Second Session - Thirty-Ninth Legislature

of the

Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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Vacant	Elmwood	

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, September 24, 2008

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 240–The Justice for Victims of Child Pornography Act

Mr. Kelvin Goertzen (Steinbach): I move, seconded by the Member for Pembina (Mr. Dyck), that Bill 240, The Justice for Victims of Child Pornography Act, be now read a first time.

Motion presented.

Mr. Goertzen: While child predators face criminal sanctions under the Criminal Code of Canada for creating, distributing, publishing or possessing child pornography, these criminals often escape civil responsibility and financial penalty because their victims are unknown and unidentified.

This bill, The Justice for Victims of Child Pornography Act, will allow the Province to sue in civil court those who have been convicted of victimizing children where those children are unidentified, and the financial rewards will be used to help victims and organizations dedicated to reducing child pornography in Manitoba. Thank you.

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

Bill 242–The Electoral Divisions Amendment Act (Population Variances for Southern Rural Constituencies)

Mr. Leonard Derkach (Russell): I move, seconded by the Member for Turtle Mountain (Mr. Cullen), that Bill 242, The Electoral Divisions Amendment Act (Population Variances for Southern Rural Constituencies); Loi modifiant la Loi sur les circonscriptions électorales (écarts démographiques pour les circonscriptions rurales du Sud), be now read a first time.

Motion presented.

Mr. Derkach: Mr. Speaker, this bill basically reflects what the reality is out in southern rural Manitoba. The northern part of our province does enjoy a variance that is 25 percent, and this is a reflection of the sparse population throughout the north and the vast distances that a member has to travel in order to be able to represent his constituencies equitably and fairly.

Mr. Speaker, although not quite as dramatic in the southern part of Manitoba, southern rural Manitoba, indeed, members who represent that part of the province will have the same challenges, to a lesser extent perhaps. What this bill does is it asks that the Legislature approve a 15 percent variance for populations and constituencies in southern Manitoba.

Mr. Speaker, I look forward to not only debating but, indeed, seeking support from government to ensure that we assist the electoral commission in doing its boundaries for this coming year. Thank you.

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

PETITIONS

Bill 31–Withdrawal

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

These are the reasons for this petition.

Aboriginal and non-Aboriginal people in Manitoba should have the same right to know what their governments are doing.

Bill 31 proposes that dealings between Manitoba government departments and agencies and band councils, tribal councils and organizations be exempt from freedom of information requests.

Neither Manitoba's Freedom of Information and Protection of Privacy Act nor Canada's Access to Information Act apply to information held by Aboriginal governments.

It took years and a national scandal to expose corruption in Health Canada and the Virginia Fontaine Addictions Foundation.

Although Manitoba Hydro, Manitoba Lotteries Corporation, Manitoba Gaming Control Commission and other Manitoba government departments and agencies negotiate multi-million-dollar agreements with Aboriginal governments, it is difficult for band

members living in poverty on affected reserves to find out where the money goes.

There was no meaningful consultation with the public on the Aboriginal government exemption clause in Bill 31.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Culture, Heritage, Tourism and Sport (Mr. Robinson) to consider withdrawing Bill 31 until proper public consultation can occur and amendments are made to increase transparency as opposed to diminishing it.

This is signed by Colin Craig, Solange Garson, L. Craig and many others.

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

Increased School Facilities– Garden Valley School Division

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

These are the reasons for this petition.

The student enrolment in Garden Valley School Division has risen steadily for the last 10 years.

Since 2005 the enrolment has risen by more than 700 students, from 3,361 students to 4,079 students, a 21 percent increase.

Since September 2007, the enrolment has increased by 325 students, an 8.7 percent increase.

Currently, 1,050 students, 26 percent, are in 42 portable classrooms without adequate access to bathrooms.

There are 1,210 students in a high school built for 750 students; 375 students are located in 15 portables without adequate access to bathrooms.

Projected enrolment increases based on immigration through the Provincial Nominee Program reveals the school division enrolment will double in the next 12 years.

Student safety, school security, reasonable access to bathrooms and diminished student learning are concerns that need immediate attention.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Education, Citizenship and Youth (Mr. Bjornson) to consider providing the necessary school facilities to Garden Valley School Division.

To urge the Minister of Education, Citizenship and Youth to consider providing the Garden Valley School Division an immediate date as to when to expect the necessary school facilities.

This is signed by A.S. Klassen, Wendy Loewen, Dave Strempler and many, many others.

***** (13:40)

Hard Surfacing Unpaved Portion– Provincial Road 340

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

These are the reasons for this petition.

All Manitobans deserve access to well-maintained rural highways as this is critical to both motorist safety and to commerce.

Provincial Road 340 is a well-utilized road.

Heavy vehicles from potato and livestock operations, agricultural-related businesses, Hutterite colonies and the Maple Leaf plant in Brandon use this road.

Vehicles from Canadian Forces Base Shilo also travel this busy road.

Commuter traffic from Wawanesa, Stockton, Nesbitt and surrounding farms to Shilo and Brandon is common on this road.

Provincial Road 340 is an alternate route for many motorists travelling to Brandon coming off PTH 2 east and to Winnipeg via the Trans-Canada Highway No. 1. An upgrade to this road would ease the traffic congestion on Provincial Trunk Highway No. 10.

Access to the Criddle-Vane Homestead Provincial Park would be greatly enhanced if this road were improved.

The hard surfacing of the unpaved portion of PR 340 south of Canadian Forces Base Shilo towards Wawanesa would address the last few neglected kilometres of this road and increase the safety of motorists who travel on it.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider hard surfacing of the unpaved portion of PR 340 south of Canadian Forces Base Shilo towards Wawanesa.

This petition is signed by Ken Mooney, Rob Moore, Dave Mooney and many, many others.

Provincial Nominee Program–Applications

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

The background to this petition is as follows:

Immigration is critically important to the future of our province, and the 1998 federal Provincial Nominee Program is the best immigration program Manitoba has ever had.

Lengthy processing times for PNP applications causes additional stress and anxiety for would-be immigrants and their families here in Manitoba.

The government needs to recognize the unfairness in its current policy on who qualifies for a Provincial Nominee Certificate.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider establishing a 90-day guarantee for processing an application for a minimum of 80 percent of applicants that have family living in Manitoba.

To urge the provincial government to consider removing the use of the restrictive job list when dealing with the family sponsor stream.

This is signed by E. Tiongson, M. Natividad, R. Miranda and many, many other fine Manitobans.

Personal Care Homes–Virden

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

These are the reasons for this petition:

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

This petition is signed by Margaret Walker, Pat Jourdin, Barbara Gabrielle, Arvilla Cantelo and many, many others, Mr. Speaker.

COMMITTEE REPORTS

Standing Committee on Public Accounts Fifth Report

Mr. Leonard Derkach (Chairperson): I wish to present the Fifth Report of the Standing Committee on Public Accounts.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Public Accounts presents the following as its Fifth Report.

Mr. Speaker: Dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on Public Accounts presents the following as its Fifth Report.

Meetings

Your Committee met on the following occasions:

- *November 28, 2005*
- *September 23, 2008*

All meetings were held in Room 255 of the Legislative Building.

Matters under Consideration

- *Auditor General's Report – Investigation of Hecla Island Land and Property Transactions dated August 2003*
- *Auditor General's Report – Review of the Workers Compensation Board dated January 2006*
- *Auditor General's Report – Review of the Unauthorized Release of The Workers Compensation Board Report dated March 2006*

Committee Membership

Committee membership for the November 28, 2005 meeting:

- *Mr. CALDWELL*
- *Mr. CUMMINGS*
- *Mr. HAWRANIK*
- *Mr. MAGUIRE*
- *Mr. MALOWAY (Vice-Chairperson)*
- *Mr. MARTINDALE*
- *Mr. NEVAKSHONOFF*
- *Mr. REIMER (Chairperson)*
- *Mr. SANTOS*
- *Hon. Mr. SELINGER*

Committee membership for the September 23, 2008 meeting:

- *Mr. BOROTSIK*
- *Ms. BRAUN*
- *Mr. DERKACH (Chairperson)*
- *Mr. DEWAR*
- *Ms. HOWARD*
- *Mr. LAMOUREUX*
- *Ms. MARCELINO*
- *Mr. MARTINDALE*
- *Hon. Mr. SELINGER*
- *Mrs. STEFANSON*
- *Mrs. TAILLIEU*

Your Committee elected Ms. HOWARD as the Vice-Chairperson at the September 23, 2008 meeting.

Officials Speaking on Record

Officials speaking on record at the November 28, 2005 meeting:

- *Ms. Bonnie Lysyk, Deputy Auditor General and Chief Operating Officer*

Officials speaking on record at the September 23, 2008 meeting:

- *Hon. Mr. STRUTHERS*
- *Mr. Don Cook, Deputy Minister of Conservation*
- *Hon. Ms. ALLAN*
- *Mr. Jeff Parr, Deputy Minister of Labour and Immigration*
- *Mr. Doug Sexsmith, President and CEO Workers Compensation Board*

Reports Considered and Passed

Your Committee considered and passed the following reports as presented:

- *Auditor General's Report – Investigation of Hecla Island Land and Property Transactions dated August 2003*
- *Auditor General's Report – Review of the Unauthorized Release of The Workers Compensation Board Report dated March 2006*

Reports Considered but not Passed

Your Committee considered the following reports but did not pass them:

- *Auditor General's Report – Review of the Workers Compensation Board dated January 2006*

Mr. Derkach: I move, seconded by the honourable Member for Morris (Mrs. Taillieu), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): Mr. Speaker, I'm pleased to rise today to table the following reports: the Manitoba Lotteries Corporation Annual Report for

the fiscal year ending March 31, 2008; the Manitoba Lotteries Corporation First Quarter Report for the three months ended June 30, 2008; and the Manitoba Liquor Control Commission Quarterly Financial Report for the three months ended June 30, 2008.

Hon. Greg Selinger (Minister of Finance): Yes, Mr. Speaker, I'd like to table the following Public Accounts: Volumes 1, 2 and 3 for the year ended March 31, 2008, and the Financial Management Strategy for 2007-2008. Thanks.

Introduction of Guests

Mr. Speaker: I'd like to draw attention of honourable members to the public gallery where we have with us from Maples Collegiate students under the direction of Murray Goldenberg.

On behalf of all honourable members, I'd like to welcome you here today.

ORAL QUESTIONS

Emergency Care Task Force Report 2004
Tabling of Briefing Notes

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, as is well known to everybody in this House and certainly to the whole world, thanks to international media reports, we had a tragic incident this weekend in the Health Sciences emergency room of a 45-year-old man, Brian Sinclair, waiting 34 hours without being seen and dying in the emergency room without anybody having come to check on him.

If this was the first time we'd had a tragedy like this in one of our emergency rooms, then that would be one thing, but the fact is it isn't the first time it's happened. In 2001, Herman Rogalsky died slumped over in a chair alone in the Health Sciences Centre. He was found dead by his wife.

In September 2003, Dorothy Madden waited six hours before dying in the St. Boniface Hospital emergency room without being reassessed.

Melissa O'Keefe was a 20-year-old young woman who had a miscarriage in the Victoria Hospital emergency room after waiting for six hours. After that story emerged, some dozen other women came forward to say that they had similar experiences in Manitoba NDP emergency rooms.

In April 2004, an 84-year-old woman presented as a high-level patient with cardiac problems, waited for two hours, and died.

In the aftermath of these tragedies the government commissioned a review. That review failed to look into the specific details around the death of Dorothy Madden, but it did make a number of recommendations. One of those recommendations was that there would be a new role within emergency rooms in Manitoba, that patients waiting to be seen, to ensure that they're waiting safely and being reassessed, that the reassessment nurse would work in partnership with the triage nurse and act as an advocate for the patient and their family. The report which came out more than four years ago made a number of other recommendations.

I wonder if the Premier who campaigned on fixing health care, who has consistently told Manitobans that health care is his No. 1 priority, is he prepared to indicate to the House how many briefings he asked for and received subsequent to this report to ensure that its recommendations were followed through, and will he table in this House the records of the briefings that he's received over the past four years.

Hon. Gary Doer (Premier): As the Minister of Health (Ms. Oswald) has indicated yesterday, a number of recommendations have been implemented. A number of others are in the process of being implemented. I would point out the recommendation to deal with a mental health emergency facility was one of the recommendations that was made to us and promised in the election campaign for this next mandate. It is now designed and ready for specific location or core location in terms of its function and need in the system.

The minister indicated some 25 of the 35 recommendations, or a ratio similar to that, have been implemented, and, obviously, as I said yesterday in the House, the doctor shortage was a problem even debated after the task force report was completed. We increased the money for doctors. We increased the resources for doctors and we had, throughout the period in question when this tragedy took place, medical staffing, doctor staffing that was the accepted level in the emergency ward.

***** (13:50)

I would also point out, Mr. Speaker, that the individual in question–and, again, I want to offer my condolences to his brother and any other family members and friends–he was seen by a doctor at the Health Action Centre. That's a primary health-care unit in Winnipeg. He was diagnosed. He was sent to the Health Sciences Centre with a referral. We are

concerned about the fact that there wasn't a backup communication for this individual. I know that the Winnipeg Regional Health Authority is dealing with not only a referral in writing going with the patient; they're also working on a protocol to ensure that there's a backup to that protocol because, obviously, there was a gap and a failure in this case.

Mr. McFadyen: I don't know why he's being so evasive in response to the question. We're certainly not surprised that after this became a media story and he felt the need to engage in media management, as he did on CJOB this morning when he said, well, maybe they confused him with family members–and he's tried a variety of other media management techniques.

That really wasn't the question. The question was what did he do after receiving the report in 2004 and before this tragedy occurred. How many briefings did he ask for and receive in connection with the implementation of these very serious recommendations, as the Premier who campaigned as a saviour of health care, as the Premier who says health care is his No. 1 priority. We know a lot of other things he did in those four-year periods. We know about the celebrity photo ops. We know he's introduced bills to manipulate election laws. A lot of his activities are well documented.

Why isn't he prepared to document his concern about the follow-through on these recommendations by tabling for this House the briefings that he asked for and received between July 2004, up to and prior to the tragedy of this weekend with respect to these very serious recommendations relatively easily implemented in the case of the assessment nurse?

Did he follow up, and, if so, is he prepared to table the records of that follow-up with this House?

Mr. Doer: I mentioned a couple of issues that were less than what we wanted in terms of follow-up, in terms of doctors. We had to change the salary structure. In fact, we had to open up the agreement with the MMA. We had to open up the budget for purposes of extra money. Every one of those recommendations were costed and placed in budgets. All of us are involved in budgets. In fact, the opposition is involved in budgets. They are involved in Estimates. We all are involved in the briefing and the update of every one of those recommendations in the parliamentary process.

For government, we're involved in budget meetings on an ongoing basis. Every one of those items had a cost to it. Every one was costed. Some of them, we didn't cost enough. When we talk about the implementation of recommendations for doctors, we recognized that we did not have enough money. We had to go back to the MMA and renegotiate the contract.

I would point out that the medical coverage of doctors on the shifts in question were up to the emergency room doctor standards. On other issues, such as reassessment nurses, there was an implementation strategy recommended by medical staff on the coverage that would take place. That recommendation to government was costed, was funded in our budgets and was in place on the weekend in question.

Mr. McFadyen: Well, Mr. Speaker, he still doesn't want to respond to the question of how many briefings he asked for and received following the 2004 report, which any person would think would be a high priority on the part of any premier. When emergency rooms are such an important and high-profile part of the health-care system which he has gone around telling people is his–*[interjection]*

It's a simple factual question I'm asking the Premier. I know they're feeling defensive, and he still hasn't responded to the question about the briefings that he would have asked for and received, that any responsible premier would have asked for and received following this report.

He's had 48 hours since the story broke. Forty-eight hours ago this story broke. Any responsible person in his position would have asked for and demanded a full briefing on every step that had been taken between the time of this report in 2004 and the time of the tragedy. He can't come into the House today unprepared, lacking responses.

It's in the international news. It's leading the newscast on CNN. It's in *USA Today*, *Bloomberg*. We're world famous, and is he saying that a celebrity photo op today was a higher priority than coming into this House properly briefed on this tragedy?

Mr. Doer: Mr. Speaker, we had an event that was planned and committed to months ago.

Mr. Speaker, we have been briefed on this specific incident quite specifically. We have asked that two orders be issued based on our briefing which appears to be two gaps that we immediately can see. The health authority is still investigating. The Chief Medical Examiner is still investigating. It appears to

us, based on our briefing, that there was– *[interjection]*

Mr. Speaker: Order.

