

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

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

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

| <b>Member</b>            | <b>Constituency</b> | <b>Political Affiliation</b> |
|--------------------------|---------------------|------------------------------|
| ALLAN, Nancy, Hon.       | St. Vital           | N.D.P.                       |
| ALTEMEYER, Rob           | Wolseley            | N.D.P.                       |
| ASHTON, Steve            | Thompson            | N.D.P.                       |
| BJORNSON, Peter, Hon.    | Gimli               | N.D.P.                       |
| BLADY, Sharon            | Kirkfield Park      | N.D.P.                       |
| BLAIKIE, Bill, Hon.      | Elmwood             | N.D.P.                       |
| BOROTSIK, Rick           | Brandon West        | P.C.                         |
| BRAUN, Erna              | Rossmere            | N.D.P.                       |
| BRICK, Marilyn           | St. Norbert         | N.D.P.                       |
| BRIESE, Stuart           | Ste. Rose           | P.C.                         |
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| CHOMIAK, Dave, Hon.      | Kildonan            | N.D.P.                       |
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| DYCK, Peter              | Pembina             | P.C.                         |
| EICHLER, Ralph           | Lakeside            | P.C.                         |
| FAURSCHOU, David         | Portage la Prairie  | P.C.                         |
| GERRARD, Jon, Hon.       | River Heights       | Lib.                         |
| GOERTZEN, Kelvin         | Steinbach           | P.C.                         |
| GRAYDON, Cliff           | Emerson             | P.C.                         |
| HAWRANIK, Gerald         | Lac du Bonnet       | P.C.                         |
| HICKES, George, Hon.     | Point Douglas       | N.D.P.                       |
| HOWARD, Jennifer         | Fort Rouge          | N.D.P.                       |
| IRVIN-ROSS, Kerri, Hon.  | Fort Garry          | N.D.P.                       |
| JENNISSSEN, Gerard       | Flin Flon           | N.D.P.                       |
| JHA, Bidhu               | Radisson            | N.D.P.                       |
| KORZENIOWSKI, Bonnie     | St. James           | N.D.P.                       |
| LAMOUREUX, Kevin         | Inkster             | Lib.                         |
| LEMIEUX, Ron, Hon.       | La Verendrye        | N.D.P.                       |
| MACKINTOSH, Gord, Hon.   | St. Johns           | N.D.P.                       |
| MAGUIRE, Larry           | Arthur-Virden       | P.C.                         |
| MARCELINO, Flor          | Wellington          | N.D.P.                       |
| MARTINDALE, Doug         | Burrows             | N.D.P.                       |
| McFADYEN, Hugh           | Fort Whyte          | P.C.                         |
| McGIFFORD, Diane, Hon.   | Lord Roberts        | N.D.P.                       |
| MELNICK, Christine, Hon. | Riel                | N.D.P.                       |
| MITCHELSON, Bonnie       | River East          | P.C.                         |
| NEVAKSHONOFF, Tom        | Interlake           | N.D.P.                       |
| OSWALD, Theresa, Hon.    | Seine River         | N.D.P.                       |
| PEDERSEN, Blaine         | Carman              | P.C.                         |
| REID, Daryl              | Transcona           | N.D.P.                       |
| ROBINSON, Eric, Hon.     | Rupertsland         | N.D.P.                       |
| RONDEAU, Jim, Hon.       | Assiniboia          | N.D.P.                       |
| ROWAT, Leanne            | Minnedosa           | P.C.                         |
| SARAN, Mohinder          | The Maples          | N.D.P.                       |
| SCHULER, Ron             | Springfield         | P.C.                         |
| SELBY, Erin              | Southdale           | N.D.P.                       |
| SELINGER, Greg           | St. Boniface        | N.D.P.                       |
| STEFANSON, Heather       | Tuxedo              | P.C.                         |
| STRUTHERS, Stan, Hon.    | Dauphin-Roblin      | N.D.P.                       |
| SWAN, Andrew             | Minto               | N.D.P.                       |
| TAILLIEU, Mavis          | Morris              | P.C.                         |
| WHITEHEAD, Frank         | The Pas             | N.D.P.                       |
| WOWCHUK, Rosann, Hon.    | Swan River          | N.D.P.                       |

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, October 1, 2009**

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

**ROUTINE PROCEEDINGS**

**PETITIONS**

**Long-Term Care Facilities—Morden and Winkler**

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

These are the reasons for this petition.

Many seniors from Morden and Winkler are currently patients in Boundary Trails Health Centre while they wait for placement in local personal care homes.

There are presently no beds available for these patients in Salem Home and Tabor Home. To make more beds in the hospital available, the regional health authority is planning to move these patients to personal care homes in outlying regions.

These patients have lived, worked and raised their families in this area for most of their lives. They receive care and support from their family and friends who live in the community, and they will lose this support if they are forced to move to distant communities.

These seniors and their families should not have to bear the consequences of the provincial government's failure to ensure there are adequate personal care home beds in the region.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to ensure that patients who are awaiting placement in a personal care home are not moved to distant communities.

To urge the Minister of Health to consider working with the RHA and the community to speed construction and expansion of long-term care facilities in the region.

This is signed by Sig Pfahl, Virginia Reid, Roger Reid, and many, many others.

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

**Community Police Offices**

**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:

In the 2007 provincial election, the NDP clearly stated that making communities safer was a priority.

The NDP government did nothing to prevent the McPhillips Street Community Police Office and other offices from closing.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Premier of Manitoba (Mr. Doer) to consider the important role that community police offices can play in making our communities safer.

Mr. Speaker, this is signed by L. Goulet, G. Newbury, R. Roskosz, and many, many other fine Manitobans. Thank you.

**PTH 15**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition.

In 2004, the Province of Manitoba made a public commitment to the people of Springfield to twin PTH 15 and the floodway bridge on PTH 15, but then in 2006, the twinning was cancelled.

Injuries resulting from collisions on PTH 15 continue to rise and have doubled from 2007 to 2008.

In August 2008, the Minister of Transportation (Mr. Lemieux) stated that preliminary analysis of current and future traffic demands indicate that local twinning will be required.

The current plan to replace the floodway bridge on PTH 15 does not include twinning and, therefore, does not fulfill the current or future traffic demands cited by the Minister of Transportation.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate twinning of the PTH 15 floodway bridge for the safety of the citizens of Manitoba.

Signed by J. Ireland, W. Ireland, Kathy Vogel and many, many other Manitobans.

#### **Neepawa, Gladstone, Ste. Rose, McCreary— Family Doctors**

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

These are the reasons for this petition.

Access to family doctors is vital to good primary health care. Patients depend on their family doctors for many things, including their routine health-care needs, preventative care and referrals for diagnostic tests and appointments with specialists.

