pastures.

Bill and Shirley know what it takes to overcome adversity. They are leaders in their community and industry, yet know and respect the value of keeping the family first.

My family is proud to know the McKinnys personally. My father and Bill shared many hours swapping ideas and visions for bettering farming practices.

Mr. Speaker, I commend the McKinny family on their innovative ways to promote conservation and

the environment as they've done through their farm, known as McFamco Ltd. I congratulate them once again for being awarded the 2007 Conservation Farm Family for the Turtle Mountain Conservation District. Thank you.

Canadians Helping Kids in Vietnam Fundraiser

Ms. Jennifer Howard (Fort Rouge): Mr. Speaker, I was very pleased to join my honourable friend the Member for Wolseley (Mr. Altemeyer), whose company I found enjoyable and not at all annoying, at a recent fundraising event for Canadians Helping Kids in Vietnam. We were treated to a wonderful evening, including a delicious dinner and a very entertaining fashion show. Founded in 1995, this organization's mandate is to improve the lives of children by building schools and supporting desperately poor families in Vietnam. This grass-roots movement was started in Winnipeg by Vietnamese refugees seeking to help families and children in their homeland.

The school construction program is funded by the organization's annual dinners, spring roll sales and donations. To date, they have completed construction on seven schools in Vietnam. The schools operate two shifts each day to accommodate as many children as possible. Part of the evening included a presentation by local donors on their recent trip to Vietnam, where they visited some of the completed schools as well as some of the sponsored families.

The sponsorship program is another important part of the efforts to improve the lives of Vietnamese families. Many of these children are supported by single parents or by grandparents. Many have disabilities and their families do not have the financial means to support them. CHKV has over 170 sponsored families in Vietnam, with new families looking for sponsorship all the time.

Mr. Speaker, I was impressed with all the efforts of the volunteers who are changing lives for those most in need. I was honoured to meet two of the founders of this organization, Chau Pham and Tam Nguyen, as well as several other board members and volunteers.

I would like to congratulate this remarkable group of Canadians for taking action on the global stage to improve the future of children and communities in Vietnam and for raising awareness about international issues here at home. Thank you.

Odeon Drive-In Closure

Mrs. Mavis Taillieu (Morris): With spring finally here, Manitobans are preparing for another exciting summer. But, sadly, one feature of many people's favourite summer activity will no longer be part of the constituency of Morris. The Odeon Drive-In Theatre in Headingley will not be opening this summer. The Odeon Drive-In Theatre is the last of its kind in this area of Manitoba, and now avid fans of the unique movie-watching experience will have to travel a greater distance to one of only three remaining drive-in theatres in the province. Unfortunately, the closing of the Odeon Drive-In is unsurprising to many of its fans as the theatre has been challenged with low attendance levels for the past few years.

In 2004, I was happy to tell this House that after a successful public campaign, which included a petition signed by over 11,000 Manitobans, a decision to close the Odeon Drive-In was reversed and film and theatre enthusiasts were able to enjoy more summer season watching blockbuster movies from the comfort of their vehicles. However, the overwhelming public support to keep the drive-in open did not translate in increased attendance and, in fact, the theatre continued to witness decreases during the last two years, ultimately leading to its closure.

It was first opened in 1964, and the loss of the drive-in theatre is the loss of a landmark in Headingley and a loss for passionate movie buffs who made the journey many times through the summer to enjoy what the theatre had to offer. For many attending, the theatre offered them a great movie and a chance to experience some nostalgia for days past when drive-in theatres were much more prevalent. For others, it was an opportunity to try something new and different compared to the common movie experience of today.

But no matter what age they were or where they came from, I would like to thank all of the fans that continued to support the Odeon Drive-In Theatre and visited Headingley throughout the years. The drive-in provided great moments for Manitoba and families for many generations to enjoy. This unique experience of past time will certainly be fondly remembered and missed. Thank you, Mr. Speaker.

* (14:30)

GRIEVANCES

Mr. Speaker: The honourable Member for Carman, on a grievance?

Mr. Blaine Pedersen (Carman): Yes, Mr. Speaker, on a grievance.

Mr. Speaker: On a grievance.

Mr. Pedersen: I'm glad to have the opportunity to express the grievance here because there certainly is a long list of things that I can grieve on.

Just to start out, I noted in 1999, this was a government that came into power that promised to end hallway medicine for \$15 million in six months. I saw the results yesterday when the Member for Charleswood (Mrs. Driedger) stood up in question period. Instead of solving hallway medicine, we now charge patients to wait in the hallways. I guess that's certainly a way of solving hallway medicine; it'll bring in some revenues for them anyway.

There are a number of interesting bills that are coming in and, again, it's a perception thing. You put out a bill; you make great splashy announcements, virtually no consultation with the stakeholders that are involved with this.

Bill 15 is another example of a climate-change bill. Interesting when we heard some of the presenters last night, listening to the used auto dealers telling us that MPIC, Manitoba Public Insurance corporation, is the largest used car dealer in Manitoba, pre-1995 models that is, with some 11,000 vehicles sold and with 8,000 of those pre-1995 models coming back onto the road.

Where is climate change when the government's own agency is the biggest dealer in this to start with? Not only that, they're going to try and limit what the dealers can sell in Manitoba. There's no provision for—this still allows private individuals to go into either the U.S. or to other provinces and buy vehicles, bring them back, license them and have them on the road. There really is no thought in this.

We also asked the used dealers association, were you consulted on this bill? They told us that they learned about it at the same time everyone else did. There was no consultation with them.

Same thing for the new vehicle association—they also had no warning of this bill, no consultation on this bill. They're concerned that this bill is going to set made-in-Manitoba standards that will not conform to other provinces and not the same

standards which are used throughout North America. According to the new vehicle association, there will be a limit on the vehicles that we can actually sell in Manitoba just to meet these made-in-Manitoba standards.

Yet, at the same time as they're talking about Manitoba standards, I have asked and asked repeatedly the minister of mines, technology, about low-speed vehicles; he constantly tells me that it's the federal government that's holding up the regulations on this. So where are Manitoba standards when it comes to low-speed vehicles? Apparently, it's the feds' fault on this; it's not the provincial government that's holding it up.

Bill 15 is just one of those feel-good, fuzzy legislations that will mean absolutely nothing. We know that their emission standards—it's a 5 percent emissions reduction in the next five years—how many years, three years? Then after the next election, somehow magically, they're going to drop the other 95 percent. No plan as to how to do this, but I guess you're just supposed to feel warm and fuzzy that they will really do this.

Some of the other bills—Bill 17, the hog moratorium, is probably the most regressive, anti-business, anti-farm, anti-rural legislation that has come out of this House ever. Again, it's a perception that this government uses; the perception is of doing something.

I heard an interesting analogy of that from one of the Hutterites last Thursday night, and he was quoting out of a book. I don't have the book, so I can't quote him, but the idea was that the government was out pursuing a person who had escaped from prison; they were circling from helicopters. He's sitting in the bush and he says, they'll never find me, but the public will be happy because the perception is out there that we're doing something.