Mr. Doer: The individual was seen by a doctor in the inner city in the afternoon. The doctor had a specific direction to the emergency ward given to the individual. That did not get to the triage nurse.

We have said there seems to be a gap here. There seems to be a problem here. There should be a backup to that order that was carried by the individual to the emergency ward. That protocol is being changed. There are instructions being issued by the Winnipeg Regional Health Authority. That, obviously, is a priority.

I might have had 10 or 12 briefings on the facts that we were losing emergency room doctors, that the existing MMA agreement last year was inadequate, that we had to reopen the contract. We had to go to the MMA to get that contract open. We had at least 10 or 12 meetings on that, briefings on that issue alone. I had a briefing prior to the incident this weekend on the status of the mental health emergency recommendation that we announced 18 months ago, that the drawings and design were done.

So I want to say to the member opposite that briefings are ongoing. It's not on the basis of just an incident that takes place. Obviously, we want to know what went wrong. We have said that something went tragically wrong here, Mr. Speaker. It went tragically wrong. We've said that. We want to say to the public that the adequate doctor coverage was there at the hospital, but there was a gap between the Health Action Centre and the triage section of the Health Sciences Centre. We accept that. We accept that it was tragically wrong, and we've asked the health experts to change that.

Emergency Care Task Force Report 2004 Tabling of Briefing Notes

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, this Premier seems to get briefed to give him political talking points and that's about it.

Mr. Speaker, under the NDP, patients have died waiting for care in Winnipeg's ERs, and a 2004 ER Task Force report made many recommendations on how to make our ERs safer and prevent such deaths.

I would like to ask the Minister of Health today to tell us how many briefings and briefing notes she demanded and received on Winnipeg's ER crisis and the recommendations and the progress of those recommendations from the 2004 task force report and whether she will table those today.

Hon. Theresa Oswald (Minister of Health): I do want to begin this afternoon by acknowledging this very tragic event and acknowledging that I believe everyone in this House, regardless of political stripe, extends their condolences to the family who are not only experiencing a loss but are, of course, experiencing all of the media attention that's surrounding this issue. I've heard some comments in the House today outside of the recorded *Hansard* that ought not be said at a time of such intense sadness. I want to begin by saying that.

Second of all, I can tell the member that as her leader has just suggested, that emergency services are so core and integral to everything that our acute facilities are doing, we discuss these issues, Sir, every single day.

***** (14:00)

Mrs. Driedger: Mr. Speaker, we are talking about a ministerial responsibility here. She obviously didn't learn from the past deaths of patients. It's happened again in a horrific way, and this last one appears that it may have been preventable.

I will ask the minister again: How many briefings did she have? How many briefing notes did she receive? How many briefings did she demand that her staff come to her and tell her about what was happening and the progress of those reports? It's her job as a minister to demand them. How many did she get? What were in the briefing notes and will she table that today?

Ms. Oswald: Mr. Speaker, certainly issues of bringing more emergency room doctors, more nurses to the front line in emergency rooms, listening to the 46 recommendations in the task force report, of which 36 have been completed, that include the introduction of reassessment nurses, that include the protocols for nurse-initiated procedures, installing computerized diagnostic equipment for faster service, enhancing diagnostic services, funding registered psychiatric nurses–and there are several others–those issues are addressed every day of every week in briefings that are offered by doctors, nurses and health-care professionals.

I need not demand them, Mr. Speaker. They are offered and we work together.

Mrs. Driedger: Mr. Speaker, then I don't understand why the minister doesn't want to come forward and

tell us how many she specifically had on these issues.

Ministerial accountability is not something that this Minister of Health seems to understand. She never informed the public about this death. It was leaked to the media. She hides behind the WRHA every time there is bad news. She dismisses public concerns that are raised to her in this House every day. She blames everybody else for her failings, and now, most egregiously, she has blamed a patient for not reporting to triage, for his death.

Mr. Speaker, I would like to ask this Premier (Mr. Doer) to admit that he has an ineffective figurehead as the Minister of Health in this province.

Ms. Oswald: Mr. Speaker, and certainly the members opposite can stand in their place every day that they choose to personally attack, to smear me. I signed up for it. I ran for election. I chose this position, and they can do what they choose.

What I would suggest is that in an issue that is as serious as this that we do not do what we have seen from this member virtually daily and that is to put false information on the record. We saw her do it last week when she credited statements to Dr. Dhaliwal that were not accurate. We saw her do it when she suggested that reports were not available on-line when they were.

I want, for sure, that the facts of this case that are so critical and indeed so tragic to a family, that we are dealing in the facts and perhaps just for today not in the smears.

Winnipeg Regional Health Authority
Notification of Emergency Room Death

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, we certainly know–

Some Honourable Members: Oh, oh.

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

Mr. Goertzen: The Minister of Health may want to portray herself as the victim, but she is not the victim here.

Accountability begins when you create a system and an environment that recognizes who in that system will ultimately be accountable. When it comes to the health-care system, that is the Minister of Health who needs to be accountable. The Premier said that on the radio this morning. Manitobans recognize it; they know it.

Why did the Winnipeg Regional Health Authority not feel it was important to tell the Minister of Health about this critical incident until two days after it occurred?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, the information is just simply not true once again. I would hope that the member would put factual information on the record.

It is true that we had emerging details about a very tragic event early on after it happened. Certainly, information was brought to me approximately the middle of the day yesterday.

I can tell you that from those emerging details and that information that I got at the middle of the day on Monday–I beg your pardon, Mr. Speaker; that's when I got that information–that since then, we've learned that those facts were inaccurate, and as we go forward in dealing with an incident that we want never to happen again, the situation of someone not being triaged and therefore not being cared for appropriately, we need the facts, and I'm determined that we will get those.

Mr. Goertzen: We also want the facts in this House and we believe that we deserve the facts. Manitobans deserve the facts, yet it's difficult to find out the truth when the Minister of Health gives two different answers on two different days.

Yesterday, in responding to a question in this House–and it's in *Hansard*–when it was asked when she first learned of this incident, she said that it was midday on Monday. Now she seems to be indicating something different.

Did, in fact, the first time she learned about this incident was midday on Monday, two days after it happened?

Ms. Oswald: Again, I have spoken about when we were alerted of emerging details, not factual information. I've been consistent in, indeed, just correcting myself just now, Mr. Speaker.

What I can tell you is, of course, a critical incident review was immediately started so that factual information could be gathered. We also, very shortly thereafter, went to all regional health authorities to ensure that a protocol was immediately put in place to ensure that all people in emergency rooms were approached to ensure that they had been triaged.

Today, the Winnipeg Regional Health Authority has also issued a protocol, learning from this

incident, that all referrals from community clinics to emergency rooms must be accompanied by a phone call to ensure that there are no gaps, Mr. Speaker.

Mr. Goertzen: The Minister of Health, if we're to believe what she's saying now, wasn't advised of this incident on Sunday, and then she wasn't advised of it on Monday morning. It was the middle of the day, midday on Monday, when she was finally told. Perhaps she was only told because this issue was about to become a media issue. Maybe that's why the regional health authority decided to finally inform the minister.

Can she indicate why she was not at the top of the list to find out about a critical incident, one of the worst ER incidents in Manitoba's history? Why would she have not been on the top of the list to inform people?

If it's true what the Premier (Mr. Doer) says and she needs to be held accountable, why wasn't she told right away?

Ms. Oswald: Again, I want to be very clear on this point: I learned of emerging details one day, approximately, after the incident occurred. These details were emerging. We wanted to make sure that we had facts on the record.

And, again, Mr. Speaker, the members opposite can see fit and do as they choose with this incident to smear an elected person in the Legislature. That's fine. I want to be clear that the doctors, the nurses, the paramedics at the regional health authority, at Health Sciences Centre, have handled themselves in a professional manner, have been forthcoming with information, and I do not want the members opposite to impugn the honour of those doctors and nurses and paramedics and health-care workers. That's inappropriate.

Winnipeg Regional Health Authority
Notification of Emergency Room Death

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, Dorothy Madden, Herman Rogalsky, Melissa O'Keefe and now Brian Sinclair. Before early Sunday morning, these individuals didn't necessarily have much in common, and now what they do have in common is that they're all victims of a health-care system that is flawed and has failed them.

Mr. Speaker, the minister said just now that she first learned of this incident Monday afternoon, a day and a half after this incident occurred. Does she honestly believe that is acceptable that she did not learn of this issue until a day and a half after it occurred?

***** (14:10)

Hon. Theresa Oswald (Minister of Health): I can say for the members opposite that it's critically important that factual information comes forward. A critical incident review was launched immediately. Details continue to emerge today, Mr. Speaker, and we find that things that have been reported, things that have been said, have not turned out to be accurate. This can be very hard on a family, and it can be very damaging to a review and a go-forward plan.

I can report that immediate gaps that have been identified in this very tragic case have had actions that have been implemented immediately. Number 1 is the protocol concerning ensuring all occupants of an emergency room see a triage nurse, and the second is to ensure that the transfer of patients from community clinics to ERs is done not only with paperwork but with phone calls as well.

Mrs. Stefanson: Mr. Speaker, to members on this side of the House, we would have been demanding more information sooner from those people who took a day and a half to get us that information. That is unacceptable and it should be unacceptable to the minister, the Premier and to members opposite.

Mr. Speaker, yesterday, the Premier said in his scrum, and I quote: "Any preventable death to take place is embarrassing for us." Is that why they took so long to come forward to inform the public, because they might have been embarrassed?

Hon. Gary Doer (Premier): Mr. Speaker, the media asked a specific question and, obviously, first of all, it's a tragedy. I said that any preventable death, no matter when it takes place and how it takes place, if it's preventable, it is a tragedy that's happened in our health-care system.

We know of lots of other tragedies in the past, but this is a tragedy that took place this weekend. We accept the fact that it's our ultimate responsibility, Mr. Speaker, and we are trying to deal with what we see to be some immediate gaps, not gaps that weren't directly identified in the Emergency Care Task Force report.

But, Mr. Speaker, it's a tragedy. Those are the words we used yesterday, and those are the words we used in the House. We have to get factual information. I also said in the scrum–

Mr. Speaker: Order.

Mrs. Stefanson: The Premier said is that it was a potential embarrassment, Mr. Speaker. I think that that's unfortunate that a minister of the Crown wouldn't come forward with information because of a potential embarrassment to the government on such a tragic issue as a death in this province and the way that it occurred.

The way that it occurred, Mr. Speaker, was a result of a systemic problem with this government. The buck stops with the Premier and the Minister of Health (Ms. Oswald) on this issue. Do they honestly believe that not being briefed until a day and a half after this issue took place is appropriate? Why were they not demanding a briefing much sooner than that from their bureaucrats?

Mr. Doer: The words I used in the House were my words, and I'll stand by them yesterday and today. I also want to say that the question was asked appropriately in the media scrum. I think it was also asked by the Member for Inkster (Mr. Lamoureux) yesterday in his question.

Mr. Speaker, the first information we had actually proved not to be correct. The other advice we had is the next of kin hadn't been notified. So I think it's very, very important that the next of kin be notified and that we try to get not just information that's not factually correct and checked out. That's something that the minister demanded, that we asked for, and it's very appropriate that we do that. I think the minister made the right decision to find out as much as possible.

When a tragedy like this occurs, there's going to be accountability, and we expect that. It's part of our responsibility, Mr. Speaker. But part of our responsibility is to try to get as many facts straight as possible and to let the next of kin know as soon as possible.

Winnipeg Regional Health Authority
Notification of Emergency Room Death

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, the Premier knows that when there are tragedies that happen in Manitoba, whether it's on the highways or off in other places, that's reported upon, but the names aren't released until the next of kin are advised. So that's simply a smokescreen that he's putting up to try to deflect the issue that his minister wasn't advised on Sunday and wasn't advised early on Monday.

In fact, the Winnipeg Regional Health Authority decided, I suppose because of the culture that the minister has created, that it wasn't even important to tell her about the most egregious ER incident that's happened in Manitoba history. It's become national news.

Why has she created a system where her own regional health authority doesn't think they should even tell her when it happens?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, there are so many things that are untrue in that preamble I wouldn't know where to begin, but I will start by putting some facts on the record.

Certainly, we put in place critical incident systems into the legislation, so doctors and nurses in the system can immediately begin investigating in a formal way on their own. That's where factual information comes from.

We also know that it was absolutely critically important that when a tragedy like this occurs in the uniqueness of the situation in which it occurs, and the life of the individual and the uniqueness of that situation, that every sensitivity in the world to a family was to be afforded to that family. I stand by that, Mr. Speaker.

Mr. Goertzen: It's apparent that the officials in the Winnipeg Regional Health Authority knew about this fatality. It's clear that the doctors and the staff at the hospital knew about the tragedy. The media found out about the tragedy, all before the Minister of Health, who is supposed to be the person who's ultimately accountable for the health-care system, knew about the tragedy.

Why is it that her own Winnipeg Regional Health Authority didn't feel it was important to notify, to call, to let the person ultimately accountable know about the tragedy that took place on the weekend?

Ms. Oswald: Mr. Speaker, I want to say very clearly that people who were directly involved in the tragic circumstances surrounding the death of this human being were very concerned and very upset about what happened and worked very quickly to ensure that the facts began to be gathered.

The lines of communication between our regional health authorities in Manitoba and Manitoba Health and Healthy Living are strong and they are open. We pass information back and forth all the time to ensure that we're working on items like the

Emergency Care Task Force recommendations. These conversations are ongoing. They happen every single day, Mr. Speaker, and they'll continue to happen every single day, so we can ensure that nothing like this ever happens again.

Mr. Goertzen: Well, Mr. Speaker, the minister can boast about billions of dollars that go into the system, and yet the system gets worse. She can boast about announcements that happen, and yet the system doesn't get better. It gets worse.

One of the reasons why it's getting worse is because she has created an environment where there isn't responsibility, where there isn't accountability in the system itself, where money goes in but there's no accountability for the results that come out. That's demonstrated by the fact that the Winnipeg Regional Health Authority didn't even think it was worth notifying the minister when this incident happened.

Why did her own regional health authority decide that she wasn't important enough to tell that this incident happened, that it wasn't necessary that the minister even know that this happened until the media found out?

Ms. Oswald: Mr. Speaker, I'm going to say again–I don't get the impression that members opposite are going to move on from this issue–communications between the region and my office, between staff from the region and my staff, are ongoing, happen all the time. We stay connected to one another and that's how we work to improve the system.

This very tragic case which I fear might be being lost in the dialogue today, this very tragic case resulted from a gap that we have been able to identify concerning triage and not being triaged. We've worked to take immediate action on that and the region has worked very swiftly. I commend them for that, Mr. Speaker.

Emergency Care Task Force Report 2004 Government Priority of Recommendations

Mr. Hugh McFadyen (Leader of the Official Opposition): I just, to the Premier, would want to ask: If the Minister of Health (Ms. Oswald) had expressed a high level of concern about the implementation of the 2004 recommendations, if it was known to the department and to the authority that it was a high priority for the minister that these issues be resolved, then why would the department wait more than a day and a half before even letting her know that something had fallen through the cracks on an issue that they claim that they care about?

If the message to the department was we care, we're on top of this file, we want to see results, they would have notified her right away. If the message to the department is we don't care, we are irrelevant six-figure cheerleaders, then don't notify us.

So I want to ask the Premier, Mr. Speaker: Is this a government of ministers and leaders or is it a government of six-figure cheerleaders?

***** (14:20)

Hon. Gary Doer (Premier): We certainly asked for the facts as they came out. Some of the facts that we were informed of were not correct. We went back and asked them. We asked questions that haven't even been asked in this House today: What were the staffing levels? What was the doctors' level? What was the issue of the security camera? Was it connected to the monitor of the nurses' station? We asked the question about the Winnipeg Regional Health Authority, its primary health-care lab. Was the person seen by a doctor? Was the person seen by a nurse? What was the conveyance information?

We asked a lot of questions, Mr. Speaker, to ensure that we could find out what happened, what went tragically wrong, what were the gaps and what we could do immediately to fix it, even though the issue of the Chief Medical Examiner's report came out. The question about when did you know was actually asked by the Member for Inkster (Mr. Lamoureux) yesterday.

Mr. Speaker, there are lots of issues of the recommendations of the Emergency Care Task Force report dealing with reassessment nurses, dealing with the technologies that the member talked about, dealing with the whole issue of the mental health facility and its commitment that we made in the last election campaign.