Family doctors in Neepawa, Gladstone and Ste. Rose are unable to accept new patients. The nearby community of McCreary has not had a doctor available to take patients in months.

Without a family doctor, residents of this large geographical area have no option but to look for a family doctor in communities as far away as Brandon and Winnipeg.

Residents of these communities are suffering because of the provincial government's continuing failure to effectively address the shortage of doctors in rural Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider prioritizing the needs of these communities by ensuring they have access to a family doctor.

To urge the Minister of Health to consider promptly increasing the use of nurse practitioners in these communities in order to improve access to quality health care.

This petition is signed by Cheryl Luke, Debbie Letain, Vince Stoneman and many, many other fine Manitobans.

#### **Whiteshell Provincial Park—Lagoons**

**Mrs. Heather Stefanson (Tuxedo):** I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

Manitoba's provincial parks were established to protect our natural—our natural resources and environment for future generations.

In July 2009, the lagoons in the vicinity of Dorothy Lake and Otter Falls in the Whiteshell Provincial Park overflowed, creating concerns that untreated sewage made its way into the Winnipeg River system and ultimately into Lake Winnipeg.

In addition, emergency discharges had to be undertaken at lagoons in the Whiteshell Provincial Park four times in 2005, once in 2007 and once in April of 2009.

Concerned stakeholders in the Whiteshell Provincial Park have repeatedly asked the provincial government to develop plans to address the shortcomings with the park's lagoons and to ensure the environment is protected, but the plans have not materialized.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Conservation (Mr. Struthers) to consider acknowledging that more timely action should have been taken to address the shortcomings with the lagoons in the Whiteshell Provincial Park in order to protect the environment.

And to request the Minister of Conservation to consider immediately developing short- and long-term strategies to address the shortcomings with lagoons in the Whiteshell Provincial Park and to consider implementing them as soon as possible.

Mr. Speaker, this petition is signed by John Ilg, Glen Foster, Val Abella and many, many others.

#### **Midwifery Services—Interlake Region**

**Mrs. Bonnie Mitchelson (River East):** I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

Residents of the Interlake Regional Health Authority not—do not have access to midwifery services.

Midwives provide high quality, cost-effective care to childbearing women throughout their pregnancy, birth and in the post-partum period.

Women in the Interlake should have access to midwifery care.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to consider working with the Interlake Regional Health Authority to provide midwifery services to women in this health region.

And it's signed by D. Shills, Linda Johnson, Pamela Rohl and many, many other Manitobans.

### TABLING OF REPORTS

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** I'd like to table the 2008-2009 Annual Reports for Manitoba Agriculture, Food and Rural Initiatives, Manitoba Agriculture Services Corporation, the Food Development Centre and the Co-operative Loan and Loan Guarantee Board.

### Introduction of Guests

**Mr. Speaker:** Order. Prior to oral—order. Order. Prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us today, we have Ralph and Leyah McFadyen, who are the parents of the honourable Leader of the Official Opposition (Mr. McFadyen).

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

And also in the public gallery, we have, from Horizons Learning Centre, 22 adult education students under the direction of Ms. Sharon Towes. This group is located in the constituency of the honourable member for Elmwood (Mr. Blaikie).

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

### ORAL QUESTIONS

#### Manitoba Hydro Bipole III Access to Information

**Mr. Hugh McFadyen (Leader of the Official Opposition):** This is Right to Know Week in Manitoba, and access to information and government transparency, as everyone knows, are fundamental to our ability to have a healthy democracy here in Manitoba.

Mr. Speaker, we see today that members of the media, as well as representatives of organizations representing both the right and the left in the political spectrum, are giving this NDP government a failing grade, after a decade in power, when it comes to secrecy and matters relating to access to information.

\* (13:40)

Mr. Speaker, one of the most important projects that will be coming over the next decade is the Bipole III project, a project on which this NDP government is proposing to overspend by more than \$600 million. That's thousands of dollars for every Manitoba family.

We've been asking the government for the analysis that went into the comparison between east and west to justify their decision to take thousands of dollars needlessly out of the pockets of Manitoba families. Why are they keeping the information secret from those families whose pockets they are preparing to pick?

**Hon. Rosann Wowchuk (Deputy Premier):** Mr. Speaker, in 1999 we made a commitment to increase transparency, and we are working on that. Last year—last year we amended and strengthened our FIPPA legislation by creating a private adjudicator with the powers to make binding orders, and this in addition to a new independent officer of this Assembly.

Mr. Speaker, if you look at the Manitoba—we continue to be very open and live up to our obligation far better than the Tories did in 2009–2007—when they were in power.

Mr. Speaker, if you look at our ranking, Manitoba ranks second as the most open province.

**Mr. Speaker:** Order.

**Mr. McFadyen:** And we know that they made a promise in 1999 about transparency. They also made a promise about ending hallway medicine in 1999, Mr. Speaker.

Now both of those promises—both of those promises have ended up on the scrap heap, Mr. Speaker, and here we are a decade later, and a government that has grown so arrogant in that decade that they're not prepared to share with Manitobans the most basic information about major decisions that will have an impact on the lives of Manitoba families.

Mr. Speaker, when our critic for Hydro made a request of Manitoba Hydro for analysis and information with respect to bipole routing options—we know that Hydro has spent hundreds of thousands of dollars under the watch of the member for St. Boniface (Mr. Selinger) on this analysis—what we received in response is three newspaper articles. That

is contempt for the right of Manitobans to know why they're making their decisions.

Why, Mr. Speaker, are they being so secretive when it comes to Manitoba Hydro?

**Ms. Wowchuk:** Well, Mr. Speaker, one thing we do know, that is, if the Conservatives were in power, we wouldn't have to worry about any information about Bipole III or hydro development because they shut it all down, and there wouldn't be anything to talk about.

Mr. Speaker, we made a commitment and we promised that we would work with interest groups to define more reasonable periods of time. We've done that. Last year we amended the FIPPA legislation to reduce the long-Cabinet documents that are sealed from 30 years to 20 years. We've appointed—we've created a privacy auditor, and we have—the government has contracts to make more available information.

Mr. Speaker, the members opposite want to talk about what we have done, and they're very—

**Mr. Speaker:** Order.

**Mr. McFadyen:** Well, Mr. Speaker, the groups who spoke out on the steps of the Legislature yesterday have a completely different perspective.

The journalists, the organizations that are seeking information on behalf of taxpayers, the Provincial Council of Women and other organizations, are talking about the fact that no meaningful action's been taken to improve transparency, and when we have major decisions being made to take thousands of dollars out of the—out of the bank accounts of Manitoba families with no explanation, it causes Manitobans to wonder what is—what is it that that the government is hiding.