That's just where Bill 17 comes in. It's the perception that it's going to clean up Lake Winnipeg. There is no science behind it. They're ignoring their own Clean Environment Commission study, which they commissioned. There are no provisions being brought forward either in this House or through the departments of Conservation or Agriculture to do the studies that the CEC called for, and yet they bring in Bill 17, a hog moratorium, with the perception that it's going to clean up Lake Winnipeg when the science tells you that this is definitely not the case.

Our concern, too, at the Bill 17 is that it's the who's next? If they can do this to the hog industry, they're going to do it to the rest of the livestock industry, the grain industry, and it's just bizarre. At a time when there are food shortages throughout the world, food shortages, this government is banning food production in Manitoba.

This is going to affect families' livelihoods, their way of life. We have the Hutterite colonies which are very large hog producers. It's a blow to them in that they're being accused of polluting Lake Winnipeg, and that is the last thing that they would ever want to do. That's not within their beliefs. It's not within their way of life, and yet this government totally ignores that.

Interesting, there was a meeting in Morris last Thursday night with some 400 producers there. We even offered to give some of the ministers opposite a ride to Morris so they could come. The Minister of Agriculture (Ms. Wowchuk) would not go. She would not defend the farmers.

An Honourable Member: And neither would the Minister of Conservation (Mr. Struthers).

Mr. Pedersen: The Minister of Conservation was the same. They would not come to explain why Bill 17, or how Bill 17 is actually going to clean up Lake Winnipeg at their expense. There's no shortage of bills coming out of this government in a very rushed state, I might add. While we are into public hearings now, it's interesting how they've tried to "minangle" it out so that they don't have to listen to the public on this.

Bill 37, The Lobbyists Registration Act—and I'll just use that as a short for the long title. It's interesting in question period today, the Premier (Mr. Doer) stands up and talks about our party putting out press releases. If I remember correctly, when Bill 37 was introduced, the press was given the press release about fixed election dates, conveniently not mentioning what else was contained in the bill. Under the guise of fixed election dates, which, however, the Premier can still decide when the next election is, this is a vote tax. This is a million-dollar gift to the NDP. I guess I can understand where they come from on this. They're upset because our party out-fundraised them for the last election, and that really hurts. I guess they just are too lazy to go out and look people in the eye and ask for donations to their party; instead, they are going to tax Manitobans. It's unfortunate when they try to do this through a backdoor type of way.

With this bill, they are going to curb my ability to communicate with my constituents. It's all going to have to be vetted through the Cabinet. If I have anybody coming to visit me as a lobbyist, I'm going to have to register it with a Cabinet-appointed registrar. I'm sure that that's not in terms of democracy that we all uphold.

It's unfortunate. I haven't even gotten half way into my grieving, and my light is blinking. There's so much to grieve about here. So, with that, I would ask for leave, but, somehow, I don't feel the members opposite would give it to me. It's unfortunate we have such a government that it hides behind bad legislation.

Thank you, Mr. Speaker.

* (14:40)

Mr. Speaker: The honourable Member for Morris, on a grievance? On a grievance.

Mrs. Mavis Taillieu (Morris): Mr. Speaker, it's a very serious matter to rise and speak in this House on a grievance, but I feel that I have to do this because of the terrible draconian legislation that this government has brought in in this session.

There are several bills that are undemocratic, Mr. Speaker, and I'd just like to quote a headline from *Winnipeg Free Press* last Saturday, which says, NDP shows disdain for democracy. We certainly see that, and, as the Member for Minnedosa (Mrs. Rowat) said, that headline speaks volumes, because we see some of the worst legislation ever put forward by this government in this term. People have said to me, why are they bringing in this kind of legislation? And I've said, you know what? By their own admissions, by what several ministers on that side of the House have said, they have said, with much arrogance: Because we can.

Mr. Speaker, that is arrogance at the utmost level, and it's just wrong to treat Manitobans that way. We see a number of bills that we have serious problems with. We do, and the public does. Just to name a few, there's Bill 37, Bill 38, Bill 31, Bill 15, Bill 17. There're many of these bills that have caused the public to be very, very upset. We look at Bill 31, for example, the one that said there would be a privacy commissioner. Well, it's not a privacy commissioner; it's a privacy adjudicator. As Brian Bowman, a renowned privacy lawyer in this province and country, said in the *Free Press*, this is like an Ombudsman junior because this person will only be called at the request of the Ombudsman to

look at being able to order people to comply where the Ombudsman was only able to recommend.

Now, we're not criticizing the Ombudsman in any way because that office does extremely good work, and they do a very good job of educating the public as to what they do. But, Mr. Speaker, what the Premier (Mr. Doer) and his party promised in 1999 is that they would install a privacy commissioner, a full privacy commissioner like other provinces have, such as B.C., Alberta, Ontario, Québec, where the privacy commissioner has an interaction with the public. There's a duty for the privacy commissioner to educate the public on issues of personal information and protection of privacy, issues related to identity theft, which is a huge crime these days. In fact, computer crime is surpassing all other crimes, so this is not what we have with this bill. With this bill we have a clampdown on information, information that is hard to access from this government. Putting in freedom of information requests has been unfruitful, to say the least. Now, the government wants to clamp down on that information. But it's all disguised, I guess, if you will, in saying, we're going to release information in Cabinet documents now after 20 years instead of 30 years. Also, there's a little clause in there that says, but only if the Premier allows it.

Mr. Speaker, we've asked questions about this, but, unfortunately, when we went to get the bill briefing, the minister didn't show up for the bill briefing. So we weren't able to ask some of these questions that we have on the bill, and we've still been unable to get a meeting. He cancelled the meeting again today, so we're still unable to get a meeting to answer some of these questions. Again, unopenness. We can't get the answers to our questions. We can't get answers to freedom of information requests. We can't get answers from the minister, and that's just not open and accountable government.

The issue of repealing the public registry is only going to cause some confusion in the public because if it's not on the Web site and not available, people will not know that it is available in the public domain. It will require a lot more freedom of information requests, and then they'll be denied because they'll be told, well, it's already in the public domain.

Mr. Speaker, we did hear from a person at committee last night that had repeatedly put in requests for information, never did get the

information, was never supplied the information, but she was charged—she was charged—

An Honourable Member: She paid for it.

Mrs. Taillieu: —and paid for the Freedom of Information request, but she was never given the information.

So we have a lot of difficulties with that bill. We have some questions around the wording which we really feel that the minister should make himself available to us so that we can have this discussion because we don't understand some of this bill. We want to ask some questions about whether or not this extends to, when it says Native authorities, whether that means the child welfare authorities, because we know that, under this government's watch, the chaos that we've seen in child welfare—and certainly they have a vested interest in keeping some of that information under lock and key for as long as possible. Certainly, there are things there they would not want the public to see. So we do have some questions around the wording in the bill, Mr. Speaker, and we can't get answers. That's just not open and accountable government. That's not democracy.