Yes, we went back after we committed to some of the recommendations in the Emergency Care Task Force. We had to go back because we were losing doctors, as everybody acknowledges in this House. We had to go back and open up the MMA agreement.

That wasn't because we didn't care, Mr. Speaker. We did care about getting doctors properly shifting in the emergency wards. We went back and opened up that agreement. We increased the funding and the salaries by, I think, about $80,000 per doctor. The

whole Cabinet tried to get that corrected, but that didn't stop the tragedy that took place this last weekend, and that's why it's unacceptable.

Mr. McFadyen: Mr. Speaker, if Duff Roblin had been Premier, if Ed Schreyer had been Premier, if, I daresay, Howard Pawley had been Premier, and certainly if Gary Filmon had been Premier, they would be raising hell if the department had waited more than a day and a half to advise them of the most serious ER failure in the province's history.

I want to ask the Premier: When was he first notified of what happened in the Health Sciences Centre this weekend? Was he notified ahead of his minister or after his minister?

Mr. Doer: You know, Mr. Speaker, let not there be a double standard. We accept accountability. We've asked questions before about the preventable deaths of babies. These are all horrible. This incident, and I want to clarify this very clearly, we are not blaming the victim. We are taking responsibility. That's why two orders have been made in the last 24 to 48 hours to try to close some of the gaps that we can see even prior to the Chief Medical Examiner having the option of either calling an inquest or having a report. The Chief Medical Examiner has that authority.

Mr. Speaker, we answer questions in this House. We didn't have the former critic of Health claiming that the former Premier, quote–I won't even repeat the statement because we didn't do it, if there's a system breakdown.

And I want to point out, some of the people that the member opposite was talking about yesterday as, quote, bureaucrats, in the House, in the Winnipeg Regional Health Authority, one of them was Mr. Postl. If you read the Sinclair report about the preventable deaths, the 11 preventable deaths–and I'm sure Mr. Filmon feels as awful about that as we feel about the situation over the weekend, Mr. Speaker. There was an assessment. The person who put the stop to those surgeries was Mr. Postl, and I think we should be very careful about the reputations. Or Dr. Postl.

Mr. McFadyen: Mr. Speaker, when the tragic events took place with respect to the cardiac program for children as a result of the improper ways of operating by Dr. Odim, this current government who was then in opposition demanded accountability. I would think that they would expect nothing less from the current opposition.

Now, the Minister of Health (Ms. Oswald) thinks she is the victim in all of this because we've asked her tough questions. She thinks that she's the victim of a smear campaign because people are asking her to be accountable and to be factual about what she knew and what she did.

What we do know is that we've had conflicting reports coming out of the government, and the Premier has not even been prepared to respond to the simple question of when he was notified of the incident.

Clearly, Mr. Speaker, there are many, many unanswered questions associated with this tragedy, including what happened between July 2004 and this past weekend, what happened after the report came down that said that the government needed to move to ensure that there are reassessment nurses and patient advocates working in emergency rooms in Manitoba. Clearly, that didn't happen.

Will the government today agree to a full external review, somebody from outside the province of Manitoba, who is not either perceived to be or, in fact, subject to any political pressure? Will they do an external review that will examine the role of successive Health ministers, and the Premier, the department, the health authority and staff in the emergency rooms, all of those players in the system who had different jobs to do after July 2004 when the report came down? Will they put in place that kind of an external review that examines the system from top to bottom to find out why it is more than four years after they got this recommendation that it still hasn't been implemented?

We need to know: Was it neglect? Was it incompetence? Was it a failure of follow-through, or was it that they just didn't care, or was it all of the above? Manitobans need to know, Mr. Speaker.

Mr. Doer: Well, Mr. Speaker, I want to make it clear, very clear, that the whole issue that the members opposite are trying to create, and create words to say that the victim is not the person who died, we absolutely believe that the death of the individual was a tragedy, and we absolutely believe that he is the victim. We want to make that very clear.

I know that there's a tactic involved to create a straw entity here and then attack it as being associated with us. I want to make it very clear that there had been follow-up reports on the Emergency Care Task Force report. But, Mr. Speaker, the

Emergency Care Task Force report did not have an incident where a person was seen by a doctor at the Health Action clinic, and, you know, the Health Action clinic is being relocated to a place where members opposite have been opposed to.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. If members wish to have a conversation, we have two empty loges here. Feel free to use them. Right now we're in question period and the honourable First Minister has the floor.

Mr. Doer: Thank you, Mr. Speaker.

So I want to make it clear that the unacceptable tragedy over the weekend had one victim, the deceased, and that is what we're trying to determine as much as we can and as carefully as we can. I have said before that any preventable death in a health-care system is a tragedy. We treat it as a tragedy, and we accept responsibility.

Mr. Speaker: Time for oral questions has expired.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I ask leave to ask my question and two supplementaries.

Mr. Speaker: Does the honourable member have leave to ask his question and two supplementaries? *[Agreed]*

Emergency Care
Request for Independent Review

Hon. Jon Gerrard (River Heights): Mr. Speaker, FedEx, Purolator, even Canada Post can track a parcel moment to moment as it travels around the world. But the Minister of Health (Ms. Oswald) can't track Brian Sinclair moving from one facility to another within Winnipeg without losing Brian for 34 hours.

You know, after many internal reviews, recommendations, continuing poor performance, Manitobans, quite frankly, have no confidence in internal reviews. We need to have a review by somebody who is independent, out of this province, very knowledgeable on emergency rooms. We need a proper review, an independent review.

When will the minister put in place an independent review, headed up by an outside expert from out of Manitoba?

***** (14:30)

Hon. Gary Doer (Premier): We've had outside experts looking at cardiac. We've had outside experts looking at elements of the emergency department, I believe, but I'll double-check that. We've had outside experts look at the regional health authorities that were bequeathed to us. I know the members opposite will accept those recommendations which they support and not accept the recommendations from outside experts that they don't support.

On the issue of the transfer of the patient, the doctor saw the patient, put a referral slip in with the individual who was known to the doctor. The person was transported to the Health Sciences Centre and didn't appear before the triage nurse.

That requires a backup system. The Winnipeg Regional Health Authority, already demonstrated by the Minister of Health (Ms. Oswald), has now put in a backup system to back up the referral that's been made to the individual so it goes directly to the other health unit.

Mr. Gerrard: The Koshal report was very helpful, providing an outside view of what was happening.

There is a major problem in having an internal review, because you have people within the system who may feel that they are threatened or could lose their job or their privileges if they say something that would adversely affect this NDP government.

The reality is that we need an external, outside, independent person to head up this review. When will the government put in place the independent review that we need into the death of Brian Sinclair?

Mr. Doer: The Chief Medical Examiner is examining the situation. He's got both an immediate investigation and a longer-term one. He can make further recommendations for an inquest, and we obviously would support any recommendation he made.

Mr. Harold Buchwald and an individual, Mr. Duboff, were both external people to the health-care system on the Emergency Care Task Force. Mr. Buchwald, I think, was a very respected person in this community, a smart individual. I'm sure the member opposite would feel that he brings independence to the review of the emergency wards. I think he did bring independence to it, and I've always had a lot of respect for Harold Buchwald. So we've had good people look at this system from the outside as well from the inside.

Mr. Gerrard: Mr. Speaker, I have a great deal of respect for the late Mr. Harold Buchwald, but the reality is that he's not an expert on how emergency

rooms work. Bringing in somebody who's got their emergency rooms working properly in another jurisdiction, who can be independent, not subject to threats or gags by the NDP government, and provide a useful, helpful report is what we need.

I ask the Minister of Health (Ms. Oswald) or the Premier: When are they going to put in place a review led by an independent, outside expert who knows what he's talking about and can make useful recommendations that can be followed and improve the system?

Mr. Doer: Knowing Mr. Buchwald's views on many items over the years, some of which were consistent with the government's and some of which weren't, I'm surprised that he would say that he would be, in any way, shape or form, influenced by or gagged by the government. I think that's an insult to the memory and legacy of Mr. Buchwald. I think that is very inappropriate, Mr. Speaker.

Mr. Speaker: Order. As previously agreed, that's a question and two supplementary questions. So now we will move on to members' statements.

MEMBERS' STATEMENTS

Bill 17 Rally

Mr. Leonard Derkach (Russell): I rise to acknowledge today's rally against Bill 17, The Environment Amendment Act.

The Bill 17 debate has been long and challenging and still our government refuses to listen to reason. The Clean Environment Commission did not recommend a moratorium on hog production, yet the government has singled out the pork industry as a main source of Lake Winnipeg's nutrient-loading problems. There are no guarantees that enacting Bill 17 will result in a marked improvement to the health of Lake Winnipeg.

There are many sources of nutrient loading from leaking septic fields and lagoons, to raw sewage dumping from Winnipeg's combined sewage system, to rotting vegetation nutrients affecting Lake Winnipeg throughout its breadth and depth.

Mr. Speaker, reducing nutrient loading into Lake Winnipeg requires a collective science-based approach involving multiple stakeholders, not simply a strategy based on partisan politics. Bill 17 will cause untold financial damage to Manitoba's valuable pork industry. The economic climate this bill creates also leaves other sectors thinking twice about whether they want to do business in this province. Many strategies to tackle nutrient loading were offered by the agricultural sector, the scientific community and by the private industry. For example, the Manitoba Pork Council offered a zero percent solution which would have ensured that phosphorus was only used at a rate to which it could be removed by crops. This plan, like so many others, was simply ignored by the Premier (Mr. Doer) and the NDP. How short-sighted.

Perhaps an editorial from the September 19 *Red River Valley Echo* summed it up best. It stated, and I quote: It's sad when a provincial government and an intellectually challenged MLA start off on the wrong foot with hog farmers, but it's downright pathetic when they can't see the solution that would protect both the environment and rural jobs when it's displayed right in front of their face. End quote.

There's still time for this government to withdraw this bill, withdraw Bill 17, and they should. Thank you, Mr. Speaker.

Bergen Hall Seniors Social Club

Ms. Erna Braun (Rossmere): Mr. Speaker, today I rise to recognize the Bergen Hall Seniors Social Club. Seniors' and Elders' Month will be celebrated in October, and it gives me great pleasure to put a few words on record to highlight the work of one of North Kildonan's most active seniors groups. Bergen Hall Seniors Club began 12 years ago when Martin Bergen amalgamated two seniors clubs, the Golden Agers and Sunrise social clubs that existed in close proximity to each other on Henderson Highway in adjoining apartment blocks. An auditorium was built connecting the two buildings and Bergen Hall was created.

The first membership to Bergen Hall Seniors Social Club was sold in 1998. Today, Bergen Hall Social Club has nearly 225 members aged 55 to 95, with one honorary member who will be turning 102 years old this October 15.

The club provides seniors with a variety of social opportunities that encourage them to get out into the community and be active. The Bergen Hall hosts bingo, carpet bowling, shuffleboard and crib-playing nights. In addition, the social club has an exercise room, pool, vegetable garden and Friday night movie nights.

The club is self-supported through various fundraising initiatives held throughout the year. The work of the volunteers that keep all the activities going must also be acknowledged. I am delighted to

have Tom Howard, president, and Ed Fehr, vice-president of Bergen Hall Seniors Club joining us in the gallery this afternoon.

Mr. Daryl Reid, Acting Speaker, in the Chair

On October 4, I will be joining the members of the Bergen Hall Seniors Social Club at their Fall Tea fundraising event. This is a wonderful opportunity to bring the community together and to support the seniors club.

During the upcoming month, it is important for all Manitobans to remember and celebrate the 158,000 seniors living in our province. I look forward to the Fall Tea on October 4 in support of the Bergen Hall Seniors Social Club and congratulate the club on its new initiatives and hard work in making it a safe, comfortable and enjoyable place to socialize and exercise. Thank you.

Raise-a-Reader Day

Mr. Ron Schuler (Springfield): Mr. Acting Speaker, today I ask Manitobans to help mark Raise-a-Reader Day. This morning, 28 communities across Canada hosted Raise-a-Reader Day and Winnipeg was no exception. Volunteers and local celebrities were on the streets of Winnipeg early this morning exchanging special editions of the *Winnipeg Free Press* for donations to literacy.

Raise-a-Reader Day is an award-winning event that aims to raise awareness, funds and resources for literacy programs in Canada. The CanWest Foundation started this amazing program in 2002, and since then it has raised over $10 million. Every dollar raised by the program stays in the community where it was generated. So the money raised in Winnipeg from this program helps support local literacy programs.

Mr. Acting Speaker, more than three million Canadians have problems reading printed materials such as understanding the directions on a prescription or reading a map. In Manitoba, there are 39,000 adults with a grade 9 education or lower. Low levels of literacy in the community can lead to low levels of employment and high rates of crime. Therefore, increasing literacy levels is an important investment in our communities.

***** (14:40)

The Raise-a-Reader program has also been aided financially by generous corporate and celebrity supporters. Donations from Raise-a-Reader can be made at McDonald's and 7-Eleven locations if Manitobans missed the opportunity to donate early this morning. Canadian artists, including Michael Bublé, Anne Murray and James Taylor, have all donated partial proceeds from their cross-country ticket sales to Raise-a-Reader program, and legendary singer Bob Dylan has also agreed to donate a portion of his ticket sales from his upcoming concert in Winnipeg.

Manitobans are strongly encouraged to get involved with literacy programs as this month is literacy month and today is Raise-a-Reader Day. Hopefully, Mr. Acting Speaker, Manitobans will continue to support literacy programs year-round as advancing the education of Manitobans is necessary for development of our province and our society as a whole. Thank you.

Provincial Council of Women

Ms. Marilyn Brick (St. Norbert): Mr. Acting Speaker, on July 9, I had the privilege of attending the Provincial Council of Women of Manitoba's second annual Celebrating Women Gala and Fundraiser. The event is organized to honour members of the council and to celebrate dedication to the women's movement in Manitoba. This year's gala honoured four individuals and two federate members of the council.

As past-president of the council, Elaine Louise Adam had fundraised for and brought focus to issues of violence against women, women in the arts, employment, immigration and the environment, as well as organizing a national conference.

With her background in home economics and long-time experience working for the provincial government, Peggy Barker has served as federate representative for the Manitoba Association of Home Economists and the Consumers' Association of Canada, as well as serving as membership and program chair.

Murdina Brownlee has volunteered her time as member and president of the Council of Winnipeg Women, as well as Arts and Letters Convener for the National Council.

Donna Mae Yeo has served as president of the Council of Winnipeg Women, and was chair of the Public Relations and Membership committee. She has also chaired the Archives Committee and is past-president of the Women's Life Members Association. She received the Queen's Jubilee Medal in 2003.

Mr. Speaker in the Chair

The Manitoba Provincial Executive of the Ukrainian Women's Association of Canada was one of the first federates to join the council. An active branch of the association, it seeks to support various association endeavours, including Habitat for Humanity, aid to the Ukraine and Third World orphanages, addressing human trafficking and women's issues.

Finally, the Women's Health Clinic seeks to assist women from all walks of life to learn all they can about their health and about making the right choices for themselves. Their mission of empowerment, choice and action led them to submit a resolution regarding the reduction of social and economic inequality to the Provincial Council's brief to government in 2006.

Mr. Speaker, I was very thankful to attend the gala and learn about these amazing women and organizations. I would like to extend my congratulations to the honorees, and my thanks to the Celebrating Women organizing committee for all their hard work in planning the event. Finally, thank you to the Provincial Council for their continued dedication to the women of Manitoba. Thank you.

Brian Sinclair

Hon. Jon Gerrard (River Heights): Mr. Speaker, the tragic death of Brian Sinclair is a signal of deep and troubling problems within Manitoba's health-care system. Today we see huge system and people problems in health care in our province. It's extraordinary that when FedEx, Purolator and even Canada Post can track parcels moment to moment as they travel around the world, our Minister of Health (Ms. Oswald) lost Brian Sinclair for 34 hours when he went from one facility to another in Manitoba.

This is a system problem and it needs to be corrected, but there is also a people problem. A system will only work if those who work within the system feel good about their work and feel and are able to do a good job. At this moment, increasingly, people working in health care are disturbed by what's happening. People are disturbed because they cannot speak openly about issues because of NDP gag orders. People are disturbed because, from an outcome, a technical and a human resource perspective, decisions are being made and front-line workers are being ignored.

It is time to change from a hush-up NDP government to a more open Liberal government which will make effective changes to improve the system and address the people in systemic problems. Let us put the health and the care back in health care in Manitoba.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I wonder if we might call Bill 17 for debate on report stage amendments.