We see it with Elections Manitoba, Mr. Speaker. We see it across the board with the Crocus Fund and the amendments they brought in to block the Auditor General's access to Cabinet documents just after the Crocus Fund blew up. This is not a step toward transparency; it's a step towards secrecy.

Why, after 10 years, Mr. Speaker, are they moving toward being a more secretive government rather than a more open government for Manitobans?

**Ms. Wowchuk:** Well, you know, Mr. Speaker, I would remind the member about when they were in office and there was requests—when there was requests for wait list information, it was all denied.

Why was it denied? Because there was no wait list information.

We have put it on the Web site, and, Mr. Speaker, I will continue to defend Manitoba because we consistently get top marks for being most openly transparent from the Canadian Newspaper Association audit on freedom of information. In 2008 Manitoba was ranked second, the second-most open province behind Saskatchewan only.

Mr. Speaker, Manitoba has also got the speediest response time, which has run much better. In 2007—

**Mr. Speaker:** Order.

### **Economy Government Update**

**Mr. Rick Borotsik (Brandon West):** The new Finance Minister has followed her predecessor's pattern and is failing to answer questions about our economy and her department. Instead, she responds to questions with rhetoric.

When I asked her to provide an update on the state of the Province's finances earlier this week, she said we're doing just fine in reference to Dominion Bond Rating Service's report. The report that she bragged about, Mr. Speaker, projects a deficit of \$600 million for the province this year, all the more reason for this minister to provide an economic update.

Mr. Speaker, I ask the minister: Will she provide an economic update for the people of Manitoba and, for once, I would like a clear answer rather than rhetoric. We have the right to know.

**Hon. Rosann Wowchuk (Minister of Finance):** I can assure the member—he is quoting numbers that came out of the first quarterly report, Mr. Speaker.

Mr. Speaker, there is an increase in the debt, but what are we doing? We're spending more money. This government has made a commitment to investment in infrastructure, in capital. An investment of \$1.6 billion in capital investment is going to change the numbers of the bottom line, but that change in numbers is going to keep Manitoba working. It will keep people on the job and will improve our infrastructure.

Unfortunately, the members opposite would not support any of the things that were in our budget, or it will not support the steps that we are taking to improve and keep Manitobans working.

**Mr. Borotsik:** This minister's lack of transparency extends beyond the Province's financials and our deficit. She won't share information on the impact of the harmonized sales tax on Manitoba. Instead, she references a C.D. Howe report that doesn't reflect the deal that the federal government has provided.

The former Finance Minister stood on the steps of the Legislature just recently and estimated that the cost to the consumers of harmonizing PST and GST would be some \$400 million. Clearly, the department has the numbers on the impact of harmonization.

Mr. Speaker, can the minister tell us the financial impact of harmonization on consumers, on the Province's Treasury and business, and what is the government's official position on harmonization?

**Ms. Wowchuk:** This government has said clearly that there will be an impact on the consumer in Manitoba, and there will be benefit for business if we are to proceed with the harmonized sales tax, Mr. Speaker.

Mr. Speaker, we have said the federal government has made an offer. We will look at that offer, but we are not going to be harmonizing taxes at the expense of the average person in Manitoba. We have to consider this very carefully, and we have to consider who will be impacted and who will benefit, and the department is reviewing those numbers.

But there has been no discussion with the federal government about moving forward. That's not where we're at, Mr. Speaker.

**Mr. Borotsik:** Mr. Speaker, that's exactly what we're referring to—transparency. We would like to have those numbers. We would like to be able to analyze those same numbers that the Finance Department has.

Mr. Speaker, there is no transparency within the Department of Finance. The minister is not prepared to tell us the amount of the projected deficit. The minister is not prepared to tell us the government's position on harmonization and the minister's not prepared to give us an economic update, as we've seen today.

The minister should know that she is accountable to all of the people in Manitoba. Perhaps, at the very least, she will tell us about a clause that was in the first quarter of the financials, and it refers to expenditure management initiatives, I think, that translate into cost cutting.

Where are the government's cost-cutting measures taking place now and in the future?

**Ms. Wowchuk:** Mr. Speaker, as we did this budget, we did put money in. We anticipated that there would be more expenses. We budgeted for some money from the rainy day fund.

But, Mr. Speaker, every year, every year, departments have to make decisions on how they're going to balance their budgets and that is what that line is about.

\*(13:50)

We know that there's severe—there are very serious financial pressures, and when there are severe financial pressures, departments have to look at what changes they have to make. This happens every year. There is changes made during the year on how the budget will be balanced, and all departments will have to look at how we can deal with the financial pressures that we are under. But every department will look at that and we will come—

#### **Rural Health Care Dialysis Unit Project Status (Gimli)**

**Mr. Ralph Eichler (Lakeside):** More than two years ago the First Minister went to Gimli and promised them a dialysis machine and staff to run it. As of today, nothing's been done to make this promise become a reality.

Mr. Speaker, the First Minister's coming up on his last days of office. Is he going to keep this promise to residents of Gimli or is it just going to become another NDP broken promise?

**Hon. Kerri Irvin-Ross (Minister of Healthy Living):** This government has made many commitments in rural Manitoba, and we will continue to make those commitments as far as infrastructure, health human resources, and we will deliver those commitments like the dialysis unit in Gimli.

**Mr. Eichler:** Mr. Speaker, I've met with the residents of Gimli who are frustrated with this government's inaction. Diabetes is a growing problem in this area. Many residents of Gimli area have no choice but to go to Selkirk or Winnipeg several times a week for dialysis.

Mr. Speaker, this government made a promise and they haven't delivered. I'd like to ask the Minister of Education (Mr. Bjornson), since he's supposed to be representing the residents of Gimli,

with six years at the Cabinet table, why isn't he able to get this job done for his constituents? Where is it?

**Ms. Irvin-Ross:** I can tell you that we have made millions of millions of dollars of commitment across rural Manitoba, and we have followed through. Let's talk about what did the Tories do. The Brandon hospital? How many times—

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

**Mr. Speaker:** Order.

**Ms. Irvin-Ross:** I think I hit a nerve.

We have followed through with our commitments. I will put them on record of what we've done. We've expanded Portage la Prairie hospital, the ER. We have newly or renovated the hospitals in Brandon, Swan River, Thompson, The Pas, Beausejour, Pinawa, Gimli, Morden-Winkler, Ste. Anne, Steinbach, Shoal Lake, and there is one on the way in Selkirk, and we will continue to follow through with those commitments.

**Mr. Eichler:** Mr. Speaker, I'd be happy to take the minister up there and let her meet with the people, explain why they don't have the dialysis, or I'll take the member from Gimli up there, either one.