We also see Bill 37, Mr. Speaker, a vote tax. Everybody in Manitoba is going to have to pay the governing party \$1.25. They're going to collect on our taxes. People are outraged, outraged by this. Why should anybody have to pay to a party they did not vote for? That's not right. Not only would they get the \$1.25 from the people that voted for them, but it's all taxpayers that are going to be on the hook for this. That's not right. If you want to raise money for a political party, then get your butt out there and raise it yourself. That's what we did. We did it very well, and that's why they're so scared right now because we raised more money than they did, and now they're thinking, okay, we've got to cut them off at the knees because we can't have that happen. What's going to happen in 2009 and 2010 and 2011? Those Tories are going to raise more money than we are. So guess what? We'll legislate it so that they can't, and we'll always make sure we get more money than they do. That's just wrong. That's just wrong. It's not democratic.

As we heard today from the Member for Charleswood (Mrs. Driedger), bringing forward in Bill 37 the fact that business organizations will be required to register as lobbyists, but with a little loophole in this bill: their union buddies will not have to register. Well, how does that not surprise me,

because everything we see they have done with certain interest groups in mind? They are governing for their own interest groups and not for the best interest of all Manitobans, Mr. Speaker, and that's not democracy. That's just wrong.

We have Bill 38, the unbalanced budget legislation, Mr. Speaker. After much time was spent to prepare balanced budgets and bring in balanced budget legislation by the previous Filmon government, which would ensure that governments lived within their means each and every year, why, then, is this government repealing that, taking it apart? There's only one reason: that's so they can control the spending and shuffle the money between Crown corporations and any other slush funds that they have hidden so that they can spend uncontrollably, and then, guess what? In the final year they'll say, okay, we'll have to juggle everything around so that we balance it this year. Well, that's just wrong. That's not democracy.

* (14:50)

We have seen such draconian legislation brought in by this government, Mr. Speaker, heavy-handed legislation that is not good, not good for Manitobans. Who's it good for? It's good for them. It's good for the NDP, but it's not good for Manitobans. They're not governing like they should for all Manitobans. They're governing only for their own self-interest and that's just wrong. It's undemocratic. We cannot allow this government to continue with these bills. It's just absolutely wrong, and we will do everything that we can to make sure every Manitoban knows that, Mr. Speaker. Thank you very much.

House Business

Mr. Speaker: Order, please. I've got to get order. I need to be able to hear.

Hon. Dave Chomiak (Government House Leader): Thank you, Mr. Speaker. I am going to outline the committee meetings and I am just waiting for finalization.

Before I do that, I want to thank the acting House leader for the opposition party and former House leader and the one who negotiated this smooth-sailing session strategy with me. I want to thank him for covering in the House for me while I had to attend to some other matters. I appreciate that because that does exemplify what we do most of the time in this House, which is work collaboratively to put matters through.

It is the government's intention this afternoon during this non-vote, non-quorum afternoon, in recognition of the extraordinary visit of an extraordinary man to this province, it is the government's intention to go to debate on concurrence and third readings, Mr. Speaker. I'm just going to be announcing the specific breakdown of the committee structure for the next two days.

I thank the table officers, as usual, for their very efficient work that keeps this place moving forward. It's very much appreciated.

Mr. Speaker, I would like to announce that the Standing Committee on Justice will meet on Thursday, May 29, at 6 p.m. until 12 a.m., in Room 255, in order to consider Bill 14, The Criminal Property Forfeiture Amendment Act; Bill 26, The Legal Professions Amendment Act; Bill 35, The Statutes Correction and Minor Amendments Act, 2008; Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act; Bill 39, The Court of Appeal Amendment Act; Bill 40, The Drivers and Vehicles Amendment Act, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act.

I would also like to announce that the following bills that were previously announced as being considered by the Standing Committee on Justice on Thursday, May 29, at 4 p.m., in Room 254, will now be considered by the Standing Committee on Legislative Affairs on Thursday, May 29, at 4 p.m. until 10 p.m., in Room 254, to consider the following bills: Bill 6, The Securities Amendment Act; Bill 25, The Embalmers and Funeral Directors Amendment Act; Bill 29, The Business Practices Amendment Act (Disclosing Motor Vehicle Information); and Bill 38, The Balanced Budget, Fiscal Management and Taxpayer Accountability Act.

Mr. Speaker: It has been announced that the Standing Committee on Justice will meet on Thursday, May 29, at 6 p.m. until 12 a.m., in Room 255, in order to consider Bill 14, Bill 26, Bill 35, Bill 37, Bill 39 and Bill 40.

It is also announced that the following bills that were previously announced as being considered by the Standing Committee on Justice on Thursday, May 29, at 4 p.m., in Room 254, will now be considered by the Standing Committee on Legislative Affairs on Thursday, May 29, at 4 p.m.

until 10 p.m., in Room 254, to consider the following bills: Bill 6, Bill 25, Bill 29 and Bill 38.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

DEBATE ON CONCURRENCE AND THIRD READINGS

Mr. Speaker: As previously announced, we will now move on to orders of the day. We will resume debate on concurrence and third readings.

Bill 3—The Highway Traffic Amendment Act

Mr. Speaker: Bill 3, The Highway Traffic Amendment Act, standing in the name of the honourable Member for Pembina (Mr. Dyck). What is the will of the House? Is the will of the House for the bill to remain standing in the name of the honourable Member for Pembina? *[Agreed]*

Hon. Dave Chomiak (Minister of Justice and Attorney General): Oh, wait, I was going to speak on Bill 3.

Mr. Speaker: Oh, you were going to speak on Bill 3? Okay. I'm sorry. Okay, so it will remain standing in the name of the honourable Member for Pembina.

The honourable Attorney General (Mr. Chomiak) will be speaking to Bill 3, The Highway Traffic Amendment Act.

Mr. Chomiak: Thank you, Mr. Speaker.

As I mentioned in my comments, the sessional order had been established as we try to move the House toward a regular sessional order that would have some predictability in terms of the session dates. We kind of lost this week, by mutual agreement, to debate this week in order to ensure that bills are dealt with.

The Highway Traffic Amendment Act, as amended, Mr. Speaker, is a significant piece of legislation. The history of this, of course, is that we as a government had imposed stiffer penalties on violations with respect to offences that allowed us to put in place civil and administrative penalties of a more severe nature for individuals involved in serious offences. Fortunately, the federal government has amended the Criminal Code to broaden the ranges of offences that we can now subsume into our provincial legislation. So this act, which predated the amendment to the federal act and was brought in by the previous ministers and was, I believe, the first of

its kind in the country, now has to be amended in order to catch up to the amendments that have taken place in Ottawa, which, in fact, we had advocated for.

So, Mr. Speaker, it allows, in particular, to include street racing, which has now been recognized. We had recognized it previously, but recognized in the federal Criminal Code to be subsumed under our Highway Traffic Act and to apply some of the stricter forfeiture provisions, et cetera, that previously we were unable to do legislatively.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

Madam Deputy Speaker, it's often wrongly stated in this House that, quote, we have to be tougher in our criminal sanctions. In fact, we can't impose criminal sanctions in our jurisdiction as a province. All we can do is put in place various civil and related provisions under our Summary Convictions Act and under our various administrative and legal authorities to make things tougher. That's why we're the leaders in the country with respect to penalties for drunk driving and driving over .08 and driving between .05 and .08. In fact, our provincial penalties have now been adopted in most jurisdictions and, in fact, will soon be incorporated into the Criminal Code.