DEBATE ON REPORT STAGE AMENDMENTS

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

Mr. Speaker: Resume debate on report stage amendments on Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities).

The honourable Minister of Conservation (Mr. Struthers). I'm sorry, we still have one more here. Standing in the name of the honourable Member for Turtle Mountain (Mr. Cullen) who has nine minutes remaining.

Mr. Cliff Cullen (Turtle Mountain): I'll certainly keep my comments brief at this point in time. I know the minister has right down to the last hour here to withdraw Bill 17 and, hopefully, he will see the light. We know we have a lot of people lining up outside to hear what the minister is going to do this afternoon, and how this government's going to deal with Bill 17.

I know the minister certainly has been busy trying to justify Bill 17 and he maybe hasn't had the opportunity over the last few days to read the newspapers. So I will table for the House today some articles, some advertisements, that have been running in the media. They have to do with Bill 17.

This particular article says: Apparently science, economics and common sense have no place in politics. They're asking people to join the rally to protest Bill 17 today at 3 o'clock. So I'll table this advertisement for the minister so that he is aware, and I think it's the message that the members on this side of the House have been trying to get across to the minister, that he's ignoring the science, he's ignoring the economics of the hog industry here in Manitoba, and he's not paying attention to common sense and the ideas that we were trying to bring

forward. So thank you very much for the few minutes I had, Mr. Speaker.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Minister of Conservation (Mr. Struthers).

THAT Bill 17 be amended in Clause 6(1) by striking out "and 68/2008" and substituting ", 68/2008 and 133/2008".

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: All those in favour of the amendment, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the amendment, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Yeas have it.

Mr. Gerald Hawranik (Official Opposition House Leader): On division, Mr. Speaker.

Mr. Speaker: On division.

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Hon. Dave Chomiak (Government House Leader): I wonder if I might have leave of the House to move to concurrence and third reading–I'd like to, in my dominant fashion, Mr. Speaker, can we move to third reading and concurrence of Bill 17.

CONCURRENCE AND THIRD READINGS

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

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Conservation (Mr. Struthers), that Bill 17, The Environmental Amendment Act (Permanent Ban on Building or Expanding Hog Facilities); Loi modifiant la Loi sur l'environnement (interdiction permanente visant la construction ou l'agrandissement d'installations réservées aux porcs), reported from the Standing Committee on Agriculture and Food and subsequently amended, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Speaker: Before we proceed, I just want to inform the House that the amendment that we just dealt with, that was passed. It was passed. So now to speak to Bill 17.

Hon. Stan Struthers (Minister of Conservation): I'm pleased to rise today and put a few comments on the record in terms of Bill 17 and indeed, Mr. Speaker, our government's very comprehensive approach to protecting Manitoba's water.

Mr. Speaker, that's the essence of the bill. That's what Bill 17 is about. In 1990, there were about 2 million hogs in this province; today there are in the area of 9.5 million. Those hogs were not all placed evenly, distributed evenly around this province. They were concentrated in areas of our province, sensitive areas of our province, overcrowded areas of our province and areas of our province that are susceptible to floods.

***** (14:50)

The Clean Environment Commission said our framework wasn't strong enough. We took that seriously. The CEC said do something about it. Conservatives across the way stuck their heads in the sand. We put forward Bill 17.

Now, there are those out there, Mr. Speaker, who don't think we've gone far enough. There are those who think that this moratorium should be bigger than what it is and of course there are those, as we see across the way, who would rather continue to deregulate, would rather continue the stick-your-head-in-the-sand approach, which does nothing to protect Manitoba's water.

There's a very good reason why we protect Manitoba's water, Mr. Speaker, the economics of it. When you look at the fishery in this province, when you look at the pickerel fishery, Lake Winnipeg, one of the great lakes in not only this country but on the planet, the No. 1 pickerel fishery on the planet, that's an economic worst. We can't fool with that. The number of interests, the number of economic interests that surround that lake, the number of interests, it's an economic engine, that lake.

Members opposite see only the very narrow part of the economic pie that talks about hogs. We

believe, on this side of the House, that you can have a sustainable hog industry but you can't do that without some strong measures in place to make sure that that impact on our water is protected. You can't have that, Mr. Speaker. We need to take these strong steps.

We need to take these strong steps to protect Manitoba water so I'm very proud to put this forward and have this come to a vote today. Thank you very much.

Mr. Blaine Pedersen (Carman): Mr. Speaker, Bill 17 is a political statement by this government. It has nothing to do with waterways or the environment.

Bill 17 comes at a time when countries around the world are scrambling to produce more and more, safer and more food and food products, and yet in Manitoba we have a government that's bent on reducing food produced and that's the result of Bill 17.

Bill 17 puts politics ahead of science. It puts politics ahead of farm families. It put politics ahead of a billion dollar industry located right here in Manitoba.

Bill 17 ignores the Clean Environment Commission which was asked for by the very government that's bringing in Bill 17. They're ignoring the 48 recommendations brought in by the Clean Environment Commission and instead using Bill 17 and nowhere, nowhere in the Clean Environment report was there a mention of a moratorium, permanent or otherwise on the hog industry. That was not in the Clean Environment Commission report.

Bill 17 provides no measurable means for phosphorous loading today, tomorrow, five years down the road. There is no means of measuring the phosphorus on our agricultural lands, from our cities, our communities in this province, from our rivers or streams and certainly there is no measurement set up in Bill 17 for Lake Winnipeg. Bill 17 comes despite Manitoba Pork, the ag industry, university science, scientists, industry specialists offering constructive suggestions to measure and mitigate phosphorous run-off into our waterways in Manitoba.

I'll quote Dr. Don Flaten of the National Centre for Livestock and Environment, University of Manitoba and he is a foremost expert on phosphorus. Dr. Flaten says, and I quote: If we are going to make progress on improving water quality in the province we've got to stop blaming others and each of us do our share to reduce nutrient losses.

Bill 17 does not do that. Bill 17 squarely blames the hog industry. The only measurable means, the only thing that will be measured by Bill 17 in the years to come will be the number of hogs in Manitoba. It will not measure phosphorus or phosphorous reduction. Mr. Speaker, the Minister of Conservation (Mr. Struthers) has made that very clear. He states about how there were 2 million hogs, or whatever it was, 20 years ago or 30 years ago, in Manitoba, and now we have 8 million hogs.

An Honourable Member: Nine and a half million.

Mr. Pedersen: Nine and a half million. I stand to be corrected on that, and that is the purpose of Bill 17, is to reduce the count of hogs. That's the only thing that Bill 17 will do. It will not have anything to do with phosphorus.

And that leads me back to the real reason of Bill 17, it's the politics. The Minister of Conservation is taking his orders from the Premier's Office to push Bill 17 through unchanged. Mr. Speaker, the Minister of Agriculture (Ms. Wowchuk) supports this bill for political reasons. Where is the Minister of Agriculture when it comes to supporting agriculture and agricultural producers in Manitoba? She has been very silent on Bill 17.

We have government backbenchers such as the Member for Burrows (Mr. Martindale), who told me that he supports this bill because it's revenge for a previous government for selling MTS.

Point of Order

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

Mr. Doug Martindale (Burrows): On a point of order, Mr. Speaker. The member who was speaking is putting an untruth on the record and I'd ask him to kindly withdraw it, thank you.

Mr. Speaker: Order. On the point of order raised by the honourable Member for Burrows, I take that information brought to this House as factual information. It's a dispute over the facts.

* * *

Mr. Speaker: The honourable Member for Carman, to continue.

Mr. Pedersen: Thank you, Mr. Speaker. I think it's unfortunate that government backbenchers don't

have–that will not stand up for clean water in Manitoba.

Bill 17 sends a clear message to the business community of Manitoba, unless your business has a direct tie-in to the NDP party, you're not welcome in Manitoba.

During the Bill 17 committee hearings, and this is on record in the *Hansard*, the Premier said: I pledge to never deny people a culture and a way of life.

I guess that reminds me, I think back to 1999, where a pledge, by the Premier, to end hallway medicine with $15 million in six months. I look at the mess today that we have in health care.

Pull Bill 17. This bill will not do anything for phosphorous reduction in Lake Winnipeg. This is a political statement by this government, and I urge the Minister of Conservation to pull the bill and let's get on with cleaning up our waterways in Manitoba. Thank you, Mr. Speaker.

Mr. Stuart Briese (Ste. Rose): It's a pleasure to stand and put a few words on the record on Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities).

This is truly a sad day for agriculture in Manitoba, especially for the livestock industry. We have one minister doing everything in his power to shut down an industry that has been a big player in the economy of this province for quite a number of years, an industry that, up until a few short months ago, they supported without question. The Minister of Agriculture certainly supported this industry and encouraged the expansion of hit.

We have one minister attacking the hog industry. We have another minister ignoring the cattle industry. This is truly one of the blackest days in history for agriculture in the province of Manitoba. I don't often do comparisons, but I have made a few in the debate on this bill. My observation is that this bill put forward poses hardship on the hog producers of this province, and is used to talk about water, but costs the government nothing to impose.

***** (15:00)

Mr. Rob Altemeyer, Acting Speaker, in the Chair

There are all sorts of other things in this province that are having a bigger impact on our water supplies that would cost the government money, so they're ignoring them. The contaminated sites, 200-some in this province. Why aren't we cleaning them up? Because it would cost the government money. Boil-water orders. There isn't a single boil-water in this province that is livestock related; every one is human contamination. Municipal waste-water sewage disposals, what's the process with them? They go into lagoon cells, they settle in one, they sit in the sun in another, and then they're discharged into the rivers.

None of this hog effluent is discharged into the river. It's a valuable product. It's taken out. It's incorporated into the fields. They're not pumping it into the river. The fertilizer prices right now, you'd be nuts to do that. All living creatures produce phosphorus and nitrogen. How about putting a moratorium on vegetation, or on people? It's just about as silly as this bill is. The message sent is a very poor one to business in this province, and an extremely poor one to send to agriculture at this time in history.

This is the tip of the iceberg. We've heard the minister say, we are going to approach this sector by sector. What's next? What other industry out there goes down next? The minister seems to have the opinion that rural Manitoba is the cause of most of the problems. I want to remind him that there was no one, absolutely no one–I've farmed for all my life–there's no one that has more of a sense for the landscape out there and for the environment out there than the farmers themselves. Farmers think in generation terms. They want to leave things in better shape for the next generations of their families than they found them. They are the best stewards of the land that you could find anywhere, and the message that's being sent to them is, you're not doing a good enough job. The heavy hand of the Province is going to come down on you, and we're going to close your doors. That's a very poor message.

I urge, I encourage the minister to withdraw this bill. Do the right thing. Take this bill off the table. There's other approaches. There's all the tools are out there already to deal with any operation on a case-by-case basis. They were being used. They were put in place. They worked. Let's pull the bill, do the right thing and use the tools that are there. Thank you very much.

Mr. Cliff Cullen (Turtle Mountain): Mr. Acting Speaker, I guess this will be a fairly historical day in Manitoba today as we get our final words on Bill 17. It certainly looks like the Minister of Conservation (Mr. Struthers) has his feet firmly planted on the

ground on this particular bill, and it looks like he's going to have some support from his fellow members on that side of the House. I guess just about everything has been said over the last couple days on Bill 17, and it's just very unfortunate that the minister won't take the time to listen to Manitobans.

Hopefully the minister has had a few minutes now to have a look at the advertisement that's been running this week in the newspapers. The one that talks about apparently science, economics and common sense have no place in politics. Clearly, that ad is aimed entirely at the Minister of Conservation, and I'm not sure, maybe, it's probably not the minister's idea. I'm sure this idea came from somebody else on that side of the House. I certainly hope it wasn't the Minister of Agriculture that came up with this particular bill and this particular policy.

Quite frankly, this bill is all about politics and it's all politics over good public policy. If we reflect back on what the Clean Environment Commission said in their report, they clearly indicated that we needed to do so more research on this particular subject.

The other thing I think we have to talk about here in Bill 17 is actually the science behind it. During committee, when we had the over 300 people come to present at committee, we had a number of research people come to the floor, a lot of very well-noted research scientists from the University of Manitoba, who have spent years and years in researching nutrients and the whole idea of nutrient management within the province.

We have people like Dean Trevan, Professor Don Flaten and Professor Karin Wittenberg, who are very knowledgeable on the science of nutrients. Clearly, they do not share the government's view on this particular bill. They too feel that it's politically motivated and not based on sound science.

So I think it's incumbent upon the minister to take notice of this. Hopefully, he will have a sober second thought here over the next couple of hours.

I do want to make mention of the Manitoba Pork Council. Certainly they've invested a lot of time and money in this particular campaign and they've tried to highlight the importance that this bill will have to their industry. I think that's something that the government should certainly be aware of and it's something the government is going to wear over the course of time.

I know Karl Kynoch is the Chairman of Manitoba Pork, also a resident of Turtle Mountain constituency. He certainly spends a tremendous amount of time and effort on enhancing the pork industry not only in Manitoba but actually throughout the world. It's unfortunate when his very own government is doing everything it can to destroy this industry in Manitoba.

I'm sure it must be very frustrating for him and the members that sit on the executive of Manitoba Pork, because they certainly understand the industry and they understand the important role it plays here in the economy of Manitoba. It must be very frustrating for them to see their own government slap them in the face with this particular type of legislation.

Certainly we know Manitoba Pork has a tremendous staff over there as well, I guess, spearheaded by Andrew Dickson at this point in time. Andrew certainly lives and dies with the hog industry in Manitoba. Certainly you see him out and about most of the meetings that we've had over the last several months, so hats off to all the producers who have invested time and money in this particular piece of legislation. It's obviously very important to them.

Mr. Acting Speaker, at a point in time wherein we're facing a food crisis in certain areas of the world, it's unfortunate that we're going to be driving this particular business out of Manitoba. The frustrating part for me, as well–and I think the minister will understand what will happen here is that, by driving the pork business outside of Manitoba, they're going to seek opportunities in Saskatchewan, North Dakota, South Dakota. It's probably the jurisdictions that will be picking up the industry that we'll be driving out.

The unfortunate part about that whole situation is that those entities are part of the watershed for Lake Winnipeg, and we know those other jurisdictions have less environmental rules and regulations than we do have in Manitoba. So when we look at the big picture, we could actually be harming Lake Winnipeg. I think that's something that people within the minister's department should have had a serious contemplation about when they brought forward this bill. If they're really concerned about Lake Winnipeg, there are other ways to deal with this.

In fact, the minister has the tools already in his tool box to address these particular issues. If there

are industries out there, any industry–it doesn't have to be the hog industry–if they are polluting Lake Winnipeg, he has the tools at his disposal within his department to look after that. He doesn't need Bill 17 to do it.

The only reason Bill 17 is on the table before us today is the comfort level that they think the people in the city of Winnipeg will feel. Nothing can be further from the truth than Bill 17 actually protecting water, Mr. Acting Speaker.

***** (15:10)

So I just leave that with the minister. I'm hoping he would understand the ramifications this bill is going to have throughout Manitoba. It's something that he'll have to wear on his conscience for some time to come. With that I thank you very much for my time on this very important bill for Manitoba.

Mr. Peter Dyck (Pembina): I'm pleased to rise again and to speak opposing Bill 17. I don't think this is any surprise to the minister.

As I indicated to him yesterday, I was surprised and disappointed by the fact that the Minister of Agriculture and the Minister of Conservation coming from rural areas would put a bill of this magnitude in place, which basically, one could of titled as, why hurting farm families won't save Lake Winnipeg. That's really the essence of it.

We've heard this time and time again that it's not based on science. In fact, it's interesting, as I was talking to people involved in the industry and others, and even it came from some of the colleagues across the way, they said that this was actually the revenge to the pork producers for taking away the marketing board. Now that's another interesting approach that we see taking place here. So, is this really what the Minister of Agriculture (Ms. Wowchuk) and the Minister of Conservation (Mr. Struthers) and the Premier (Mr. Doer) have put in place as revenge to taking away the marketing board, which really was something that the producers wanted to have removed? I find it interesting that we would use tactics of this magnitude and this nature to try and do that.

Another comment that I wanted to put on the record was I listened to the Premier this morning on the radio, in the interview, and I thought he skated the issue very, very well. Of course, he was getting ready for the big hockey game tonight. I think we've already gone through some of the process of the whole area of photo ops and so on.

Just coming back to the issue at hand here. It was during the time that we were debating Bill 17 where the Premier made the comment, and I found it interesting that he said, I pledge to never deny people a culture and a way of life. The minister agrees and I'm glad he does because that's exactly what we see taking place here.