Mr. Speaker, budget after budget, news release after news release, this government keeps talking about putting a dialysis unit in Gimli, but month after month the people in Gimli haven't seen a hint of a dialysis unit and, meantime, diabetes epidemic is getting worse and the need for dialysis service grows. A news release is not action.

Mr. Speaker, will the minister just admit to the people of Gimli that this is purely a political promise at best and the soonest they can expect a dialysis unit is a month or two before the election or just another press release?

**Ms. Irvin-Ross:** I can assure this House, Mr. Speaker, that we will follow through with the commitment that we've made and there are many individuals working on this initiative as we speak now. I ask you: What commitment did they make to Gimli in the 2007 election?

**An Honourable Member:** Zero.

**Ms. Irvin-Ross:** Zero. So let us continue with the investments that we have made in rural Manitoba. As I stated, all the new and renovated hospitals, we have still added CT scanners to Brandon, Steinbach, Thompson, The Pas, Selkirk, Morden-Winkler, Portage la Prairie. We also have the first MRI

outside of Winnipeg in Boundary Trails and Brandon, mobile ultrasound program in Eriksdale, 160 new ambulances. As well, we have eliminated the fees for transfer between—[interjection] at the hospitals.

Well, thank you very much, Mr. Speaker, for getting to put this on the record about our commitment to rural Manitoba.

**Mr. Speaker:** Order. Just before recognizing the honourable member for Ste. Rose, I'd like to ask the co-operation of honourable members. We need a little bit of decorum in here. It's starting to get a little loud in here.

### **Ochichakkosipi Healing Lodge Public Notification of Inmate Escape**

**Mr. Stuart Briese (Ste. Rose):** On August 21st of this year, three inmates of the Ochichakkosipi Healing Lodge in Crane River walked away from the facility. Neither the community council nor the community constable of Crane River were notified.

Would the minister explain the protocols followed when inmates escape from this type of facility? Why weren't the local officials informed?

**Hon. Gord Mackintosh (Acting Minister of Justice and Attorney General):** Yes, Mr. Speaker, we can certainly make inquiries of the federal Justice officials, and if the Province—

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

**Mr. Mackintosh:** If the Province can facilitate better communications, we certainly will.

**Mr. Briese:** Mr. Speaker, there are provincial parts of this particular healing lodge. Two of the escaped inmates have been convicted of murder. The residents of Crane River feel they were placed at considerable risk by the lack of communication surrounding this incident. What safeguards are being put in place to prevent this type of incident from happening again?

Mr. Speaker, what message can I give the people at Crane River to assure them that their safety is a concern of this NDP government?

**Mr. Mackintosh:** Well, just to reiterate, Mr. Speaker, we'll ensure that the federal officials are addressing this with the—along with the operators of this place.

And, Mr. Speaker, there may well be a role that the Province can play as well, in terms of making



sure that local law enforcement has a protocol, and perhaps we can—we can assist in that regard.

**Mr. Briese:** Mr. Speaker, the Crane River community is in the province of Manitoba. Two of the inmates were apprehended two days later, some 200 kilometres away from the lodge. That would be in Manitoba too. The third was captured for—wasn't captured for another three days north of Regina. That's outside of Manitoba. This isn't the first such incident the local residents are—and the local residents are concerned.

Will the minister assure the residents of Crane River that safeguards are being put in place to prevent such an incident from happening again in the future?

**Mr. Mackintosh:** I'm glad members opposite are getting a good sense of the scope of the map of Manitoba because when they were in office, they only had a little bit of the map of Manitoba in their road map, and I'm glad, Mr. Speaker, that we commenced action to ensure that the map of Manitoba, in fact, covered all the boundaries.

So the geography, Mr. Speaker, is working for the members opposite finally and, as I said earlier, Justice officials will be asked to work with other officials and address the matter raised.

#### **Freedom of Information Requests Government Record**

**Mrs. Leanne Rowat (Minnedosa):** A damning report card on secrecy within the NDP government was released yesterday by four credible organizations. We know that under this NDP government access to information has become more restrictive than ever. For example, 60 percent of all FIPPA's sent to a government department are denied in full or part, and only 50 percent—57 percent of all FIPPA's requested are responded to within 60 days.

This is not the marking of an open and transparent government. I ask this minister responsible why his government has become more secretive and less transparent.

**Hon. Eric Robison (Minister of Culture, Heritage, Tourism and Sport):** It's indeed a pleasure to rise in the House and reiterate what our Deputy Premier (Ms. Wowchuk) said earlier.

First of all, in 2008 Manitoba was ranked second, the most open province behind only Saskatchewan. Manitoba also had the speediest response time, meeting response deadlines

87 percent of the time. I'm very proud of that record indeed.

In 2007, Manitoba came through on all requests by the media and tied for fourth place for openness ahead of the federal government. And in 2005, the Canadian Newspaper Association declared Manitoba second best in Canada with a disclosure rate of 88 percent. Alberta was No. 1 with a rate of 93 percent.

Mr. Speaker, I believe our record speaks for itself.

**Mrs. Rowat:** Mr. Speaker, it's interesting 'cause the Canadian Association of Journalists were one of the four organizations outside yesterday who have indicated that this government is failing in responding to the needs of Manitobans. In 2004, the Minister of Culture, Heritage and Tourism stated, and I quote, "Our government is committed to open and accountable operations that serve all Manitobans."

But, Mr. Speaker, there are very few people in this province who would agree with this minister as he tries to spin his way out of accountability. Why is this minister allowing the NDP government to dodge accountability?

**Mr. Robison:** Mr. Speaker, I've hardly ever been accused of trying to spin anything. Let me—

\* (14:00)

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

**Mr. Speaker:** Order. Order.

**Mr. Robison:** What we committed to, Mr. Speaker, indeed, last year, and the member knows and several members in this—in this Chamber know that we committed to a privacy adjudicator, and this person is now being selected, or going through a process. As members in this House know, that takes a period of time to do that.

As well, we have committed and have begun changing how long Cabinet documents are sealed, from 30 to 20 years. I believe that is substantial. Also, requiring that ministerial expenses be tabled on-line annually, we're doing that. And protecting negotiations between band councils and the Province, this is similar protection already in place for information related to other governments, municipal, provincial and federal.

So, Mr. Speaker, I believe that we have among the best laws in the country.

**Mrs. Rowat:** Mr. Speaker, governments get their funding from taxpayers, so taxpayers should have a right to know how their dollars are being spent by a government.

Mr. Speaker, the group yesterday recommended several transparency improvements that this government should be looking at, and one of them, as an example, which could be done quickly and implemented tomorrow. So I challenge the minister to do this, is to provide an on-line video archive for the question period. This would allow citizens to watch proceedings of the House at their convenience.