So what we've done is taken extraordinary measures under our legislative authority to stiffen penalties where we have the authority. The impact of that has been (a) we have been the leaders in the country, and (b) we've been able to see these measures adopted in the provincial jurisdiction become adopted in Ottawa as criminal law, which we welcome and which had been one of the reasons for us pressing for changes to the Criminal Code for as long as we have.

* (15:00)

I'll give you another example of this, Madam Deputy Speaker. The pioneering work by the former Minister of Justice, the Member for St. Johns (Mr. Mackintosh), on child pornography together with Child Find Manitoba has now resulted in Child Find Manitoba being the Canadian centre for child pornography, et cetera. It was the pioneering work of the Province working with Child Find in order to bring the matter to the attention of the authorities.

Now, with our legislation that's before the House with regard to reporting of child pornography, we've

taken a step that all of the provinces in unison have asked the federal government to do, but the federal government has not taken that step. On this particular point, I'm not criticizing the federal government. What I'm saying, in this case, it's a cart leading the horse or horse leading the cart, Madam Deputy Speaker. There are some that think the provinces should lead in this jurisdictional area and then have the federal government follow. Some think the federal government should lead and have the provinces follow. That's a sort of tactical dispute.

We as a province have said, we're not going to worry about who's first; we're going to do it here. If the federal government follows, so much the better. If other provinces follow, so much the better. That has been the course of action that has been followed by this administration. That is why we have before us these amendments to The Highway Traffic Act that mirror the new amendments recently enacted into the Criminal Code.

I daresay, Madam Deputy Speaker, there are additional amendments that are coming into the Criminal Code as well that will have to be enacted in this Chamber, and we will try to bring forward measures to deal with that as soon as possible because that will allow us to utilize the new, more restrictive, and higher sanctions in the Criminal Code and adopt them into our own Highway Traffic Act. I'm sure all members of the House will agree in speedy passage of this bill and any amending bills in that regard.

I go back to the point I started with, that is, the ability to have the fixed session that we have, and allow for passage of bills, allows us some certainty as to when laws can come in effect.

Mr. Speaker in the Chair

The fixed session that we have will allow Bill 3 to come into law no later than June 12 and will permit us to incorporate the changes at the federal level that we can only do by legislation. It will allow us to do that in a reasonable fashion, which is why, one of the reasons, and which is why I'm a big fan of having the fixed session dates, not only for all of the reasons that have been outlined in this Chamber for a long time but because in cases like this, where we have federal law, that's federal Criminal Code law that's being proclaimed into law on various start dates—May 1, July 1, I think there's some for September and October 1—it allows us, as a Legislature, to incorporate those changes that we can only do by legislation. With the ability to have fixed

date sessions, we can plan for some of the incorporations of some of this legislation right into our legislation and just move right along in a seamless fashion.

That's one of the advantages. That's one of the reasons why I'm very pleased to have debate on concurrence and third reading of this bill so that we can move forward, Mr. Speaker, and continue to have the toughest and best driving legislation in the country and to, frankly, protect the security of all Manitobans and their safety.

With those few words, I look forward to comments from any members of the Chamber in regard to this particular bill.

Mr. Speaker: Any other speakers?

When this matter is again before the House, it will remain standing in the name of the honourable Member for Pembina (Mr. Dyck).

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

Mr. Speaker: Bill 4, The Provincial Court Amendment Act (Family Mediators and Evaluators), standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Is the will of the House for the bill to remain standing in the name of the honourable Member for Pembina? *[Agreed]*

Yes. It will remain standing in the name of the honourable Member for Pembina.

The honourable Attorney General, to speak to the bill.

Hon. Dave Chomiak (Minister of Justice and Attorney General): Although I recognize it's very important, in terms of the passage of this bill, we've talked about this bill. It's an expansion of the mediation practice and evaluation to our Provincial Court. In other words, Mr. Speaker, it's the expansion of the capacity of family law to be applied in all jurisdictions of the province that is similarly applied at the Queen's Bench level.

This is a significant piece of legislation that allows for those same provisions and those same services that are offered by the Province to be incorporated into The Provincial Court Act. Now, we can't do that without legislation. It can't be done in a regulatory fashion. It requires legislation again which makes the point why we're very pleased that we're here at third reading and we'll be able to get

legislation passed in this Chamber as agreed to through the fixed session dates and the capacity to debate. And we have lots of time to debate this bill and other bills in this Chamber. We have an opportunity and all members opposite can take advantage of their opportunity to be at third reading to deal with these matters as they come back to the Chamber to ask questions and to raise matters with respect to bills.

This particular bill, I know, certainly from my discussions and from the content of the discussion of members opposite, there seems to be a recognition that this legislation is important and it'll provide the flexibility to provide a full provision of family law to all Manitobans through the mediation process. Anyone who has had any appreciation or understanding of family or domestic law knows that, unfortunately, matters that deal with family or domestic matters can sometimes become very contentious and very, very difficult to resolve. Sometimes the legal system is not the most appropriate or expeditious way to resolve these issues, and I think there's been a general recognition that mediation is a more appropriate means to try to resolve these disputes in a fashion that leaves less damage on all involved. That's been certainly the experience in Manitoba. It's been the experience of the evolving family court system to proceed down the path of additional mediation.

This act will allow for expanded mediation in the Provincial Court process to provide that expanded mediation, Mr. Speaker, to all jurisdictions in the province. As I think has been recognized by all members of this House, the Family Conciliation of Manitoba, Department of Family Services provides services for families involved in disputes by offering mediation and preparing court order assessment reports. Recently, the well-regarded parent information program For the Sake of the Children was expanded to become mandatory throughout the province. It looks at ways to reduce the conflict between parents and children and the stress they experience and to minimize the effect that separation, divorce may have on the children. Because this mediation process will affect the provincial cases, we'll obviously have to amend the act to provide for those services accordingly.

I think all members of the House will look forward to speedy passage of this legislation in our fixed session, fixed dates to allow for timely passage and appropriate passage of measures that are useful and helpful to all the citizens of the province to

decrease the pressures and stress already felt and the trauma already experienced by those that are involved in a family dispute or involved in family or domestic matters. Certainly, the processes that we put in place are designed and had been proven to be very valuable in dealing with those issues, Mr. Speaker.

* (15:10)

So I, too, look forward to the speedy passage, and I know that we have lots of opportunity here in this House to debate this bill and other bills as they proceed forward. I know that soon we'll be entering into committee and having opportunity to have the public provide input, and then we'll be able to return to this Chamber and to take some of the input that we received from the public out there and, if so desired by members, to channel that input from the public into the legislation and amend legislation accordingly or appropriately or pass legislation. But, Mr. Speaker, I look forward to speedy passage of this and all of the very significant bills that we have brought before this Chamber and a very vigorous debate from members opposite, whom I see looking at me with great energy and fervour and holding up something to their ear.