Again, it reminds me of 1999 where the Premier was out just getting another photo op and he said, listen, you know Manitobans, elect me and in six months and with $15 million, I'm going to solve our health care problems.

I don't want to go into that one today, but it does make one somewhat cynical. It reflects on promises that are made. The Member for Turtle Mountain (Mr. Cullen) indicated already about how the cynicism of people towards politicians continues to be eroded or rather that, it's increasing. The cynicism is increasing towards what we see from the political field. Promises are made; we would never, ever do this thing and then all of a sudden, well, we hear, that was then, and this is now. So somehow these circumstances have changed. That's unfortunate.

The other comment I made the other day, and this is very specific to what we see taking place here. That is the Minister of Health (Ms. Oswald) has policies in place regarding bullying and it's not allowed within schools. And yet though, this seems to be different.

An Honourable Member: This is politics.

Mr. Dyck: This is politics, that's right. I can go out there and I can take away a person's livelihood and it's through no fault of theirs or the way they've been operating that this is taking place, but rather it's because we want to look at the total picture. We're thinking we need someone out there to blame.

So, yes, do we want to have clean water? Yes, we do, but we have to blame the problems on someone so we're going to identify a small group out there. They're contributing 1.5 percent to what we see the phosphate levels within Lake Winnipeg. So do we look at other areas such as the contributions of leaky septic systems or in lagoons or the dumping of raw sewage from overflowing waste-water systems in Winnipeg, other operations that are out there? No, we segregate and we pounce on this one industry, and we know we're going to hit those guys.

Again, I implore the Minister of Conservation to allow these amendments to take place. I know that he's not going to withdraw the bill. He has

categorically said that he will not, but I would ask him to look at some of the rules or the regulations that are out there, whether they don't in fact do the same thing.

So it's a huge industry to the province of Manitoba, over a billion dollars that they contribute to our economy every year. So, again, it's not based on science. It's based on a whim, I would indicate to you. Just coming back to the old area of the phosphate level, the 1.5 that has been sort of allotted towards the hog industry, it's like looking for a needle in a haystack or, as the Member for Carman said yesterday, it's like trying to pick fly feces out of pepper with a boxing glove. You know, like we're looking for something, someone to blame, but I think we have a few problems here.

So I just want to, in closing, leave a quotation on record here that Laurie Connor and other research scientists stated, and I'll quote: I do applaud and I will support legitimate government initiatives to protect our natural resources. Bill 17 is not one of them. I stand here tonight to request, as have many others, the withdrawal of Bill 17 and to encourage the government of Manitoba to take time to plan the type of well-informed, and I'd like to repeat the word "well-informed," multifaceted approach needed to address the real issues associated with nutrient loading in our waterways, a plan that charges all Manitobans, including the non-farming majority, to take responsibility for their impact on water quality in this province. End of quote.

Mr. Acting Speaker, again I would just indicate that if this were a science-based bill that was coming forward, I think we would look at it differently, but I submit to you, from all the presentations that we have heard, that it is not. This is political. This is very specifically trying to hurt farm families that have been doing their best to protect waterways and not looking at the real issues out there. Thank you.

Mrs. Mavis Taillieu (Morris): Mr. Acting Speaker, I want to stand with my colleagues on this side of the House solidly against Bill 17. I think it's a very, very sad day when the Province, the government decides for political reasons to harm those producers and those families in rural Manitoba that really, in agriculture, are the background and the backbone of our province.

I attended a rally in Morris in the spring. Hundreds of producers, people from the industry, scientific people had their say. People were very, very worried about this because it was going to affect generations, generations of farm families to come. When the Member for Ste. Rose (Mr. Briese) spoke about how farm families, how farmers think in generations, they don't think about six months into the future, they think 20, 30 years into the future because the future of their farm is their farm family being passed on to the next generation, and because of that they are very concerned about the viability and stability of the land that they inhabit, and certainly they drink the water from the wells where they live. They have a vested interest in maintaining clean water.

The other thing that occurred was a person recently said to me, Well, has this just been a sham? Has this whole thing just been a sham? We've come, we've sat in committee till 4 o'clock in the morning, and the government chooses to do its dirty work in the stealth of night, forcing people to sit in committee till 4:30 in the morning, but they did that because they wanted to have their say. Having the people of Manitoba come to committee and have their say is part of the democratic process, but they feel that they were not listened to, they were not heard, and they feel that there is no democracy. There is a death of the democratic process in the Legislature in Manitoba under this NDP government.

***** (15:20)

If this bill was based on science, it would be– well, I guess if the bill were based on science, there wouldn't be a need for the bill because, in the bill, there's no recommendation from the Clean Environment Commission to place a moratorium on expansion of the hog industry. In fact, as the Member for Turtle Mountain (Mr. Cullen) has indicated, there are mechanisms within the government's grasp to maintain the industry in balance. That's good governance when you can take both sides of an issue and find the balance between an industry and the environment.

Mr. Speaker in the Chair

As I said before when I spoke on this bill, every single person in this province is in favour of clean water. Every single person wants to ensure clean water for our children and our grandchildren. That's water everywhere, all the rivers and streams and lakes of our province, Mr. Speaker.

The scientists will tell us that there's no basis, there's no need to shut down an industry to keep the water clean. The politics of the situation, though, will tell us that if the NDP want to sway votes in

Winnipeg, all they have to do is mention Lake Winnipeg. Clean up Lake Winnipeg, and people think that they're doing something about it.

Mr. Speaker, I'm going to ask the question. If limiting the hog industry, where there's only 2 percent of the nutrient loading coming from that industry, what will happen with the other 98 percent of the nutrients that are going into Lake Winnipeg? If killing the hog industry doesn't produce the desired effect in Lake Winnipeg, then we are going to hold this government accountable for that, for killing an industry and not saving the lake, because there's still 98 percent of the nutrients that have to be accounted for.

We know that there's a target here. The pork-producing people in this province are being targeted because they're an easy target. What's next? But we all have to realize that water flows in this province from outside our boundaries, from outside of the province, from outside of the country.

As I said, there is a balance required to maintain clean water and industry in this province. When we don't do that, when we don't provide balance, when the governments don't provide balance, they don't provide balanced government, and when you don't have balanced government, you have a government that only operates and panders to its political puppet masters. That's what we're seeing here today. That's what we're seeing. We're seeing a target to people traditionally outside of their voting realm to satisfy the interest groups that do vote for them.

But make no mistake, Mr. Speaker. The producers, the scientific community, the agricultural support community see through this. They understand the politics of what's happening with this bill. I have no illusions about the Minister of Conservation (Mr. Struthers) pulling this bill. He has clearly indicated that he will not, that he cannot. I'm sure that the edict has been given to him that this is the bill he's going to introduce and this is what he's going to do. You know, I suppose that he doesn't really have much say in it, and I wonder if he had a say, really, how he would support this to his constituents.

Mr. Speaker, I think that allowing an industry to move ahead, to flourish, allows them to be innovative, allows them to manage, allows them to find solutions and implement those solutions. Producers know that spreading organic fertilizer, for example, is helpful. In fact at the price of fertilizer today, it's downright valuable, so they wouldn't be wasting it.

There's a market actually for organic fertilizer, managed in such a way that it can be taken up by subsequent crops in the appropriate amount. There's no need to overload nutrients, but there is a way through technology and innovation to inject and use the appropriate amount of phosphorus and nitrogen in the soil for those crops and successive crops, allowing the individual industries to flourish and look at these possibilities.

Allowing them to manage is productive in the economy in this province. Fifteen thousand jobs in the pork industry and spin-off industries is a lot money. There's a lot of money generated by this economic engine, the pork industry in Manitoba.

In my constituency of Morris, there are producers; there are urban dwellers, rural dwellers. There's a mixture of people but I think the beauty of it is people learn to live together. They learn to live together, because that's what we need to do in this province. We need to respect the differences and work at balancing for the good of all of us, instead of trying to kill an industry just to pander to political puppet masters. It's just not good governance, not good government, but then no one ever said that the NDP were good governors.

Mr. Speaker, it's a sad day for democracy when people have come to this Legislature on many occasions to speak their minds and they have not been listened to. It's a very sad day today that we hurt farm families but I'm going to say we don't save Lake Winnipeg by hurting these farm families. In fact, we can hurt these farm families today, but it won't save Lake Winnipeg tomorrow.

As I earlier mentioned, what about the nutrients that are flowing from municipal sewage lagoons, from the city of Winnipeg every time it rains? It rained last night, I believe, so guess what? Just flushed more nutrients into Lake Winnipeg this morning and yet, this afternoon, we're going to blame that on the hog industry. I just don't see the logic but then again, as I said, no one ever said that there was logic in the NDP government.

Mr. Speaker, the whole of Manitoba is going to feel the effects of this. It's not just the producers. It filters through the agricultural community, the agribusinesses, the credit unions, the small-town businesses and eventually it will erode rural

Manitoba, but no one ever said that the NDP cared about Manitoba.

With those few words, Mr. Speaker, I want to say I am not in support of Bill 17.

Mrs. Heather Stefanson (Tuxedo): I want to thank the Member for Morris (Mrs. Taillieu) and indeed the many other members on this side of the House, who have gotten up today and, time and time again, over the last several months since Bill 17 has been brought forward in this House, who have indicated our serious concerns with respect to this bill.

I particularly want to thank the Member for Lakeside (Mr. Eichler) for all of the efforts that he has done to make sure that the facts about this issue are brought forward to all Manitobans, both in the city of Winnipeg and in rural Manitoba, Mr. Speaker. So I want to thank him for his efforts.

***** (15:30)

Mr. Speaker, Bill 17 is nothing more than a bill that is all about the NDP way of doing things in this province. They honestly believe that the only way that we can help the environment and help save Lake Winnipeg in this province is by killing jobs and killing industries and hurting farm families.

The facts of the matter, Mr. Speaker, are that killing jobs and hurting farm families won't save Lake Winnipeg. You know what? We can stand here as politicians and say the same thing day in and day out in this Legislature, but what we need to do is listen to the scientists and the experts out there as to what they are saying with respect to this issue. I would encourage members opposite to also listen to those scientists because it's the facts that speak much louder than the words that are uttered and the rhetoric that is uttered by members opposite.

Several scientists have come forward and said, and we heard from hundreds upon hundreds of people who came forward at committee on this bill, Mr. Speaker. They came forward, and they gave their heartfelt family stories about what this bill does to their family. I listened to a lot of those stories, and there are a lot of heart-wrenching stories on how this will take the very livelihood of those who need help the most and so on away from them. This is not the right way to govern this province. We do not need to kill jobs, to hurt farm families in order to help save Lake Winnipeg.

It is a fact, Mr. Speaker, that if we were to wipe out the entire hog industry in Manitoba, it only represents 1.5 percent of the problem of the nutrient loading in Lake Winnipeg that is causing the algal blooms and the problems on Lake Winnipeg– 1.5 percent of the problem.

Mr. Speaker, there are scientists out there, there are so many people, and I think all of us in this Legislature, all of us in Manitoba, there are so many stakeholders involved in this, I think it's intellectually dishonest for members opposite–and factually incorrect and just, quite frankly, dishonest for them–to go out and say that Bill 17 is going to save Lake Winnipeg, because it's not. The scientists are out there saying that it's not. Members of our great province know that it won't, and yet members opposite, they're more concerned, they seem much more concerned about a photo op. Oh, you know what? We better do something about Lake Winnipeg here, so, you know what? Uh, yeah. Let's go out and blame the hog producers because, you know, they are the ones that are the most–that'll go over really well in our city seats and so on. You know what? It's intellectually dishonest to say that. It's factually incorrect.

I think that Manitobans don't necessarily need to listen to us as politicians, but they can listen to the scientists who stood before committee and said that the NDP, by saying that Bill 17 will save Lake Winnipeg, are wrong.

So, I would suggest, Mr. Speaker, that we all care about Lake Winnipeg and the water quality issues to do with Lake Winnipeg. We know that it's a problem, that it's all of our problem, and we all need to come together towards a solution to deal with Lake Winnipeg.

But what we have seen time and time again when we bring up the waste-water treatment facility issue with the City of Winnipeg, Mr. Speaker, what do members opposite do? Oh, better duck away from that. No, no, no, it's not their problem. It's not their fault. No, no, it's the hog farmers' fault. Yeah, no, that's it, that's it. You know, it's the pork producers is our problem. It's all their fault. Come on, as though as this is some sort of an exercise in who can better get the message out and who can get a better photo op out there.

Well, I'll tell you that's it unbecoming of a province and a premier to go out and say on the record that Bill 17 is the way to save Lake Winnipeg. We know that they have an opportunity with respect to the waste-water treatment facilities in the city of Winnipeg that represents, by the way, 6 percent of

the problem. Municipalities in this province represent 9 percent of the problem, yet they choose, rather than dealing with that issue, they choose to deal with what is 1.5 percent of the problem and try and blame them. They try and wipe out an industry and blame the entire situation on them. It is dishonest, quite frankly, and by hurting these farm families we know that it won't save Lake Winnipeg.

Manitobans know that we don't need to kill jobs and kill people's livelihoods in order to help the environment. What we need is a sustainable balanced approach that calls for incentive-driven initiatives by all members of our province and our society. We don't need the heavy hand of government regulations. What has been proven to work out there is that if we can work together through incentive programs for people to comply, to help our environment, to help save Lake Winnipeg, that they're more likely to do so and there's better results.

But there's one thing that the NDP does not focus on and that is real results with respect to Lake Winnipeg. They've been in there for nine years and yet the algal bloom situation within the city of Winnipeg continues to get worse, and worse, and worse, every day and every year. We need to put a stop to that. The way to govern a province is not by empty press releases and empty promises out there, and by misinforming the public about how we can go about all working together to come to a solution on the Lake Winnipeg issue. We all need to come together. This blame game that this government is trying to do in order to score political points and pit the city of Winnipeg residents off of rural Manitobans is dishonest and it is unbecoming of the way a government would run this province. We need to work together in order to come up with solutions here. We do not need to blame specific groups or organizations within our province for the entire problem.

There are scientists, who I mentioned earlier, Dr. Karin Wittenberg, who is the associate dean of research in the University of Manitoba Faculty of Agriculture and Food Sciences. This is a scientist, Mr. Speaker. She stated and I quote: A traditional regulatory policy is a high level of assurance that the number of pigs will not increase in many parts of our province. This is not the same as development of a policy to reduce nutrient loading of Lake Winnipeg. Innovative incentive-based regulatory tools have greater potential for environmental returns through improved cost-effectiveness and promotion of innovative technology for environmental controls.

So, Mr. Speaker, what Dr. Wittenberg is saying is that we need innovative incentive-based tools that will help yield the results that we need within Lake Winnipeg. We need to work together on this.

Dr. Don Flaten of the National Centre of Livestock and the Environment at the University of Manitoba stated, and I quote: When I look out my window I look at nutrients and I don't see special phosphorous molecules that come from hog operations versus cattle, versus dairy or from manure versus synthetic fertilizers or from the Legislative Building, that might be on the combined sewer system of the city. I just see phosphorus. If the moratorium is the way to go then you folks at the Legislature have a lot more moratoriums to work on because there are a lot of sources to deal with and it's going to be easier with moratoriums. Isn't that sad?

Mr. Speaker, Dr. Laurie Connor, another research scientist, stated and I quote: I do applaud and will support legitimate government initiatives to protect our natural resources. Bill 17 is not one of them. I stand here tonight to request, as have many others, the withdrawal of Bill 17 and to encourage the government of Manitoba to take time to plan the type of well-informed, multifaceted approach needed to address the real issues associated with nutrient loading in our waterways, a plan that charges all Manitobans, including the non-farming majority, to take responsibility for their impact on water quality in this province. Livestock production, and hog producers in particular, should not be the scapegoats.

***** (15:40)

She went on to say: I implore this committee, as have many others, and the government of Manitoba to withdraw Bill 17, reconsider what the real issues are surrounding water quality in Lake Winnipeg and all of Manitoba waterways, reconsider the well-balanced report of the Clean Environment Commission's recommendations, take the time and use the expertise that is necessary to develop short- and long-term plans that conserve our natural water resources, plans that include educating the public and charging them with their responsibilities, plans that facilitate responsible sewage management in the municipalities, towns and cities in Manitoba, as well as plans to help ensure environmental and economic sustainability in our rural communities and farmers.