So I challenge the minister: Will he implement a question period on-line archive so Manitobans can watch question period at their convenience, Mr. Speaker?

**Mr. Robinson:** Mr. Speaker, I don't know what that has to do with the issue at hand. Certainly, I'm not—I believe that all members on this side would be open to having it viewed by the broader public.

And if I may, Mr. Speaker, we are currently working on a proposal that would allow the opportunity to do what the member is suggesting. And in another conversation, I'll gladly share that information with her.

#### **Middlechurch Personal Care Home Renovation Needs**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, Middlechurch Home of Winnipeg, a personal care home for seniors has four units of 22 residents each that date back to 1968, and they are in dire need of washroom upgrading for safety, security and the dignity and privacy of the residents and staff. Four of the 44 washrooms are being renovated.

Can the minister tell us when the rest of the washroom upgrades will take place?

**Hon. Kerri Irvin-Ross (Minister of Healthy Living):** I can tell the member opposite that we have continued to have a priority for quality of life for seniors across this province. We have options for seniors in housing, such as independent housing with support through our wonderful Home Care program, as well as we have made investments in supportive living and our personal care homes. We have continued to make those investments consistently on new builds as well as renovating existing facilities. Thank you.

**Mr. Schuler:** Mr. Speaker, if the minister doesn't know the answer, she should take it as notice.

The washroom renovations will enhance the quality of life for the residents who need the assistance of a transfer lift and for the staff who work with the residents.

As the minister has been briefed on this file over six months ago, can she tell this House where the request is?

**Ms. Irvin-Ross:** I would suggest that the member opposite answered his own question as he spoke it. We have started to work on the facility in Middlechurch. We will continue to work on it. We will get it completed, as we committed to. We will continue to make the investments in personal care homes across Manitoba. We have developed and renovated new facilities. We will continue to make that commitment, as well as providing seniors of Manitoba an option of housing that they are permitted to make their own choices so they can continue to age in place. Thank you.

**Mr. Schuler:** Mr. Speaker, the four upgrades are being done despite this government. These upgrades are a matter of urgent need. The washrooms are too small for staff to assist residents, placing the residents at risk and causing the Middlechurch Home staff unnecessary exposure to risk of injury. The washrooms need to be enlarged and transfer lifts need to be installed. This is a matter of necessity.

When will the government act on this? When will this government actually do what's necessary for these residents?

**Ms. Irvin-Ross:** Mr. Speaker, I'd like to ensure all members of this House that this government is committed to providing safe, quality care in personal care homes. We will continue to provide quality care as we go forward, to Manitoba seniors, whether it is in their home by providing home care for support, whether it is in a supportive living environment or whether it is in a personal care home. I can inform the House that we are aware of the situation and we will be working with the staff at Middlechurch to ensure that the seniors in Middlechurch get the quality of service that they deserve.

I do need to tell you about the investments that we made. Since 1999 we have added over 430 personal care beds, and in 2006 we made a commitment of \$119 million for a long-term care

strategy that developed—that developed supportive living and personal care homes across this province.

### **Flood-Damaged Homes Government Response**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, Lyle and Gail Bryant live north of Selkirk. In April they watched their home be badly damaged by the flood and were forced to live in a tiny camper for six months. Now they have no choice but to move into a very small bedroom on the upper level of their home while the NDP gives them countless mixed signals in terms of what will happen to their property. They've no working heat, and it's only in the last two weeks that they've got a kitchen and a kitchen sink.

Why is the NDP government telling this couple, yes, there will be a dike, so go ahead and repair your home, and then later, oops, sorry, no dike after all and we've no buyout for you either? Can the minister responsible for this mess please tell me and Gail and Lyle, who are in the gallery, why the NDP have been so callous and negligent in dealing with these people?

**Hon. Christine Melnick (Minister of Water Stewardship):** Well, Mr. Speaker, this is—

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

**Mr. Speaker:** Order.

**Ms. Melnick:** Mr. Speaker, this is a very serious situation. On April 10th there was a very severe ice jam that affected 150 homes—

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

**Mr. Speaker:** Order. Order.

**Ms. Melnick:** Mr. Speaker, we're talking about people's homes. I would appreciate for once if some respect was shown about this situation.

We have been working with the municipalities, Mr. Speaker. They have been working on a buyout program. There are appraisals being done. The municipalities are working with individuals on their appraisals. If there is concern about the appraisals as they are showing up, there is the opportunity to have an arbitrated appraisal done.

We recognize that this spring was very difficult for many people north of Winnipeg. We recognize that people are looking at their long-term homes and considering whether or not they are going to move or they're going to have to move. This is a very serious

situation and we are treating it that way, Mr. Speaker.

**Mr. Gerrard:** Mr. Speaker, the minister doesn't understand the situation as usual, unfortunately.

Lyle and Gail Bryant were told, you don't have a buyout. They were then told, we're going to protect you with a dike. They put more than \$100,000 investment in their home to completely redo it, only to be told now by the government that their home will not be protected by a dike.

Why is the minister and her government refusing to support a dike that they promised to protect Gail and Lyle Bryant's home and those of their neighbours?

**Mr. Speaker:** The honourable Minister for Water Stewardship.

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

**Mr. Speaker:** Order. Order. Order. Order. Remind members, our guests in the gallery, there is to be no participation, and that also includes applauding.

**Ms. Melnick:** Well, Mr. Speaker, actually, as usual it's the member from River Heights who doesn't understand what's happening.

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

**Ms. Melnick:** It is—

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

**Mr. Speaker:** Order. I'm sure they want to hear the answer. Order. Order.

\* (14:10)

**Ms. Melnick:** Again, Mr. Speaker, we are working with the municipalities in partnership. We have a very strong partnership with the R.M.s of St. Clements and St. Andrew. They are administering their buyout program. Discussion is going on between the R.M.s and between individuals.

Mr. Speaker, the heckling continues from the other side. They're turning this into a circus. It is not a circus. *[interjection]* It is a very serious situation, and respect must be shown to people who are going through a very difficult time, and the best way to show that respect is to be factual and to recognize that we are working with the municipalities, *[interjection]* and we are very concerned about the people who were affected through the spring flood where every—

**Mr. Speaker:** Order. Let's have a little decorum, please. Order. The honourable member for River Heights has the floor.

**Mr. Gerrard:** Mr. Speaker, the problem is this. The government has promised a dike. A dike, if it's going to be built to protect through the spring has to be built in the next three or four weeks. Prevarication and miscommunication, as this government is doing, is not going to work. The fact is that there needs to be action. Delays and delays and delays have occurred. I ask the minister. She considers it serious. Good, but I hope she will at least meet with the Bryants and try to resolve this so the situation can be dealt with appropriately instead of what's happening at the moment, where the stress, the uncertainty and the confusion is causing a lot of problems not only for the Bryants, but for quite a number of other people too. *[interjection]*

**Mr. Speaker:** Order. I just reminded our guests in the gallery about the participation. If there is one more occurrence, I'm going to have to ask the guests to leave the gallery because this is in our rules, and there is to be no participation and that includes applauding.