Thank you, Mr. Speaker.

Mr. Speaker: Any other speakers?

When this matter is again before the House, it will remain standing in the name of the honourable Member for Pembina (Mr. Dyck).

Bill 5—The Witness Security Act

Mr. Speaker: Bill 5, The Witness Security Act, standing in the name of the honourable Member for Pembina (Mr. Dyck). What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Pembina? *[Agreed]* It will remain standing in the name of the honourable Member for Pembina.

The honourable Attorney General, to speak to the bill.

Hon. Dave Chomiak (Minister of Justice and Attorney General): The member's indicated this is—you know, this is actually, I think we all have to admit, this is in an incredibly exciting day in this province, in this Chamber, because of the visit today of the President of Ukraine.

I will digress just lightly. Having been given the opportunity, I, like many members of the Chamber,

attended at the Shevchenko monument today to honour the president. He was deeply moved, as most people of Ukrainian background would be, by the Shevchenko monument, and he commented on it. In fact, he referenced Taras Shevchenko poetry, and there was actually a rendition of one of Taras Shevchenko's most famous poems.

The point I'm making, Mr. Speaker, is I attended at that very statue on the day it was commissioned in the early '60s with my grandfather and my father. It was a significant day because, like today, there were the Ukrainian flags and banners and even some of the same people there today had been there when it was first commissioned. The point that I made to the delegation is that, when we were there that day, no one ever thought we would live to see the day of a free Ukraine, a democratic Ukraine, and here we in the Legislature had the visit by the president of a free and democratic Ukraine. You had the leader—the Member for Russell (Mr. Derkach) bring in a resolution about the Holodomor, which has been hidden from the public view for scores of years. You had the President of Ukraine signing a T-shirt for the Leader of the Opposition (Mr. McFadyen). You had the Premier (Mr. Doer) signing an agreement with the President of Ukraine. That is a significant day for any legislature, never mind a legislature that has the history of input as Manitoba. But I digress and I thank members for allowing me to digress momentarily to what has been a remarkable day in the province of Manitoba.

To that end, Mr. Speaker, one of the points, I think, made by the president is a civil system. Imagine, we have the option here in this Legislature of dealing with the bill that we're dealing with today, which is The Witness Security Act, and we have the freedom to debate a bill like this which incorporates our pre-existing witness protection program into legislation. If you think about it, and if you think about the interview that the President of Ukraine gave yesterday about prior to the Orange Revolution election, going for dinner with members of the much-despised secret service in Ukraine, and having dinner and coming home that night and his wife noting that he had a metallic smell on his breath, and he being forced to spend the entire night huddled in extreme pain on his elbows and his knees and then being rushed to Germany for treatment for radioactive poisoning, having 1,000 times the level of radiation in his body as a normal human being. Something was placed into his food or his drink at that dinner. He recovered and led the country to the

revolution that brought about his presidency, and here he was today meeting with us, meeting with people that were First Nations indigenous to this continent and to many, many others who came to this continent and felt at home, very much at home here.

We are so fortunate to have the ability to debate in this Chamber and to talk in the committee about laws. We'll fight with words, quite strenuously I might add, and sometimes quite too long but, nonetheless, we fight with words, but we'll walk out of here and people will be able to go home not worrying about the kind of ramifications that happened in many countries that are developing democracy or wish to develop democracy. So that's something we all share.

Unfortunately, there are elements in our society that do not recognize legal processes; it is unfortunate that we have to have a witness protection act. It's tragic that we have to protect witnesses and other individuals involved in the criminal justice system, but, unfortunately, that's a reality of existence in this country and on this planet.

We in civil society do all that we can to promote freedom of speech, freedom of expression, free rights, but there are some individuals that simply flaunt that and take advantage of it. Unfortunately, they become involved with the criminal justice system. The criminal justice system consequently becomes engaged, and we, as a civil society, have to protect those that have both the courage and the responsibility to appear in the criminal system to testify and to provide evidence on behalf of those that have no regard, often for themselves or for others. So there is a flip side to the coin.

Having said that, Mr. Speaker, we are truly blessed that we have to debate bills of this kind. We don't have to deal with some of the more disgusting and reprehensible acts, as I contrasted earlier in my comments, that the President of Ukraine had to go through in order to achieve democratic reform in a country.

This act has been worked on for years by our very diligent professionals in this field. The critic in this area, the Member for Lac du Bonnet (Mr. Hawranik), whom I have a lot of respect for, had raised several questions in regard to this legislation. We had provided him with a specific briefing to outline some of the ramifications and some of the questions that he had.

There may be further questions with respect to some of the strict definitions or applications of the act, but they're obviously prepared to provide to the member. I think, in general, this piece of legislation is well regarded by members of this House, well recognized as to why it is being brought forward and what it applies to.

One of the concerns that had been raised by the Member for Lac du Bonnet is the issue of the importance of witnesses; obviously, all witnesses are very important. There are some instances where, unfortunately, extraordinary precautions have to take place with respect to extraordinary situations, with respect to some witnesses. Hence, almost reluctantly but as a necessity, we have to introduce and have to provide protection in order, one might suggest, to maintain the freedoms and many of the benefits that we have in our society.

* (15:20)

One of them, of course, is the extended protection that we provide to witnesses. There are other matters with respect to security and related matters that are in place; this is for particularly designated and appropriate individuals. It, in some ways, works hand in glove with the federal witness protection program, but it's adjunct to that, and it's proved itself through its functioning and managing of the program over the past several years. What we have done with this piece of legislation is move the program into a statutory provision. I think that other jurisdictions are going to follow our lead and put in place similar statutory provisions in their jurisdictions to follow with respect to witness security, Mr. Speaker.

So, having—[interjection] Oh, good. Okay. I look forward to the vigorous and, I know, helpful comments of the member—or any member of this Chamber—particularly the Member for Steinbach (Mr. Goertzen), who, I know, wishes to comment in this area. So, to allow for more time for debate in our Legislature, Mr. Speaker, I will limit my comments at this moment and take my seat and allow other members to comment on this legislation.

Mr. Kelvin Goertzen (Steinbach): It is a pleasure to rise to put some comments on the record regarding Bill 4, the witness protection act. I appreciate the comments—oh, 5. You know, the clerks of this Legislature do many great services, and one is correcting members when they make a mistake. I appreciate the clerk doing that. Bill 5, The Witness Security Act.

I want to echo some of the comments by the Minister of Justice regarding today's visit by the President of Ukraine. Certainly, I know that many members of this House will have a closer connection with the Ukrainian community and, therefore, the visit by the president, including the Minister of Justice and, of course, my friend and my colleague the Member for Russell (Mr. Derkach), who was instrumental in getting the private members' bill passed this morning, Mr. Speaker.