Mr. Speaker, that pretty much sums it up and says it all. What the government is saying by introducing this bill is that the entire blame associated with the algal problems lies in the hands

of the pork producers. It's dishonest and it's counter-productive toward a balanced, sustainable approach in our province. This bill is nothing more than, unfortunately, a PR exercise so the minister can get a fancy photo op at a press conference saying, and I say that in quotations, saying that he is supposedly doing something to help Lake Winnipeg. This bill will do nothing to help Lake Winnipeg and the scientist that I have just quoted said exactly that.

Mr. Speaker, the minister who introduced this bill is intellectually dishonest when it comes to this bill when he tries to claim that this is a bill–

Mr. Speaker: Order.

I remind members that all members in the House are honourable members and they should be treated as such. I ask the honourable Member for Tuxedo to withdraw that comment.

Mrs. Stefanson: Yes, I withdraw that, Mr. Speaker.

Mr. Speaker: I thank the honourable member for that. Okay, the honourable Member for Tuxedo.

Mrs. Stefanson: Thank you, Mr. Speaker. I think that the minister himself knows better than that and he should conduct himself accordingly. We believe, and I believe that he should do the right thing and pull this bill so we can get on with providing a real plan to Manitobans that will yield real results when it comes to cleaning up Lake Winnipeg. Bill 17 doesn't do that.

It's time for this government to come forward with a real plan that will provide real results when it comes to cleaning up Lake Winnipeg. All Manitobans want that. All Manitobans deserve that. This bill does not do that. So let's put this bill aside and let's start working together to ensure that we come up with a plan that will help yield real results on Lake Winnipeg and clean up Lake Winnipeg. Thank you, Mr. Speaker.

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I want to, in the few moments that I'm going to take today, congratulate our leader, the Member for Fort Whyte (Mr. McFadyen) and the Progressive Conservative leader of Manitoba, and the Member for Lakeside (Mr. Eichler), our Agriculture critic, for the fine work that they've done and particularly our ag critic, but the support that our leader has provided on this particular issue.

It's very, very clear where the two parties stand, in fact, the three parties stand in this House on this issue. The NDP stand solely by themselves on this issue. They have not listened to the Clean Environment Commission. They haven't listened to farmers. The New Democrats have not listened to pork producers or processors in this province. They haven't listened to future processors or future farmers in this province.

They haven't listened to scientists, like has been pointed out by the Member for Tuxedo (Mrs. Stefanson). Scientists at the University of Manitoba, our most well-respected agricultural community, one of the best in Canada, Dr. Trevan, the Dean of Agriculture, the comments that have been made in this House by me and others of Dr. Don Flaten, head of the National Centre for Livestock and the Environment, Dr. Karin Wittenberg, Associate Dean of Research. Dr. Laurie Connor is from the Animal Science Department of the University of Manitoba. These well-respected scientists have not been listened to by this government. This government has not listened to the Lake Winnipeg Stewardship Board either in regard to their actions.

They have not taken into consideration that the boil-water orders, over 60 of them in Manitoba that are presently in place, all come from human-source waste, none of it from livestock, Mr. Speaker, at this point. This is a purely political ploy, a 3-P, if you will. Everyone's looking for P-3s across Canada today, private-public partnerships, but this is a 3-P of New Democrats' making: purely political ploy.

I want to outline that the minister is taking revenge on an industry and a previous government that changed the marketing structure in the province of Manitoba, and I believe that's, 10 years later, why they're so pig-headed, if I could use that term in relation to moving forward with this bill without even looking at one single amendment when it was presented by the most people that have ever presented on a bill in Manitoba's history who came forward to say that the bill was not good.

I just came from the steps of the Legislature, Mr. Speaker, where there's a rally taking place right now by the farmers, and the NDP did not show up. They ran and hid. They are afraid of farmers. They are ashamed to face farmers in this province, and they will forever be that with this bill.

Mr. Speaker, the government has not accepted the zero percent solution put forward by the farmers of Manitoba, and they have not respected the rights of the farmers that were out there today with Kill the Bill placards, and they've been told this for months and months and months.

Mr. Speaker, the hog industry is needed in Manitoba to develop an industry that the government very, very much wants to move forward in this province–CentrePort. I said in the House yesterday that CentrePort will move forward because of its location and entrepreneurs. They're needed to go. But entrepreneurs are what run the pork industry, and the location is best in Manitoba because of the federal Liberal government killing the Crow benefit in 1995. The agricultural industry reacted to this process and did the right thing by making investments in this natural location. Yet, today the NDP are giving CentrePort the natural location benefit, but what they forgot is that they need entrepreneurs to make it work. Bringing a bill forward will not guarantee its success in the future.

So, Mr. Speaker, I just want to say that this is purely a political ploy. The Deputy Premier (Ms. Wowchuk) in this province and the Minister of Conservation (Mr. Struthers), everybody knows that this bill came right out of the Premier's Office. They are the Premier's (Mr. Doer) puppets. As I said the other day, I would urge them both to cut their strings while they still have a chance and fall to earth, a chance to support farmers by killing this bill, by hoisting it or pulling it this afternoon. If they do that, then they might gain some respect back in rural areas.

But, Mr. Speaker, urbanites see through this as well. They know and respect the University of Manitoba. Urbanites respect research in this province, and they respect the former Liberal federal Minister of Agriculture and people like him, like Otto Lang, who spoke out to the government at the Canadian Club luncheon last week in the debate that was held there on Lake Winnipeg. He expressed concern to the Minister of Intergovernmental Affairs (Mr. Ashton) about why his government was moving forward without any science to back them up. Urbanites will see through this purely political ploy, Mr. Speaker, and the government will not win the day on this because urbanites are caring people as well, and they don't want to be putting people out of business.

So, if the minister can't cut his strings, from his puppet strings, and he can't support farmers, then he needs to resign, Mr. Speaker.

So thank you very much. That's why I will be not supporting Bill 17.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to talk about Bill 17. I rise to express my concern about the Manitoba economy, about our environment, about Lake Winnipeg and, quite frankly, to talk about how Bill 17 is very misguided.

Mr. Speaker, how will the hog industry improve their environmental stewardship and improve their care of the hogs when Bill 17 reduces the equity in the very operations we're asking to make changes and improve?

Manitoba's been a global leader in the hog industry in many different ways, including many innovations and improvements in environmental practices. The vast majority of producers, for example, are now directly injecting manure into their fields so that there's very little run-off of phosphorus into our waterways and into Lake Winnipeg and very little odour to people in rural areas.

***** (15:50)

Manitoba's leadership has led to the production of improved technology, not just for the environment but for the care of hogs and the improvement of the industry. Last week, I was in Crystal Spring Colony which is a global leader in new technology for the hog industry. Yet even as we need such leadership in the development and the marketing of new technology and advances in the care of animals and the industry itself, the hog moratorium in Bill 17 will freeze the hog industry in the old ways instead of fostering the new and improved practices that are needed for global leadership, that are needed to make sure that we are advancing and improving day by day, month by month, and year by year.

If there's a speeder on the Trans-Canada Highway, we stop the speeder and we give him or her a ticket. We don't shut down the whole highway. When there are those who are hurting our environment, single them out, make the changes. Don't punish a whole industry. It doesn't make any sense. Who will be next? Is the NDP going to shut down the airline industry because it produces greenhouse gases? Hardly–we hope.

Bill 17 should be withdrawn and, as those in the industry have asked, we should move to requiring injection, to making sure that the land is managed well so the amount of phosphorus is that needed to help grow the crops and is not excessive, and we are using science day by day, week by week, month by month to improve the practices to decrease the amount of phosphorus getting into the waterways. We need to commit to doing the science to light the way ahead, rather than doing what this government is doing which is just shutting things down.

There's no science basis for what they're doing, and it really is a big move backward in many, many ways. Sadly, the NDP and Gary Doer seem to be governing based on illusions, creating illusions–

Mr. Speaker: Order. When members are making reference to other members in the House, they do it by the constituency, or ministers by the portfolio they hold, not by name.

Mr. Gerrard: Thank you, Mr. Speaker. The Premier (Mr. Doer) and his NDP government appear not really interested in the science. They're more interested in creating the illusion that they're doing something for Lake Winnipeg really, rather than actually cleaning it up. They should have withdrawn this bill and brought in measures which are much more progressive, forward-thinking, and would benefit the environment more.

I was at a facility, a place in the Interlake, not long enough. It's one of those which is using some of the old-style practices and not injecting the manure. Reality is that this bill won't change those old-style practices. Not injecting the manure is still going to continue, when we need to change that rather than have a moratorium. So let's put it simply. Mr. Speaker, we need to replace this government. We need a more forward-thinking Liberal government in this province.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I was first elected in 1988, and I can honestly say I cannot recall a piece of legislation that is so damaging to the farming community as we have before us today in Bill 17. I am totally amazed as to why it is the government has chosen to pass Bill 17. What do they have against the hog industry to the degree in which they're prepared to sabotage it?

I question the Minister of Conservation (Mr. Struthers) as to what are his motives, his real motives, of bringing in Bill 17. Mr. Speaker, we had hog farmers and producers and friends of that community, of the stakeholders, that were in front of the Legislative Building today wanting this government to kill Bill 17. I've heard scientists. I've heard many other stakeholders talk to the government and say to the government that Bill 17 must be killed.

Mr. Speaker, one has got to question why it is the Premier sees fit to bring forward this bill.

An Honourable Member: Louder.

Mr. Lamoureux: I will be loud because I'm passionate when I see a government that is neglecting the responsibilities of governing this province and being fair to all industries, including the hog industry, Mr. Speaker. There's nothing wrong with having passion.

When the government does something wrong, they need to be nailed on it, Mr. Speaker. Quite frankly, what the government is doing to the hog industry is not acceptable. Bill 17 should die. Bill 17 should be withdrawn.

I do not understand how the Minister of Conservation can stand up, put forward this bill and ask all of his NDP colleagues to support it. Where is the support for this bill that goes beyond the New Democratic Party? It's not there.

This bill should not be passed. Mr. Speaker, I would suggest to you that the government is not too late, that this bill should be reduced, not reduced, should be taken off the order paper. It shouldn't even have to come to a vote. The government can kill the bill on the order paper. If it understood what it is that it's doing to the hog industry, it would do just that.

I would suggest to you that the reason why this bill will likely pass, the reason why is very simple. The Premier of this province wants to come across as Mr. Environment. Mr. Speaker, the Premier of this province wants to come across as if he cares about Lake Winnipeg. There are so many other things that this government can do that can demonstrate that they care about Lake Winnipeg.

Mr. Speaker, we have brought forward private members initiatives and I look to my leader with the phosphorus-free dishwasher soap and the government kind of adopts it, changes it and so forth. I would suggest to you had they adopted the phosphorus-free dishwasher soap that the Liberals had put forward in a private members bill, that it would probably had done more benefit than this draconian bill that's being brought forward today, that this bill is the wrong direction.

The Premier is wrong, Mr. Speaker, by sacrificing the hog industry in favour of trying to make him look as if he is a friend of the environment or he's a friend of Lake Winnipeg.

The Member for Arthur-Virden (Mr. Maguire) indicated the government's not going to fool urbanites. I guess I'm one of those urbanites and I'm trying to get a better sense of rural Manitoba. In fact, I did have an opportunity to visit one of the hog

farms, the Starlite Colony. I appreciated that opportunity immensely. I found that I learnt a lot, Mr. Speaker, through the process and over the years I have had other opportunities to go to farms and in the farming community. But as someone that represents an urban riding and has virtually since 1988 with the exception of a few years, I believe that Winnipeggers do not want a government that is prepared to sacrifice an industry to the detriment of the hog producers and the many stakeholders. Yes, they want a government that's going to be proactive on the environment and coming up with good, positive initiatives that are going to have and make a difference.

Mr. Speaker, I'm going to suggest to you that Bill 17 is not something that Winnipeggers would support. I really, genuinely believe that. I would love to see this Premier or members, or in particular, the Minister of Conservation, stand in front of a crowd with representatives from the hog industry and present their arguments in front of a public gathering of Winnipeggers. I suspect that the government wouldn't do that because the industry has all the facts and all the figures. They have the scientists. Everyone except for the Premier and the Minister of Conservation seems to be opposing Bill 17.

I'm going to vote against Bill 17 because of what it's doing to an industry is just not just. I appeal, as we are as many individuals in the public gallery who will be watching to see how members vote, in particular, some of those rural NDP MLAs. I think that this is going to be a very memorable vote and something that is going to come back. I would encourage if there are members of the New Democratic caucus that value the hog industry, that they should at the very least abstain from voting. Abstain from voting, or better yet, vote against this bill. Thank you, Mr. Speaker.

***** (16:00)

Mr. Kelvin Goertzen (Steinbach): You know that a bill is truly bad when it unites the political parties in this Legislature, the Conservatives and the Liberal Party together, against a particular piece of legislation. I think that the Member for Inkster (Mr. Lamoureux) makes an important point that, in fact, Manitobans are united against this bill. I'm sure that when it was introduced, the government and the Minister of Conservation (Mr. Struthers), the Premier (Mr. Doer) tried to devise their usual divide and conquer strategy and thought, well, we'll divide urban against rural, and we'll try to find a way to split off communities against other communities. I would suggest to them it hasn't worked, that there is a unified voice that sees the reasons why they should be concerned about this particular piece of legislation killing an industry.

I want to, before I get into my specific comments, welcome the producers that are here in the gallery today. I know many of them have been in the Legislature for committee hearings and have spent more time than they probably ever believed they would spend in a legislative building because they're farmers, and they want to be on the land and in their communities and producing food for the world, particularly in a time such as this. I do appreciate the fact you have come here today and the time that you've spent here in the last few months in opposition to this bill.

I also want to commend our Agriculture critic, the Member for Lakeside (Mr. Eichler) and the Leader of the Official Opposition, the Member for Fort Whyte (Mr. McFadyen), for having strong leadership in opposition to this bill. When things are happening that are not in the interests of Manitoba, we rely on strong leaders to stand up in opposition, and we're fortunate to have two of those individuals in our caucus in both the Agriculture critic and the Leader of the Official Opposition.

There's been a good deal of discussion about the science and the reason why this bill doesn't stand up to the scientific evidence, and I appreciate the comments that have been put on the record by my colleagues. I won't repeat them because I think the evidence stands on its own. There's also a greater concern about this legislation that I have, and it should affect all of us, each one of us as individual members here of the Legislature. It's not just what it will do to the industry but what it will do to the perception and the feeling that producers and Manitobans have about their government, about the government institution generally, because I know that the producers here in Manitoba, when they first heard that a pause was going to be put on their industry, they were shocked and they were concerned. I think that they also had some level of trust because government officials, the Premier (Mr. Doer) was out there and saying, well, this is just temporary; we're going to stop, look and listen, and then we're going to move on with the industry.

In fact, I know the Minister of Agriculture (Ms. Wowchuk) went in front of the Manitoba Pork

Producers at an annual general meeting and said, I know that your industry will be proven to be clean.

Mr. Speaker, I think that the producers, because all Manitobans are trusting and I would say, in particular, our farming community is filled with people who trust in the words that people speak. I think they honestly believed that the Premier and the Minister of Agriculture were telling them something that they could have faith in.

Then, when the Clean Environment Commission was appointed, there again the Premier said, well, we're going to listen to the experts; we're going to listen to those who know about the environment the most.

I think, again, the industry stepped back and said, well, we're a little concerned about the direction that the government's going, but we'll trust that the Clean Environment Commission will be listened to because I know, in talking to producers, they knew at the end of the day that report would show that their industry is sustainable and wouldn't recommend a permanent ban on the industry itself. In fact, when the report came down, it didn't.

We've heard from the chair of the Clean Environment Commission that this was a political decision, that it wasn't the Clean Environment Commission. Those who have read the report know there's no recommendation for a ban within the Clean Environment Commission. It was a political decision, in direct contrast with what the Premier and the Minister of Agriculture led producers and Manitobans to believe, that this would be based on evidence, science and the Clean Environment Commission.

Then when the bill came forward, I remember the Premier and others in their Cabinet and in their caucus saying, well, there's going to be opportunity for amendments and for input and that Manitobans will have that chance to come forward and have their views heard.

I think at that point those in the industry were growing more and more sceptical of whether of not they could believe what the government was saying. Many of them phoned my office for my riding and said, well, we want to come to the Legislature. We've never made a presentation before. We've never been in the building. We've never spoken before a committee.

We're farmers, we're agriculture producers but we're willing to come and do it, to step outside of our comfort zone because we believe so much in the industry, because we know we have a good practice and because we believe the government when it says it will listen to the words that we speak and boy, did they turn out.