**Ms. Melnick:** Again, to reiterate, the municipalities are the lead, Mr. Speaker, the municipalities are dealing with their constituents. We are working with the federal government around flood protection. Since 1999, the Province has spent \$1 billion on flood protection. We recognize that there is more work to be done. I would like to thank all the volunteers of Manitoba who came out and helped their neighbours this spring, who came out and showed that they cared. We will continue to work on flood protection and we will continue to work with all of our partners. It's very important that this serious issue be taken seriously by this House—

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

**Mr. Speaker:** Order.

**Ms. Melnick:** —and that we continue to work to protect all Manitobans.

### **Provincial Population Growth**

**Ms. Flor Marcelino (Wellington):** Mr. Speaker, according to Statistics Canada data released yesterday, Manitoba's population stood at over 1.2 million people. This is 15,864 more people since July 1, 2008.

Could the Minister of Labour and Immigration tell us what the population growth has been and what provincial initiatives have contributed to this growth?

**Hon. Nancy Allan (Minister of Labour and Immigration):** Manitoba's obviously very, very pleased with the population statistics that were announced recently. From July 1, 2008, to July 1, 2009, Manitoba saw the largest increase in the history of the province since statistics were first started being gathered in 1971. We have also seen youth moving back to Manitoba. We've also seen an increase in our youth population. Our newcomer statistics are the largest and another historic achievement with over 13,000 newcomers moving to Manitoba, Mr. Speaker. This is very, very exciting news for Manitoba because people are choosing Manitoba as their home to work, to raise their families and to run a business, and it's in stark contrast to the 1990s when people were leaving the province in droves.

### **Rural Health Care Emergency Services (Emerson)**

**Mr. Cliff Graydon (Emerson):** Under the NDP watch, a new health-care facility was cancelled resulting in a closure of the ER room. This was quickly followed by putting the ambulance service out of business in the Emerson constituency. Residents now must wait between 30 to 40 minutes for an ambulance from Altona, St. Pierre, Vita, or Morris.

When will the minister do her job, restore the emergency medical service to the Dominion City and Emerson area?

**Hon. Kerri Irvin-Ross (Minister of Healthy Living):** We continue to make investments not only through infrastructure across Manitoba but also with the human health resources. I can tell the House today that we have over 2,000 more nurses in Manitoba than in 1999. There are 19 percent more doctors working in our—in rural areas. We've made those commitments, and we will continue to make those commitments to Manitobans to ensure that they have access to health care.

**Mr. Graydon:** Mr. Speaker, when it comes to addressing the issue of health care, this government has had 10 years and billions and billions more that they claim was necessary to fix the problem.

But, then—but still more than 1,500 doctors have left this province; 18 emergency room closures have taken place and throughout rural Manitoba, hospitals close on a revolving-door routine, as availability of staff dictates which hospital can stay open and which must close.

Will the minister commit today to restoring the ambulance service to Dominion City-Emerson area?

**Ms. Irvin-Ross:** Mr. Speaker, I am not certain that the member for Emerson had heard the comments that I made previously about our investments in rural Manitoba.

I will list them again for him: \$5-million expansion to Portage la Prairie; a new \$720,000 worth of funding to build a cancer-build cancer services in Eriksdale, as well as a wellness centre; new and renovated hospitals—Brandon, Swan River, Thompson, The Pas, Beausejour, Pinawa, Gimli, Morden-Winkler, Ste. Anne, Steinbach, Shoal Lake and one on the way in Selkirk.

CT scanners, also: Brandon, Steinbach, Thompson, The Pas, Selkirk, Morden-Winkler, and the list goes on. We've made those commitments. We have added 160 new ambulances to our fleet. We will continue to make those investments as we have.

**Mr. Graydon:** Mr. Speaker, this minister doesn't get it. The Emerson port of entry is the fourth-largest port in Canada. Highway 75, one of Manitoba's busiest highways, goes right through the centre of Emerson and the Dominion City area where there is no ambulance service available.

The minister likes to justify the emergency room closures by saying that the back of the ambulance is a new emergency room. That's giving Manitoba highway medicine instead of hallway medicine. However, due to the lack of the ambulance service, the people in Dominion City and Emerson have neither.

Again, I ask the minister: Will she provide emergency medical services to the Emerson and Dominion City area?

**Ms. Irvin-Ross:** With our recent investment, Mr. Speaker, of \$5 million, we have increased our ambulance fleet to 173 ambulances. We have also developed—we've also invested—

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

**Mr. Speaker:** Order.

**Ms. Irvin-Ross:** —\$4.6 million to build and upgrade 16 ambulance stations since 1999, and they include: Kinosota Trails, Morden-Winkler, Oak Bluff, Carman, The Pas, Killarney, Swan River, Minnedosa, Rivers, Ste. Anne, Gypsumville, The Pas, Steinbach, Lundar, Ashern and Dauphin.

As well as making those infrastructure improvements, we continue to invest in the workforce and, because of those investments, we now have 655 full-time paramedics.

### **Manitoba Hydro Bipole III Location**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, before the member for Minto (Mr. Swan) got that knock on his door in the middle of the night from NDP brass to strong-arm him out of the NDP leadership race, he actually had a few good ideas.

One of his good ideas was to listen and to talk about having the hydro line, the Bipole III, on the east side of the province, saving Manitobans millions of dollars. He also said the NDP was wrong to unplug the gang data base, that it should be plugged back in for the safety of Manitobans.

Mr. Speaker, will the NDP government admit that, instead of muscling him out of the NDP leadership race, they should have listened to some of the good ideas he brought forward?

**Hon. Rosann Wowchuk (Deputy Premier):** Mr. Speaker, and I can tell the member opposite that there are many good ideas that come from all members, all members of the NDP caucus.

Mr. Speaker, and this team—and this team has worked long and hard to improve the quality of life and improve investment in Manitoba and to—and to increase hydro-electricity production, something that the members opposite would not do. They mothballed the Hydro dams. They wouldn't—they said they were gonna cancel Bipole III.

Mr. Speaker, this government has made a commitment, and we have begun the consultations, two rounds of consultations have been taking place. The third round of consultation on Bipole III will start very soon, and we will proceed so that we have a secure supply of electricity and—

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

**MEMBERS' STATEMENTS****Philippines Flooding**

**Ms. Flor Marcelino (Wellington):** Mr. Speaker, I stand today to offer my profound thanks to all members of this House who have offered thoughtful words, prayers and support to the people of the Philippines hit by tropical storm, Ondoy, which is internationally known as Ketsana. I would also like to recognize the work of the Manitoba Council for International Cooperation, the Filipino-Canadian Disaster Relief Committee and the Manitoba Council of Filipino-Canadian Associations. The work of these organizations has been essential to saving lives and coping with the disaster in the Philippines.