I want to commend the clerks for the great work that they did in ensuring that the translation and the various steps that needed to be done got done. They deserve credit every day, but they don't always get credit every day. But particularly today, we appreciated the work that they did. *[interjection]* The Minister of Justice says, it made a difference. I'm sure that what happened here today was passed on to the President of Ukraine and the clerks of this Assembly should know that their work had an impact on the president's visit today.

As well, I did have the opportunity—even though I didn't have as close a connection and wasn't able to attend all of the different events—I saw the arrival of the president. It was quite an impressive motorcade as it came up to the front of the Legislature. When the president came out of the vehicle that he was occupying from the motorcade, it was quite astounding to see the reception that he received from the many visitors who were here in front of the Legislature who welcomed him very emotionally. We don't always see that sort of reverence for political people in office for a variety of different reasons here in Canada, but, certainly, the emotion that we saw from the visitors out front this morning for the president was a memory for me that I won't soon forget.

The president was spoken to by one of the visitors who was speaking in the Ukrainian language, and the president went over, sort of away from where he was supposed to walk up the steps into the building, and went over to the side where this individual in the crowd was, and he gave them quite a hug. I'm sure that—I don't know who the individual was—but I saw that it was captured on a camcorder by members of his family, I presume. That's a memory that he'll never forget, and it's one that I won't ever forget because I don't know all the significance for him as an individual, but you could tell it was very significant.

It's great to see that the visit is occurring here, in Manitoba, today. I know that there will be many memories created, not only for the president, of course, but for the many, many people of the Ukrainian community who will have the opportunity to see him in person and to have those memories stay with them for the remainder of their lives.

I want to speak specifically to this bill. The minister references the need to protect witnesses; I don't think there'd be any dispute by members of this Assembly or any Manitoban, Mr. Speaker, about the need to ensure that those who are going to be acting as witnesses in a criminal procedure, primarily a criminal procedure—I assume there might be some civil cases where there might be a necessity, but primarily from a criminal procedure—to ensure there is that protection in place.

Witnesses find their status as a witness in many different ways and through many different avenues that they come to have an importance in a trial proceeding. They often are the critical link in a trial. If there's nothing else but circumstantial evidence, if there's no physical evidence in relation to a criminal proceeding or a crime, then we need to rely on those witnesses who have a first-hand account of what happened in a particular case.

Their protection needs to be assured, not only to, of course, ensure that they will act as co-operative witnesses, but also to ensure that they will be safe, that they will not be able to testify in a safe fashion and wonder whether they feel their security is assured, but then also to go on and live the remainder of their lives after their civic duties as witnesses, also in a framework of security, Mr. Speaker. So, in that rationale, we certainly think that this bill has some importance.

It's too bad, though, that there isn't a way that you could legislate, Mr. Speaker, the safety of the general citizens in society, that you could guarantee that citizens themselves, ordinary citizens who are carrying on their day-to-day lives, that you could ensure their protection, that you could pass a legislation to ensure that ordinary individual Manitobans had their safety protected each and every day.

Of course, that's not practical. There is no way to have that sort of legislation, so it's incumbent upon the government through its actions and its policies to do all that it can to ensure that citizens in Manitoba and Winnipeg and, of course, across the country,

have that same sense of safety because there are measures being taken that increase their safety and decrease the likelihood that they will be victims of crime at some point in their lives.

Here in Manitoba generally and in Winnipeg in particular, there's a great deal of concern. I would say, Mr. Speaker, it's the No. 1 concern of residents about their safety. It's clear that this government and this Attorney General (Mr. Chomiak) and his predecessor have failed on so many different levels to ensure that our communities get safer and safer, as opposed to more dangerous and more dangerous as the time goes along.

I know the Minister of Justice likes to talk about the federal Criminal Code and the fact that it's all governed federally and that he has no responsibility but, when you look at the federal code which is applied equally across Canada because it is federal legislation, it gives you a very opportune way of measuring how you stack up with other jurisdictions.

If you look at British Columbia and Saskatchewan or Ontario or the Maritime provinces, we can look with some assurance at their crime statistics, compared to Manitoba, and see how we measure up because the Criminal Code is applied equally.

If you do the per capita statistics on crime and how many people per capita might be affected by a violent crime, whether it's murder or assault or any other sort of crime under the Criminal Code, you get a very good snapshot of how safe we are, how safe our residents are, compared to other jurisdictions in Canada. We don't stack up very well. In fact, all the statistics, whether it's from Statistics Canada or other crime statistics forms, show that we are among the less-safe, I would say, Mr. Speaker, citizens in Canada.

Manitoba has one of the highest per capita crime rates when it comes to violence, when it comes to other assaults, of course also when it comes to auto theft. I know that the Minister of Justice likes to talk about what he believes to be strong advancements on the fight in auto theft, but he doesn't like to talk about it in comparison with other jurisdictions. He doesn't like to acknowledge that we continue to be the auto theft capital not only of Canada but, indeed, North America.

The Minister of Justice, if he wants to debate where we are in terms of auto theft, I'm happy to have that debate. Perhaps, he can find some borough

in some state, somewhere in the United States, and he can find that they have more vehicles stolen in those jurisdictions; we can have that debate.

* (15:30)

I'm sure, you know, it reminds me a bit, we had a debate a few years ago about a particular crime and where we ranked in terms of per capita crime, and his spin doctor—I was stating in the media that we were the worst in Canada, and his spin doctor came out and said, no, we're not the worst in Canada; we're the second worst in Canada.

I thought, well, that's quite a defence. That'll certainly make people feel good in their homes, that we're the second worst in Canada and not the worst. So, if he wants to come out and debate that we're the second worst in Canada and not the worst, I'd be happy to have that debate with him at any place in Manitoba or any place in Canada.

But, when we look at what the government has done in terms of putting all of the onus on the victims of crime, we talk about the immobilizer program, an immobilizer program which we have said we certainly don't oppose the immobilizer program. We've said that publicly. Well, the Minister of Justice (Mr. Chomiak) is wrong again. He says that we oppose it. He will look at the record. He will know we didn't oppose the program. What we opposed is putting all of the onus on the victims of crime, all of the onus on the victims of crime and no onus on the criminal.

Those who are actually stealing the cars or doing smash and grabs, the Minister of Justice doesn't feel that those people should have any consequence upon them. But others should have consequence, such as those law-abiding citizens who each and every day are working hard to make ends meet in a world where it's harder to make ends meet. He believes that they should have all of the onus, and so he goes to them and says, you have to go through the time and the inconvenience of having an immobilizer. But the criminals we'll let run free because we don't know how to deal with the criminals, we don't have the motivation to deal with the criminals, and he probably is taking some lessons from his friend Jack Layton in Ottawa, who's often been known to try to stop significant justice legislation from coming forward. I've seen the Minister of Justice campaigning federally for his friends in the New Democratic Party in Ottawa. One day he campaigns and supports—no, I'll get you the picture. The one day he campaigns and supports the New Democratic

members in Ottawa for election. He wants to see the election of Pat Martin and others. Then they go to Ottawa, and they obstruct the very criminal legislation that this Minister of Justice says is important.