They turned out by the hundreds. They turned out in droves. They turned out in the evening and they turned out in the morning. They turned out at night and they turned out through the night, Mr. Speaker. They turned out when there was a closed sign on the door of the Legislature and they still came. When it rained they came. When it was cool they came. They wanted to have their voice heard because they believed their government when their government said if they put forward an argument they would listen to them. You know, we were at the committee and not a government member, well, rarely did a government member ever ask a question.

Mr. Speaker, when the opposition and when the representatives who were here giving presentations said, well, why doesn't the government ask a question, the answer from the government members and the Member for Wellington (Ms. Marcelino) and others–I was there when they said it–well, we're listening. We're listening to your feedback. We want to hear what you have to say and we will listen to you. That was the assurance that they gave these good farmers, these good Manitobans, and I think that many of them still believed them at that point, that they would have to listen if they came out in strong enough numbers.

More than 300 came out and, of them, 99 percent said this is the wrong way to go. It wasn't just farmers and producers, Mr. Speaker, scientists, people who were not involved in the industry, ordinary Manitobans said, this is a mistake that will reverberate through our economy and it will impact future generations.

Young people came out. I remember children coming out and making presentations, teenagers coming out saying that they wanted to be involved in the future of the industry but that this bill would kill their hope. At the end of their presentations, after more than 300 Manitobans had come out to make their views heard, when 99 percent said that this wasn't a good move for Manitobans, I talked to many of those individuals. They came to me and they said do you think it's going to make a difference? Do you think they heard us? They must have heard us because there was such a powerful presentation,

because there were so many, because there was a record turnout of producers.

I think, Mr. Speaker, they still truly believed, they still truly believe the Premier and the Agriculture Minister and their caucus when they said we're open to ideas, we're listening to your concerns. It's the nature of them. It's the nature of Manitobans to want to believe when their government says these sort of things to them.

So, I really believe that it was only a couple of weeks ago when they saw the words of the Minister of Conservation attacking the Manitoba Pork Council and others in the media, decrying a solution that had been put out by the Pork Council, an alternative, a much better alternative than banning an industry and attacking that. I think only then do many of those producers believe, you know what, this whole thing may have been a sham. The whole thing might have been a farce.

You know what worries me, Mr. Speaker? What worries me is that they'll not only lose faith in the NDP government–I think that that's already a foregone conclusion–but what concerns me is that they're going to lose faith in government in general, and this institution more generally, and how government works, because every step of the way they believed that if they would put forward their case, if they would do it passionately, if there would be scientific evidence that that's what would be relied on and that's what the decision would be based upon. It's clear that that was never the case. It was never the case from the beginning.

So what do I say to that producer who's looking at losing their industry or the young person who wants to inherit the farm or go into farming? What do I say to them when they ask me, was this whole thing just a ruse by the government? Was it all just a ploy? Was it all a ploy all along? Because I think it was. I don't think this government ever had any intention of listening to amendments, listening to presenters, because who would they have listened to? The 1 percent who came out to committee? And that's my concern.

If I can leave a message with these producers who know that their industry is clean, who know that their farming practices are the right practice, the message that I would leave to them is not to lose hope, to not lose hope in others who could make a difference in government. I would encourage you–I know, if this bill passes–and it's not too late, this government can still change their mind–but if the bill passes, I would encourage you to remain engaged, remain active and to be ready because there will be an election some day, Mr. Speaker.

There'll be an opportunity to change this government and to have a government that brings in policies that reflect the wills of Manitobans, that listen to Manitobans, who don't operate a sham committee, who don't say things that they don't actually mean, who don't give false hope when they have no intention of following through on that false hope. We'll need your support, and all Manitobans can rally at that time to say we need a government that will stand up for the environment, for business, for individuals, for producers, for Manitobans and that's what they'll get under a Conservative government. Don't lose hope, we'll need your help.

***** (16:10)

Mr. Rick Borotsik (Brandon West): I thank the Member for Steinbach; it's a tough act to follow. Mr. Speaker, this is a very black day in the Manitoba Legislature. It's a very black day for agriculture. We should all be wearing black armbands because, quite frankly, Bill 17 is an assault on agriculture. It's not only an assault on agriculture, but it's an assault on the backbone of this province. The province of Manitoba, unbeknownst to the members opposite, was built on agriculture. Our whole economy is based on agriculture, and this government of the day has decided, for reasons unbeknownst to us, to put forward a bill that, in fact, has attacked that very backbone of our existence.

This bill is a sham. It's a ruse. What it is, Mr. Speaker, it's a wedge that's been driven between urban and rural. So not only is it a black day for agriculture, it's a black day for Manitobans in general, when this government will pit one community against another, and that's wrong.

My background comes from what I consider to be an urban constituency, but an urban constituency that well recognizes the need of agriculture as our economic saviour. My community is built on agriculture. We're agriculturally friendly, Mr. Speaker. We have, in my community, industry that is dependent totally on agriculture, Koch Fertilizer, Ayerst, Maple Leaf, which, by the way, uses hogs as their raw material. Go figure, how many employees are dependent upon the hog industry. In my community, it's important to us to make sure that the raw product is there on a continuous basis, on a high quality and high standard. But, no, this government

doesn't see that desire, that need. All it sees is driving a wedge between the rural and the urban.

Mr. Speaker, this bill is not about Lake Winnipeg. This bill is not about phosphorus going into the Red River watershed. This bill, I heard the Premier on the radio today when he said, this is about clean water. This bill has nothing to do with clean water. This bill is nothing but politics, and it's political what they're doing to agriculture in this community, what they're doing to agriculture in this province.

Why is it being done? It's being done so that they can shore up support, what they believe is their support in the urban centres. For what reason? Well, Mr. Speaker, obviously, they don't care about the rural areas, and that's obvious. By putting this bill forward they have identified the fact that they don't care what they do to an industry. They don't care what they do to people's livelihood and they don't care what they do to other people's constituents. They're doing it to my constituents. They're doing it to constituents of my colleagues here, and they're doing it to their constituents, whether they know or not.

The Minister of Conservation, by bringing this bill forward, not listening to the science, Mr. Speaker, and how many times have we heard that. Listen to the science. This is not about 1.5 percent of the phosphorus that's going into the Red River. This is about the Clean Environment Commission saying, no, we've got the proper rules in place right now. You don't have to have a moratorium on hog production.

But this government doesn't listen to science. It doesn't listen to the Clean Environment Commission. It doesn't listen to the producers that are out there breaking their backs trying to feed their families. What do they listen to? Politics of their Premier because they want power above all else. They don't want to look after the citizens of this province. They want power above all else, and that's wrong. They should put people first and power second. My community depends upon it. The people's livelihood depends upon it.

The last thing I'd like to say–they're destroying an industry. I've heard from members of the government, no, we're not destroying an industry. All we're doing is putting a moratorium on it. They can't grow. Well, in business, if you can't grow, you die. Costs are going up. In order to be able to afford those costs, you have to expand. You have to be able to make sure that you have more product to put into the marketplace. By not allowing producers to do that, you're destroying producers. It's like saying to Hudson Bay Mining and Smelting, you cannot produce one more tonne of ore than what you're producing now. They said that? Mr. Speaker, they well might say it; they might, and that's the last point that I'd like to make.

We're sitting here and saying how important CentrePort Canada is. CentrePort Canada is going to be our next, our only saviour for the economy in this province. We're sending out the message to other industries that Manitoba is open for business. How do you send out that message when, with the stroke of a pen, a piece of legislation, you can destroy a billion dollar industry just like that?

Am I, as an entrepreneur, going to move into Manitoba and invest hundreds of millions of dollars knowing full well that a socialist government, if they don't believe in what you're doing, can simply by the stroke of a pen take away that investment, take away that opportunity to make some money? Is this what entrepreneurs want to hear about our government? Absolutely not. This is not open for business. Quite the opposite. They're closing off business, and it's wrong. Absolutely wrong.

One final message to the Member for Dauphin, Minister of Conservation (Mr. Struthers), one final message to the Minister of Agriculture (Ms. Wowchuk): This bill will not be forgotten. You might remember it in the city of Winnipeg on occasion, but in the rural areas, in those areas that are dependent upon agriculture, this bill will not be forgotten. I will remember the faces of the people in that committee room, Mr. Speaker. I will remember the pleas of the families put forward to this government that fell on deaf ears, and I can assure you that that message will be put out in spades come the next election. So you better stand up right now and vote against this bill, or you better be prepared for the fight of your lives in your constituencies in the next election. Thank you, Mr. Speaker.

Mr. Leonard Derkach (Russell): Well, Mr. Speaker, this afternoon we've heard some very passionate pleas to the government regarding this bill, and in a few minutes in this Legislature we will be voting on a bill. I know, because of the sheer numbers of the government, that this bill will pass and that will signal a very dark moment in the history of this province.

Mr. Speaker, I'm going to say that perhaps tonight, when our Premier sits down to dinner, I hope that he will reflect for one moment about where the food on his plate was produced and the hands that produced that food. I hope that he will also reflect on what impact his bill today is going to have on those hardworking hands that have produced the food not just for him but indeed for people in this province and beyond.

When I came into this Legislature a number of years ago, I came in here with the intent of ensuring that we improved the quality of life in our province for everyone, that we improved the quality of life for the people in the north, for the people in our cities and, indeed, for the people on the farms. My focus was on education and on agriculture because that, Mr. Speaker, is where I come from.

Rural communities, Mr. Speaker, make up an important fabric in this province, and this bill is not only going to impact negatively on every single farm that produces food for this nation and for this province, but it's going to have an impact on every rural community and, indeed, on the city of Winnipeg. It is a well-known fact that 60 cents out of every dollar that is generated out in rural Manitoba in some way, shape or form finds its way into the city of Winnipeg and into the city of Brandon. The impact of this bill is not going to be felt only by the producers in rural Manitoba, it's going to be felt by the people in the cities of this province as well.

There is nobody who is denying the fact that we need to pay attention to the quality of water in Lake Winnipeg and to the quality of water in our streams. But you don't kill an industry without any scientific evidence that this industry is causing a major part of the problem. As a matter of fact, the science is out there that shows that this industry contributes a very small portion of the nutrient that goes into Lake Winnipeg.

***** (16:20)

As a matter of fact, if we really wanted to focus on the problem, we would be enhancing the amount of money and the amount of investment we're putting into the raw sewage that is dumped into the rivers of our province on a daily basis. We'd be paying attention to those lagoons in every rural town that is seeping into the water streams of our province. We'd be paying attention to the rotting nutrients along, for example, Lake of the Prairies, and our rivers, that is falling into the river and is being carried into Lake Winnipeg.

But, Mr. Speaker, what have we chosen? Because it's politically expedient and because there has been such a hoopla about the industry, an industry that has created a very prosperous economy for many families in this province, it has been easy to focus on them and say you are the problem. You are the problem as perceived by people because your industry smells, because your industry is perceived to be a polluter. Yet if you were to go into that industry and examine it, you would find that, in fact, it is a clean industry. You would find that the people who are engaged in that industry have taken that industry from where it was at one point to today, an industry that we should all be proud of. We should be trumpeting this industry as one of the cleanest in our province and one that we should be supporting all the way to the bank but instead, this government has decided to attack this industry.

I wonder which industry in this province, which agriculture industry in this province is going to be attacked by this government, this Premier, the next time? Is it going to be the cattle industry? Is it going to be the poultry industry? What is it going to be? Because, ever since this government has come into office, they have caused the agriculture industry agony from day one, and the Minister of Agriculture (Ms. Wowchuk) has done nothing to improve it. I hope today that the Minister of Conservation (Mr. Struthers) remembers where he came from. I hope that the Minister of Agriculture remembers where she came from and who took her into this Legislature, who sent her to this Legislature and who she speaks for, because they are not speaking for the people who elected them. They are not representing the people who sent them to this Legislature. Instead, they are listening to their leader who is politically motivated for his own agenda and his own good.

Mr. Speaker, that is why today I will be standing with my colleagues to vote against this bill. This is not the end, because Manitobans will remember this bill long into the future and long into the campaign in the next election. Thank you, Mr. Speaker.

Mr. Ralph Eichler (Lakeside): Thank you, Mr. Speaker. I indeed want to thank my leader. I want to thank my colleagues for all the work they put into debating Bill 17. I know that we put a lot of work in and a lot of hours. Unfortunately, it fell on deaf ears. We brought 11 amendments in on this particular bill which we debated last week and this week, and now we're into third reading of debate today. My colleagues have stated very clearly the vote is today. We know there's 36 on that side, well, there's 19 on

this side. Unfortunately, unfortunately, that may speak today, but three years from now I will guarantee you those numbers will be significantly different.

When we look at the Minister of Conservation (Mr. Struthers), the Minister of Transportation (Mr. Lemieux), the Minister of Agriculture (Ms. Wowchuk), who's been silent on this very issue, it's so unfortunate. She said on her Web site, back in the standing committee when the CFB was there, there was a Web site that stated–on the provincial government's Web site: strongly committed to the pork industry; sustainability of the pork industry is one of Manitoba's highest priorities. The province has sufficient agricultural land for expansion of pig production facilities and environmentally sound manure disposition. Manitoba is one of the most dynamic sites in Canada for pig production. As the Canadian leader in pork production and processing, the government and industry continue to work together to ensure the success of the pork industry in Manitoba.

That has now disappeared. It's disappeared. Where is the support from this government? They are so anti-farm. We saw it just recently in the last month. They have yet to step up to the plate on those farmers that are flooded out. They have not addressed the issue. They're saying that they're doing everything they possibly can. I say they're not.

Mr. Speaker, when we look at Bill 17 and the science that we ask this government to look at and base it on science, we have experts out there. We have quoted them and I want to quote one more. I want to quote one more and that is from the Credit Union Central who wrote the Minister of Conservation a letter, who, by the way, the Minister of Finance (Mr. Selinger), the Minister of Agriculture did not do a financial analysis on Bill 17, the impact it's going to have. I can tell them both, as I stand here, we have a $2-billion industry that is up the drain.

I can tell you what's going to happen is Bill 17 is not going to make any significant difference because, I have a quote here actually from an expert that does know, a well-known Dr. Michael Trevan, the Dean of Agriculture, Manitoba Faculty of Agriculture and Food Sciences. I quote: What really troubles me is that the minister, pretending he's working on the basis of recommendations by the Clean Environment Commission, implies that science is supporting his case and it doesn't.

As soon as you get to that sort of situation where politicians pretend that they have evidence that supports what they're doing, you damage both the political machinery, the machinery in this case, the university that's been providing the evidence. Shame on this minister. Shame on this government. I find it upsetting as a politician standing here today. I find this embarrassing.

We had presenters after presenters. The Member for Steinbach came forward and talked about how they came in the rain, they came in the night, they stayed all night, they stayed all day. They did everything they could to ensure that their voice was heard. It was all for naught. We brought in recommendations, amendments to this government that were well thought out. There was a way out for this government.

We'll ask leave of the House if the minister wants to stand up. Today, Mr. Speaker, I sent him a note and I said, Mr. Minister, we have recommendations from the Chamber of Commerce, we have recommendations from the Pork Council. We're prepared to sit down with him, look at an amendment that's friendly to the government, that's going to be sustainable for the pork industry in the long run and we saw nothing, a nod. Give us any indication that you, Mr. Minister, want to do something beside just curtail the hog industry; 1.5 percent of the investment into Lake Winnipeg as far as nutrients are concerned and we're going to publicize one particular industry as a result of that.

Shame on this government. It's not politically correct. We know it's wrong. They know it's wrong. So let's do something about it. Let's withdraw Bill 17, Mr. Speaker.

Just in closing, I also want to point out that the member for Brandon talked about CentrePort. What message is this sending? What message is it sending to the business sector that's out there? Are we open for business? It sure don't look like it. If I was a business wanting to come to Manitoba and start a business here, I'd say, for what? We already got the highest taxes. You just killed one industry. Why do we want to invest here?

I say shame on this government. Do the right thing. Withdraw Bill 17. The Premier stands up and across the hall several different times has said he's going to allow a free vote. Let's find out if the

Member for Interlake (Mr. Nevakshonoff)–I know he's opposed to the hog industry; he's made that very clear. The Minister of Transportation (Mr. Lemieux), we haven't found out where he's at; he's a rural MLA. The Minister of Agriculture (Ms. Wowchuk) we found is dead silent. The Member for Dauphin, the Minister of Conservation (Mr. Struthers), find out where that.

Let's stand up for the farmers. Let's do the right thing. Let's get rid of Bill 17. We're going to do it. You guys do the right thing. Thank you, Mr. Speaker.