The scale of this calamity is huge. The storm, which began on September 26th, saw the worst amount of precipitation in over 40 years, the equivalent of a month's worth of tropical storm rainfall within a 24-hour period. As a result, the city and surrounding areas have been inundated with water levels so high that about 3.2 million homes have been damaged and an estimated 2.5 million people have been affected. More than half are now homeless. This storm has claimed the lives of almost 400 people, and approximately 40 people are still reported missing.

Mr. Speaker, at this time I would like to consider the situation in the Philippines just a bad dream. I have a 23-year-old niece, my brother's daughter, who went missing last Saturday when the storm came and has not yet been heard from or located to date. It is indeed very difficult to carry on with a normal life knowing that family and friends, along with millions of people, are still facing indescribable misery.

Mr. Speaker, as soon as this tragedy occurred, the government of Manitoba offered \$100,000 in financial assistance to the people of the Philippines. I'm proud that our government is working in conjunction with the Manitoba Council for International Cooperation. As well, it is heartening that the Philippine community in Winnipeg has immediately acted to rally its members to offer a timely support to the victims of this catastrophe. Money contributed will go a long way towards helping those affected by the disaster to obtain medical assistance, clean water, shelter and to begin the process of rebuilding their lives.

Mr. Speaker, I know all members of this House share my concern and sympathy for those affected. Thank you.

**Seniors and Elders Day**

**Mrs. Leanne Rowat (Minnedosa):** Today is Seniors and Elders Day here in Manitoba, which is a day that celebrates the accomplishments and rich heritage that seniors and elders contribute to our society. We know that seniors and elders have an important place in the lives of their children and grandchildren and in their communities, and today is our chance to thank them.

In 1990 the United Nations declared that October 1st would be the International Day of Older Persons. The theme for this year's celebration is towards a society for all ages. In order to create a society for all ages, it is essential to provide older persons with opportunities to continue contributing to society. Celebrating Seniors and Elders Day is an excellent reminder to continue working towards a Manitoba that recognizes the contributions and diversity that an active seniors community provides.

To commemorate Seniors and Elders Day in the beginning of Seniors and Elders month, the Franco-Manitoba cultural centre is hosting a day activity—of activities that celebrate the achievements of our seniors and elders, and I would like to commend the organization of the event for marking this important day.

I would also like to acknowledge the efforts of the seniors advocacy community who have been so generous in sharing with me their challenges in order to have their concerns addressed here in Manitoba. Recognition of grandparents' rights, for example, continues to be a challenge despite legislation enacted in this House, Mr. Speaker. For grandparents' rights to be fully recognized, more than just a few words on paper are needed. It requires an effort by this government to put the right resources in place and follow-up to ensure that the spirit of the legislation is being respected.

Seniors also face a number of challenges in the areas of health care and housing. So while it is good to rise in this House and formally recognize the importance of our seniors and the value of their contributions to our community, it is meaningless unless better effort is made to ensure that seniors live in affordable—that seniors can live affordably and in dignity with timely access to the health-care services they need.

Mr. Speaker, it is important for all of us to remember that aging is not a loss, but a step that brings new opportunities for growth and experience.

This is why I am proud to stand and recognize today Seniors and Elders Day here in Manitoba. Thank you.

**Mark Fast**

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, many beautiful girls in our province struggle daily with weight issues and low self-esteem due to the messages they receive from the fashion industry. But designers, like Winnipeg-born Mark Fast, are doing a great deal to turn fashion back into a source of empowerment.

In his last show at the London Fashion Week, Mark showcased his beautiful knitwear collection on size 12 and 14 models. Despite pressure from the public and fashion week organizers, Mark stuck to his beliefs that his clothes could look even better on regular sized women, and he garnered huge applause for his clothes and his daring.

Born in 1982 in Winnipeg, Mark is a genuine example of home-grown talent. After growing up in the city, Mark moved to study fashion in London for the next five years. He has been releasing collections since 2008, attaining much critical and commercial success.

Mark's emphasis on body issues is particularly important in our province. Earlier this week our government invested \$238,000 in a new community-based Provincial Eating Disorder Prevention and Recovery program. This program will provide early access to assessment and treatment for youth and adults battling with eating disorders. This program will also provide follow-up services and supports to patients who have been recently released from hospital, as well as to their families.

I am pleased to see the fashion industry undergoing a change. Mark's latest show is evidence that a new vision of beauty is emerging. He is an inspiration to women embracing healthy body images. My own beautiful 21-year-old daughter, Janelle Katharina Brick, studied for two years at the Panache Modeling Agency. She is thankful for the grace, poise and self-esteem her classes at the agency have brought to her.

In conclusion, Mr. Speaker, I want to thank Mark for taking local talent to the global stage and for using his success to send out such a refreshing message. I wish Mark good luck with all his future work. Thank you.

**Canadian Armed Forces Tribute**

**Mr. David Faurshou (Portage la Prairie):** Mr. Speaker, I rise today to pay tribute to the men and women of the Canadian Armed Forces, these courageous men and women who selflessly give of themselves so that we may live in freedom, peace and security here in Canada.

On September 12th, 450 members of our Canadian Armed Forces based at Shilo gathered for a special ceremony and to say goodbye to their friends, family and loved ones. Over the course of the next month and a half, these brave men and women will be deployed overseas to Afghanistan where the war awaits them.

Mr. Speaker, today this deployment hits close to home. Three reservists from the 13th Field Battery based in Portage la Prairie are being deployed. These courageous reservists are exchanging the comfort of their prairie homes for the harsh realities of mountain warfare. Bombardier Denis Houle, Bombardier Tom Alexander and Bombardier Evan Barker leave today knowing the dangers they will face and the risks they take, knowing that their actions make us safer. But they also leave with the hopes that their actions will result in a brighter future for the people and children of Afghanistan.

Mr. Speaker, as many of our brave compatriots pay and will continue to pay the ultimate sacrifice, we are reminded here at home of the brutality of war which does not distinguish motive or nation.

These men and women who, past and present, have defended our country and values in foreign lands and kept the peace in many war-torn countries deserve nothing less than our full and unqualified support.

Mr. Speaker, as we are those who receive all the benefits but bear none of the burdens and none of the costs of the sacrifices made by the Canadian soldiers, I would like to ask for leave from the House to provide a yellow magnetic ribbon to the members of the Legislative Assembly so that we may all proudly display our support of the efforts and sacrifices made by our Canadian troops.