You know you can't have it both ways, Mr. Speaker. You can't, on the one hand, say, well, we are very opposed to this legislation in Ottawa not being passed, and then, on the other hand, you support the very individuals who are obstructing it from being passed. He needs to be consistent. It's very transparent and Manitobans see through that.

I would encourage him, when he's looking at programs, all justice programs, whether it has to deal with auto theft or anything else, to ensure that he's looking at ways that impact not just on the victim of crime, to put the onus on the victim of crime but also on those who are committing the crime.

One of the other issues, and it's been raised with me for people within the communities. They say, even if every vehicle in Manitoba had an immobilizer, and at some point we might get to that as different vehicles are produced and have these three-point ignition immobilizers. We'll get to that point at some stage, Mr. Speaker, and every vehicle will have an immobilizer. These individuals who are going out there with the intention of stealing cars, is there any evidence that they just simply go home and do nothing because they're frustrated in their intention to steal a vehicle? In fact, there's plenty of evidence going the other direction, that if somebody goes out with the intention of committing a crime and they're frustrated in that intention and can't commit that crime for whatever reason, they simply look for another criminal opportunity because they had the intention to commit the crime. They go out, and if they can't steal a car, they smash the window and they grab something out of the car. So you still have a victim and you still have a criminal. You just have a different kind of crime.

So the Minister of Justice is wrong when he thinks that he's necessarily reducing crime. He might be moving crime from one thing to another, but I think that Manitobans would recognize that they are no less likely and would be equally as frustrated by having their windows smashed or some other sort of crime as they would have having a vehicle stolen.

The Minister of Justice likes to talk about root causes of crime and trying to stop crime at its root causes. It's interesting because he does so with the full knowledge that his government has been in

government now for about eight years. So some of the young people who are committing crimes—*[interjection]* And I'm glad I've got the minister's attention. Some of the young people now who are 11 years old were three years old when the government came into office. Some of them who are committing crimes at 12 or 13 years old were three or four years old when this government came into office. They've grown up under their programs. They've grown up under the very programs that the NDP are going to say are going to change the activities of young people who are committing crimes.

Clearly, it's not working. Clearly, after eight years, the young people who are committing crimes and who have grown up under the NDP programs are no less likely to commit crimes today than when this government took office, because their programs simply aren't working. In fact, it's more likely that they're going to commit crimes because we see, when it comes to youth statistics on crime, that in Manitoba there's far more youth crime per capita than in other jurisdictions.

And how do you attack the root causes of crime while still being tough on criminals, Mr. Speaker? This is something that the Minister of Justice (Mr. Chomiak) simply doesn't want to address and doesn't want to touch, because it's something that would require him to take responsibility. It's far easier for him to stretch in his chair and blame the federal government for a variety of different problems. It's far easier for him to try to blame another level of government.

I've often spoken to him about the need for a therapeutic drug prison here in the province of Manitoba. I remember the former chief of police telling me and telling others that 80 percent of the crime that happens here in the city of Winnipeg is drug related; that is that the criminals are either committing the crime for money to get drugs or they're committing the crime on drugs as a result of their drug activity. He said to me and others that, if you can't attack the cause of the drug addictions in the province or in the city, you're not going to be able to reduce crime, and that's a failing that this Minister of Justice simply hasn't been able to see.

So some might say, well, okay, if you're just going to give drug addiction, then you're not really being tough on crime, and there is a social desire and a social need and a social value, I would say, Mr. Speaker, for being tough on crime. So how do you marry the two together? How do you ensure that,

in fact, you're breaking that addiction cycle and reducing crime in the long run but still meeting that societal norm to have the consequences for a crime.

When I visited—and I've visited now more than one—a therapeutic drug prison in the United States, we saw that there could be those two ideals married together, that you can sentence individuals for crimes so that there's an appropriate punishment for the crime that they have committed but that doing time doesn't necessarily have to be wasted time, Mr. Speaker, that you can have an individual who is in prison perhaps for two years if it's a provincial prison and have a therapeutic-drug-setting community where they're actually getting drug treatment and getting prepared to leave that prison in two years and not commit the same crime over and over.

In the spring of this year, we received statistics from the Department of Justice, from the Minister of Justice (Mr. Chomiak), regarding recidivism rates at Headingley. It was interesting, Mr. Speaker. You always know when you do a Freedom of Information request, even before you open the envelope, you can sometimes know if it's going to be something that's going to be damaging to the government. I don't pretend to be Kreskin. I don't hold it up to my forehead and try to pretend I know what's inside the envelope, but this was something that I'd asked for last September. I'd asked the Minister of Justice in September. I said to him, what's the recidivism rate in Headingley? Do you keep statistics? Do you know? He sort of fumbled around. I think it was in Estimates. He was shamed into saying, yeah, they do keep recidivism rates and so I guess we could provide them for you. I asked him, well, are they readily available? Yes, they keep quarterly statistics so he could get them to me in short order. Well, September passed and then October passed and then November passed, and I had to write another letter to the Minister of Justice, and I said, remember three months ago when I asked for this information? You said it was readily available and I still haven't got it.

Well, lo and behold, what do I get on December 30, just before New Year's? I get an envelope from the Minister of Justice. I look at the envelope and, ah, so now I've gotten the response just before New Year's. So I knew, from that alone, that this was going to be something that would be damaging to the government. I opened the envelope with that full knowledge. There was another tip. Before I even got to the chart that showed the recidivism rate, I saw another tip. There was a letter of explanation about the statistics. Usually, if it's news that reflects well

on the government, it's just simply the statistics with no explanation. But, when it's something that looks particularly bad for the government, then I get a long letter of explanation about why the numbers really aren't as bad as they might appear when you first look at them.

So I started to read the letter, and sure enough, as I went in I found out that the recidivism rate at Headingley is about 87 percent. That means that individuals who are going into Headingley jail and leaving the jail within 12 months—I believe the period of measurement was—there's an 87 percent chance that they're going to be going back into prison.

Well, you know, you talk about the revolving door, and I know the Minister of Justice sometimes likes to say that we don't have a revolving-door system, but when his own statistics in his own department show that 87 percent of the people who enter Headingley or who leave Headingley will be going back into that prison within a year or two years, if that's not a revolving door, what is a revolving door?

*(15:40)

Let's compare that. In Illinois, in the state that I had the opportunity to visit, the governor of Illinois declared an emergency, a state emergency, when he learned that the recidivism rate in the prisons in Illinois was just over 50 percent. So, when about half of the individuals who were leaving Illinois prisons were coming back into the prisons in a year or two years, he declared a state of emergency. In Manitoba, we have an 87 percent recidivism rate and the Minister of Justice says, there's no problem; don't worry about it. I'm not going to do anything. Blame the feds, whatever other issue he can come up with in that day.

So I would say that that's turning a blind eye and it's not good enough. You know, we have a bill, Bill 37 before a committee right now, and part of it deals with registering lobbyists. Maybe the Minister of Justice should register himself as a lobbyist because that's all he believes that he is. He's a lobbyist for the federal government. He doesn't actually believe that he has any individual powers as the Minister of Justice. He believes that all he can do is lobby the federal government for change. So maybe before he goes to Ottawa next time, he may want to register himself as a lobbyist or he can simply admit that there are many things that he can do as the

Minister of Justice, looking at a creative solution like a therapeutic drug prison or others.