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, I am honoured to stand with my colleagues and others who have spoken out against a piece of legislation introduced merely for political motives and without any benefit for our province of Manitoba.

Before addressing the substance of the bill, I want to just thank and acknowledge those producers who are with us today in the gallery, many of whom were gathered on the front steps of the Legislature earlier today. I want to thank them, as well as those many others who made the effort and the time to be present at committee as Bill 17 was being considered earlier this year.

I was particularly struck by the dignified, thoughtful and law-abiding way in which members of our farming community presented themselves. They have conducted themselves through this process in spite of what I can only imagine must be enormous frustration, in a way that has been dignified and thoughtful.

***** (16:30)

It's important, I believe, to contrast that with the actions that are sometimes taken by people who may be frustrated with government policy and in disagreement with the approach taken. We are in a society founded on the idea of the rule of law. We believe that every citizen has freedoms to speak out and the ability to participate in lawful ways within the political process to effect change and to try to get the sort of government that is responsive to their values and to their interests. Through this process, producers, facing what is most surely the most arbitrary and unfair bill that has been put before this House in some time, have responded by being respectful of the processes that we have in place, the traditions of this House, and the laws of our province.

Over 400 came to committee, and I personally, as somebody who grew up in Winnipeg, was profoundly impacted by many of the presentations that were made, the way that the presentations were made, and what it was that people had to say. It was very clear to me that those who came to present had thought a great deal about their way of life, about the impact of their activities on the wider environment and the importance of what they were doing, not just for our province and not just for their own families but for the wider world.

We heard stories of families that had moved to Manitoba specifically because they believed that this was a province that valued agriculture. They uprooted themselves. Many of them left faraway places, countries in Europe, because they looked around the world, and they said, Manitoba is a place that values agriculture, that believes in its importance at a time when world food supplies, affordable food supplies are in decline, and at a time when there's a need for efficient and environmentally friendly agricultural activities, that this is a place that welcomes people like us, that welcomes people who play by the rules, who work hard day and night, and who produce something that is absolutely fundamental to the survival of every human being.

So they came here with that promise on the part of the government of Manitoba that this was a place that would be friendly and welcoming to them. What they have found instead, Mr. Speaker, much to their disappointment and much to our concern, is a government that acts capriciously, arbitrarily, and against the advice of scientific experts, against the advice of people who work in the industry, and contrary to the interests of our very own provincial economy. They've discovered that we have a government in Manitoba today that does so for political motivations.

I think it's important that we go back over the history of how it is that we got to this bill, that we've had nine years of NDP government. We've had nine years of decline in the quality of Lake Winnipeg. We've had growing political pressure from people who have seen the blue-green algae on the lake get worse with every passing year. We've had nine years of inaction. We've had advertising campaigns. We've had news releases. We've had news events. We've had all kinds of activity, but the fact is that the situation with Lake Winnipeg is worse today than it has been at any other time in our history in terms of the blue-green algae issue. We've also similarly seen, because the numbers don't lie from Stats Canada,

greenhouse gas emissions grow under this government even as they have event after event claiming to care about the environment.

So, Mr. Speaker, what happened was that the government suddenly realized they were in trouble on the environmental files, and they started looking around and started thinking: What can we do to demonstrate to people that we really do care about Lake Winnipeg? What would be dramatic and controversial enough to create the impression that we really do care, after nine years of neglect, about Lake Winnipeg? That was what led to Bill 17.

Bill 17, as the Premier (Mr. Doer) has said in front of audiences like the Business Council, was designed to force the Tories to stand up and vote against it so that I can campaign in Winnipeg–this is the Premier–so that I can campaign in Winnipeg on a blame-the-farmers-and-the-Tories platform when no progress has been made later on when it comes to Lake Winnipeg. That is what Bill 17 is about. That's where it came from. That was how it was conceived, and that is how we find ourselves in the situation that we're in today.

After the Clean Environment Commission brought in its report–and we supported that review, Mr. Speaker. We said that it was healthy to have a review of the industry from time to time to look into its sustainability, given its tremendous success and progress over many years and given the heightened awareness and concern about the quality of our lakes. We supported that review, and when the report ultimately came down earlier this year, we saw much in that report that we could agree with.

In 16 different places, the report said there isn't enough science and monitoring to arrive at any hard-and-fast conclusions about what is causing the problems in Lake Winnipeg; however, action should be taken in a variety of responsible ways to where possible reduce the amount of phosphorus that makes its way ultimately into the lake.

Mr. Speaker, that is what the Clean Environment Commission report said in its essence. The report did not say put a ban on buildings in certain parts of Manitoba. It didn't say arbitrarily ban construction and economic activity in certain parts of Winnipeg. It said: Move forward with smart regulations with incentives. I encourage practices that reduce the amount of phosphorus that flows into the lakes, and proceed in a way that is going to show immediate progress, but acknowledges the fact that the science was inadequate to arrive at hard-and-fast conclusions or to take radical actions that could undermine or disrupt the provincial economy or any individuals operating within it.

That was the Clean Environment Commission report. The very day that that report came down the government issued a news release, announcing that it was extending its arbitrary moratorium on the expansion of buildings in certain significant areas of the province of Manitoba where the industry is primarily located. It prevents those who are already struggling, due to a variety of economic factors, from having any sense of hope that in the future there would be opportunities for expansion if the economy warranted it and if the environmental safeguards could be put in place. It was just no. Nothing. You can't do a thing. You're frozen in your place. Zap, you're frozen, and we don't care what the consequences are. We don't care what it means to your property values. We don't care what it means to the millions of dollars you've already invested. We don't care what kind of a signal we're sending to an industry that is a billion dollar industry for Manitoba, the bulk of which comes in the form of exports to other countries, adding a direct and immediate and tangible benefit to the financial and economic bottom line for the province of Manitoba.

Mr. Speaker, we have a bill that was not recommended by the CEC, went well beyond what the CEC was calling for and which flies in the face of all of the advice provided by the 400-plus thoughtful Manitobans that came before committee and expressed their views. In those committee hearings we heard from producers, who talked about things they were doing already in order to take their nutrients, inject them in the soil, ensure that the phosphorus and nitrates were being used as fertilizer and food production. They disregarded the input of scientists who said to proceed first, like Dr. Don Flaten, who said first invest in research so that we know what we're doing. Secondly, focus on phosphorus with smart regulations and incentives, and third, and finally, and only if necessary, use regulations to stop practices that are flagrantly damaging to the environment, but do so in a way that's in consultation with and in co-operation with the industry. These are what the scientists had to say.

The producers who came were absolutely remarkable in terms of their commitment to a clean environment. We saw families who came to talk about a way of life that contained within it certain values, and one of the fundamental values was leaving the land in better shape to the next generation

than how they found it. This was a refrain that came from many of the Hutterite people who came, who talked about the importance of the livelihood and this way of life to their people, and the importance of being able to leave to their children and grandchildren a better province than the one they found. That is the way that they have conducted themselves since their arrival in this province, Mr. Speaker. When they came to this province seeking freedom and opportunity and looking for a certain amount of support, not just tolerance, but support and encouragement for activities that are not just legitimate but fundamentally important to feeding people around the world.

We heard from families, some of whom were in tears when they considered the impact that this bill could have on their livelihood and on their families.

***** (16:40)

We have heard much rhetoric from members opposite. In fact, the Premier has said on the record previously that he didn't get into politics to undermine people's way of life. But in fact, the effect of Bill 17, as we know, is to undermine a way of life that has been part of the Manitoba fabric for generations, Mr. Speaker, one that we believe should continue to be part of the Manitoba fabric and which should be encouraged and supported.

Mr. Speaker, we on this side of the House will stand with agriculture. And I just want to share something that I came across in the course of my own review of papers that were left behind by somebody who I looked up to greatly. Somebody who I actually didn't know personally but who I knew a great deal about. It was my great-grandfather, who was at one time the MLA for the Killarney constituency. His name was John Laughlin and he, during the course of the Second World War, decided to join the coalition government of Bracken. He was elected as a Conservative MLA but chose to join the coalition and was criticized at the time by the newspaper in Killarney.

In his response to that criticism for joining the coalition government of then-Premier Bracken, he said that there were two overriding objectives that caused him to want to move beyond partisanship and toward co-operation. One of them was the successful conclusion of the war that was then under way, the Second World War, and the second was to deal with the crisis in agriculture. These were the two reasons he got into politics, was to protect agriculture and to see to it that we had a safe future for all of our citizens. He said in his letter to the editor of the Killarney newspaper at the time, and I quote: I believe our agricultural problems are serious and must be met if we wish to get agriculture on a stable and safe basis. How can we prosper if it is allowed to get into a state of bankruptcy? To use a slogan with regard to paint change to apply that most of us have seen, save agriculture and you save all.

These were the words that he wrote at the time and were his motivating factor for getting into politics. When I was growing up he was somebody that was something of a legend in my family. Based on that role model and that history, I myself made the decision to get into politics, notwithstanding the fact that, as is well known, I grew up in St. James, here in Winnipeg. I am proud of those roots and I am proud to honour the legacy of those who have come before me and all of us to stand up for what is the cornerstone of Manitoba's society and that is agriculture.

We see today that we have a bill before this House motivated by politics. Ample opportunities for amendment, reasonable propositions and suggestions brought forward by those in the industry. Whether you agreed with them to every detail, there was a basis for discussion. We've seen at every opportunity reasonable proposals with the right motives behind them being brought forward to the government, and every single time they have been met with silence and rejection and an unwillingness to listen, an unwillingness to respond and a completely politically motivated desire to plough ahead in the face of all of the evidence and all of the pleading that is put before the government.

So, we see with this bill a cynical politics, an opportunity that the Premier wants to use to campaign in Winnipeg on a blame-the-Tories-and-the-farmers platform to try to distract from his failure to make progress on Lake Winnipeg. Mr. Speaker, it's an old political trick. Politicians have used it in many different places. He's hardly a pioneer when it comes to using to using scapegoat politics. He's hardly a pioneer when it comes to divide-and-conquer, wedge-style politics. We know that many have used it before him and some of them have used it successfully. Not very many of them have used it successfully for long periods of time, but for short periods of time it certainly can pay political dividends.

Well, Mr. Speaker, as we approach an election some three years from now, Manitobans are going to have an opportunity to choose between some very different perspectives on how we tackle the big issues that we face. They will have the choice between a party that believes that you can protect jobs at the same time as you clean up the environment versus a party that believes you have to kill jobs in order to clean up the environment.

They will have a choice between a party that believes in following the advice of scientists versus a party that does everything on the basis of pollsters. They will have the choice between siding with those who express themselves lawfully and a party that responds to illegal protests as a way of changing government policy. I'm referring here, Mr. Speaker, to the fact that this government, in response to illegal overfishing on Lake Winnipeg and elsewhere, couldn't bend over quickly enough to change policy for those who were acting illegally but are not prepared to listen to the reasonable requests of those who act lawfully.

This is the difference between them and us. Illegal protests in NDP Manitoba get results. Lawful scientific-based submissions within the rules get ignored in NDP Manitoba. The message is appalling for all the people of Manitoba and for the young people who look to their political leaders to set an example.

So I want to again commend the producers for the fact that they have played by the rules, that they have brought facts and evidence to support their arguments and that they continue to work hard to support Manitobans. I know many of them, as we speak, are working 24/7 as they harvest their crops. They are hardworking people who play by the rules and who come forward in a thoughtful and dignified way to make their case before this Legislature, trusting that their government is going to listen to reasonable concerns and dismiss those who act unlawfully.

So, Mr. Speaker, the choice is going to be very clear as we go forward, and the vote that we are about to undertake on Bill 37 will say a lot about the individual members of this Legislative Assembly. Sorry, Bill 17 will say a lot about the members of this Chamber.

Those who vote in favour of Bill 17 are voting to kill jobs, to inflict negative impacts on a way of life, to harm agriculture at a time of a world food shortage. They are voting in favour of putting politics ahead of science, and they are sending a message that lawful submissions are disregarded while illegal protests get results. That is what this vote means today on Bill 17. Those who vote against Bill 17 are voting for the rule of law. They are voting for reason; they are voting for science; they're voting for agriculture. They're voting for leadership that doesn't pit Manitobans against one another, Mr. Speaker. They're voting for all of the right things. Those who vote in favour of Bill 17 are voting in favour of lawlessness. They are voting in favour of politics over science, and they are voting to harm our economy at a time when our economy can least afford to be harmed.

I am very, very proud to stand with the members on this side of the House, as well as the Member for River Heights (Mr. Gerrard) and the Member for Inkster (Mr. Lamoureux) who have put reason and the interests of Manitoba ahead of short-term political interests. I'm particularly proud of those urban members of this Chamber who have found the courage to do what's right, because I'll tell you, Mr. Speaker, there was some pressure when this debate originally got under way. There were some who said to me and to other urban MLAs, if you vote against Bill 17 the NDP are going to use this against you in your constituency to say that you are against Lake Winnipeg.

All of us who represent urban constituencies heard that kind of advice and that sort of concern. In spite of that, I'm very proud of those urban members who've said, that is a risk. That is a political risk that we face in standing up to vote against Bill 17 today, but we are prepared to stand up on the side of what is right

We are prepared to stand up–

Some Honourable Members: Oh, oh.

Mr. McFadyen: –even though we know we can anticipate the dishonest NDP advertising that will flow from this, that we are prepared to withstand that and stick with the facts and say, we can protect Lake Winnipeg, we can do a better job than what's been done over the last nine years and we'll do it without harming Manitoba's farm families. You don't harm farm families. You don't clean up Lake Winnipeg by harming farm families. You do it by working with them, by supporting them, by encouraging the progress they've made today and working with them

to continue to continue to make progress into the future.

That's our approach, Mr. Speaker. It's contrary to the approach of the New Democratic Party members opposite, but I will say this in closing. They have an opportunity now to reflect on the position they're going to take on this vote. There is no rule that says that just because the Premier (Mr. Doer) says they have to vote a certain way that when it comes time for them to vote in this House that they have to follow along.

***** (16:50)

They are elected and they are sent here by their constituents to do what's right. In particular, those representing rural constituencies, and I know the Member for Swan River (Ms. Wowchuk) and the Member for Dauphin (Mr. Struthers) and the Member for La Verendrye (Mr. Lemieux), the Member for Interlake (Mr. Nevakshonoff), all of them know that this is wrong and they have an opportunity now to stand up for what is right, to show some political courage in the face of a directive that has come out of the Premier's office to support a bill that is just plain wrong. It is bad for Manitoba. It is wrong for Lake Winnipeg. It hurts agriculture at a time when it least can afford to be hurt.

Mr. Speaker, I'm calling on members opposite to reflect on those many hundreds of thoughtful presentations that they had the opportunity to hear in committee, to stand with those who are law-abiding citizens who have expressed themselves in a lawful way, to send a signal that lawful, science-based submissions are going to be listened to and responded to and that they aren't just a government that responds to illegal protests. I call on them today, stand up, vote against this politically-motivated, damaging Bill 17.

Mr. Speaker: Order.

Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities).

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Mr. Speaker: All those in favour of the motion, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the motion, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Yeas have it.

Formal Vote

Mr. Gerald Hawranik (Official Opposition House Leader): Mr. Speaker, recorded vote.

Mr. Speaker: Recorded vote having been requested, call in the members.

Order. The question before the House is the motion moved by the honourable Minister of Conservation (Mr. Struthers).

Division

A RECORDED VOTE *was taken, the result being as follows:*

Yeas

Altemeyer, Ashton, Bjornson, Blady, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Wowchuk.

Nays

Borotsik, Briese, Cullen, Derkach, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Schuler, Stefanson, Taillieu.

Madam Clerk (Patricia Chaychuk): Yeas 32, Nays 19.

Mr. Speaker: I declare the motion carried.

*** * ***

Hon. Dave Chomiak (Government House Leader): Thank you, Mr. Speaker.

I think the pages have done an outstanding job of doing the votes all through this session. Mr. Speaker, I just want to remark that I think all of us appreciate the tough job they do and, under the circumstances, are amazed at how they are able to carry on their duties under sometimes rather nervous and strained circumstances.

It just is an example of how the parliamentary system works and how the parliamentary system of democracy must go on, and we are here to fight with words and then ultimately we vote, so I commend the pages for the work they've done on all of the votes that have taken place. I know that all members of the House join me, Mr. Speaker, in that, and having said that and having gone through the day as it was and the House order as its been made–

Mr. Speaker: Order.

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, September 24, 2008

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