There are many other creative solutions within the Justice field, Mr. Speaker, that this Minister of Justice refuses to look at because it would mean taking responsibility. It would mean actually saying, yes, there's something we can do. When you admit that there's something you can do, you're then responsible for the results. That's politically why this Minister of Justice doesn't ever want to admit that there's something he can do because then he knows that publicly he has to be accountable for the results or for the lack of results that come from his decision-making.

I think that that's unfortunate because when you look—and we've started off talking about the President of Ukraine and the need for security in that country and other countries—and when you look at almost any political theory, whether one's a libertarian or a follower of Ayn Rand or different sort of political theories, Mr. Speaker, almost all different political theories from the left to the right agree that one of the core functions of government is providing security. That's one of the base functions of government that almost all political theory will express and say that government should provide. They need to provide security for the citizens of their nation or of their community.

Then from there—[*interjection*] Well, in fact, the Minister of Justice says I'm going to Ottawa. I'm right here in Manitoba speaking at my chair. I don't have any plane tickets in my pocket. I don't have any travel plans. In fact, the Minister of Justice could look at my agenda. He'll see I've cleared it for the next three months, prepared to be here to debate from Mondays till Thursdays and to listen to presenters so long as, of course, there aren't reasons for the Minister of Justice to obstruct committee like he did yesterday. We saw, Mr. Speaker, we saw the Minister of Justice close down presenters no less than four times. No less than four times was the opportunity there to leave open bills that would allow presenters to come in and present to those bills over the next few weeks. But no less than four times this Minister of Justice who stands in the House one day like today and proclaims to want to hear presenters; yesterday his actions told a different story.

It's not enough, you know—we talk about the President of Ukraine, the need for security as related to Bill 5—it's not enough to come to this House one

day and say, I want to hear presenters; I believe in democracy; but when his actions tell a very different story, when he specifically refused to allow presenters to come forward anymore on four different bills—[*interjection*]

Well, and so the Minister of Justice says, well, you know I debated trying to save democracy for two and a half hours. I think, frankly, Mr. Speaker, trying to ensure that Manitobans from across the province who'd come to the Legislature to speak to bills that were there before the committee is worth two and a half hours, and it wouldn't have taken two and a half minutes if the Minister of Justice would have simply said, yeah, we want to hear presenters on these bills; let's leave them open. Let's leave these bills open and we're going to allow people to come and present, and it wouldn't have taken two and a half minutes. But we'll leave that point of debate for another time and we'll see how that proceeds.

We certainly hope, and I'm prepared—again, I have no plans to travel away to the east coast or the west coast—I'm simply prepared to be here in Manitoba for the next several weeks and to clear my schedule from Mondays to Thursdays to allow for those debates to happen.

The Minister of Justice (Mr. Chomiak) wants to have committee hearings on Sundays, he's telling me. That's interesting. I could raise that with people in my community and other communities who believe that certain days are often set aside as—

An Honourable Member: God-fearing people need not come to committee, according to Dave Chomiak.

Mr. Goertzen: Perhaps he wants to exclude people. He maybe thinks he'll get less people on Sundays because many people, for them that would be the only opportunity they have to be with their family. Maybe that's the tactic; maybe that's the tactic of this government. Maybe the Minister of Justice has revealed himself.

I know that the Minister of Justice is saying he wants to hear me continue to speak and I'm happy to. I'm absolutely happy to stand in this House or in committee to defend democracy and to defend the rights of ordinary Manitobans. If he wants to try to ram a bill that he's ashamed of through the committee through the dark of night, or through hours that he knows that Manitobans won't be able to present or won't be able to come and listen to the debate, he has that opportunity. Years from now,

he'll reflect, I'm sure. I would hope he'd regret it. I'm not sure that he will.

An Honourable Member: Oh, yeah, yeah, yeah. You can dish out.

Mr. Goertzen: Well, thank you, I can dish it out.

I'm not actually sure that he can, or that he will, regret it. He might think it's cute. Of course, it's too cute by half, Mr. Speaker; I think Manitobans will see that. Manitobans will see, in fact, what this government is trying to do.

They're trying to take an undemocratic bill and move it through committee in an undemocratic way, so that they can have an undemocratic result. This bill is simply about fixing the election for the New Democratic Party; that's all it's about. It's not about fixed election dates but, when it comes to Bill 5—*[interjection]*—we do need to ensure that there's protection of all sorts, whether it's protection of witnesses, whether it's protection of the public, as I've outlined, when it comes to those who might be victims of crime, or protection of democracy.

That's really how this intertwines, Mr. Speaker. The protection of witnesses is key to the protection of society. Of course, once we're talking about protection, it's not unreasonable to talk about the protection of democracy.

In conclusion, Mr. Speaker—*[interjection]*—boy, we should have a bill against bullying in the Legislature—I want to say that I will support this particular piece of legislation. We need to ensure that there's protection for witnesses, so that they can go forward and perform their civic duties in a sense of security and a sense that they will be protected from any harm that might come to them from performing the fulsomeness of their civic duties.

Thank you very much for the opportunity to put these few words on the record.

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I'm aware that several members of this Chamber will want to appear at a committee that will commence in about 10 minutes, and there're at least numerous bills that I personally can speak on—I know the Member for Steinbach certainly can speak on.

I'm just looking for the direction or some advice from members opposite as to how would they like to proceed in the last hour of today, as committees will be meeting in 10 minutes.

I do know some members that are in the House at this moment will want to shortly go to committee, so I was querying if the Opposition House Leader (Mr. Hawranik) can give me a sense as to whether they wish to continue with bills or concurrence or any other options they might propose.

* (15:50)

Mr. Speaker: I'd just like to remind all House leaders that negotiations should not be taking place on the floor. They should be taking place amongst the House leaders off the floor. The floor is to deal with the House business, so I would advise that maybe the House leaders would continue on with the bill and maybe the House leaders would like to get together.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, just given the very nature of the day and the committees, which is rather unique for the Legislature, sitting from 4 to 10, we don't have a problem in terms of maybe if you could ask for leave to call it 5 o'clock at this time.

Mr. Speaker: Is there leave of the House to call it 5 o'clock?

An Honourable Member: Leave.

An Honourable Member: Agreed.

Mr. Speaker: Is there agreement?

Some Honourable Members: Agreed.

Mr. Speaker: No. I heard a no. I clearly heard a no, so we will continue on. *[interjection]*

Okay, I'm going to need to—I'm going to repeat the question. There's a proposal on the floor for the House to call it 5 o'clock. Is there an agreement for the House to call it 5 o'clock? Is there agreement?

Some Honourable Members: Agreed.

Mr. Speaker: Okay, it sounds like there is an agreement.

So, the hour being 5 p.m., the House will adjourn and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 27, 2008

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