**Mr. Speaker:** Does the honourable member—order. Does the honourable member have leave to have distributed a magnetic yellow ribbon to all the members of the House? *[Agreed]*

Leave has been granted, so would pages please pick up the magnetic and distribute them to the members, please.

\* (14:30)

### Autism Awareness Month

**Ms. Erin Selby (Southdale):** Mr. Speaker, I rise in the House today with the hopes of drawing members' attentions to the thousands of Manitobans who lives are touched by autism spectrum disorder.

October is Autism Awareness Month, both in this province and across the country, and thus a fitting time to promote the understanding of what is often a misunderstood disorder. Widely agreed to be a neurological disorder, the developmental impairments are varied in both category and degree. Generally, people with ASD differ from peers in areas of motor language, cognitive and social skills, often making day-to-day interactions with others challenging. Usually symptoms emerge within the first three years of life, and boys are four times more likely to be afflicted. Though some people with autism spectrum disorder are able to function at an incredibly high level, many need intensive support services, including specially tailored education programs.

Acknowledging this reality, Manitobans, in partnership with their provincial government, have built a caring and responsive support system to help families affected by this disorder. Manitoba Children's Special Services program is joined by a slate of other resources, including the Province's Supported Living program and the Children's Therapy Initiative, which each strive to ensure that citizens challenged by developmental delays and disabilities are able to thrive in their own communities. Focussing on many of the same objectives, the Autism Society of Manitoba has worked for more than 30 years to help those diagnosed with ASD overcome their unique challenges. Services offered by this invaluable non-profit organization include social skills groups, peer support, adult advisory groups and family events.

This Saturday, the Autism Society's annual walkathon will take place in three communities: Winnipeg, Brandon and the Red River-Pembina Valley region. I encourage Manitobans to hit the pavement on Saturday in the hopes of having fun, raising funds and spreading awareness. Thank you, Mr. Speaker.

## ORDERS OF THE DAY (Continued)

### GOVERNMENT BUSINESS

#### House Business

**Hon. Gord Mackintosh (Acting Government House Leader):** Mr. Speaker, would you please call report stage amendments in the order they appear on the Order Paper.

### REPORT STAGE AMENDMENTS

#### Bill 8—The Civil Service Superannuation Amendment Act (Enhanced Manitoba Hydro Employee Benefits and Other Amendments)

**Mr. Speaker:** Okay. Order of business for this afternoon, we'll deal with—first, we'll deal with Bill 8 and then if we're finished with the amendments to that, then we'll deal with amendments to Bill 35, and if we're concluded that, then we'll move on to Bill 36.

So first amendment I will call is amendment to Bill 8, The Civil Service Superannuation Amendment Act (Enhanced Manitoba Hydro Employee Benefits and Other Amendments), and that's in the name of the honourable member for Brandon West.

**Mr. Rick Borotsik (Brandon West):** Mr. Speaker, I move, seconded by the member from Portage la Prairie,

*THAT Bill 8 be amended in Clause 7 by striking out "on the recommendation of its actuary." in the proposed subsection 33(10.1) and substituting "on the basis of an actuarial report that includes*

(a) details as to the status of the superannuation adjustment account, including a statement as to what portion of the transferred \$145,000,000. remains available for future indexing; and

(b) the actuary's recommendations as to the manner in which that available portion should be used for future indexing."

I move, seconded by the member from Portage la Prairie.

**Mr. Speaker:** It's been moved by the honourable member for Brandon West, seconded by the honourable member for Portage la Prairie

*THAT Bill 8 be—dispense? Dispense.*



**Mr. Borotsik:** Bill 8 is a very important bill and, as has been identified previously, it speaks to amendment to the superannuation and, as we all recognize, Mr. Speaker, the fact that we're—some of us in this House are getting older, pensions are extremely important, extremely important.

People who've worked 35 and 40 years certainly look forward to their golden years and the opportunity of enjoying those golden years. And as part of the amendment that's put forward, the government has identified a portion of the pension bill that speaks to a COLA, which is a cost of living allowance.

A COLA is very important, Mr. Speaker, because when you receive a pension, there's a set amount, and as we know, there's an inflationary factor that happens on an annual basis, not only in our country but throughout the globe, and what happens with respect to COLA is you're then allowed to increase that pension on an annual basis and maintain your purchasing power. That's a really wise thing to do and this bill speaks to that. Bill 8 speaks to that.

However, what—in order to maintain the COLA account what the government has done, and not just suggested to do, but what the government has done, actually a number of years ago, back in December 31, 2007, what they did, Mr. Speaker, is they transferred \$145 million from their pension fund into a COLA account. So the pension fund pays the basic pensions to the people who retire on an annual basis and they pay the pension benefits to those people who have retired previously. But the \$145 million is put into a COLA account and of that four—\$145 million, it's going to generate enough revenue income over a 30-year period, supposedly, to fund the cost of living account; very positive, except for a couple of things. The first thing is that in order to fund the COLA account you really have to have \$145 million.

*Mr. Doug Martindale, Acting Speaker, in the Chair*

Now, the \$145 million that was identified back in 2007 is what they refer to as an actuarial surplus. They look at the pension account and the actuaries have an actuarial surplus and then they say that this amount is above and beyond what's necessary to fund the basic pensions. And that was fine in 2007, but I don't know if the members opposite are aware of this or not, but there's—I know the minister of—the new Minister of Finance (Ms. Wowchuk), is aware of this, that there's been an economic downturn.

In fact, she even referred to it today—which I was very pleased, by the way, to actually get, almost, some answers from the Minister of Finance, and certainly a breath of fresh air, 'cause I could get none from the previous member of—or Minister of Finance. So it was quite nice to see that the Minister of Finance actually recognized that we are in an economic downturn, that there are more expenses, less revenue, and that there is some serious, serious deterioration of the financials.

Well, that's what happened in the pension account. In 2007, well, actually in 2005, there was an actuarial surplus in the pension account of \$136 million for the superannuates. In 2006, there was \$149 million of actuarial surplus. Now, that makes a lot of sense: if there's an actuarial surplus of 149, we can transfer 145 across into a COLA account.

In 2007, however, when they did transfer the 145, supposedly, the actuarial surplus that came forward was only \$49 million. But it gets better yet. There's even a better story for 2008 because we recognized that there was a downturn in the markets. A lot of the funds that are in the pension—in the pension fund are invested in the markets. Well, there was a 17 percent decrease in the pension account, which translates to—are you sitting down and listening—translates to a \$510-million shortfall in the superannuation pension account.

So, so \$145 million we're gonna transfer across to cover off a COLA—which, they've given the superannuates this expectation that they're going to fund the COLA to at least two-thirds—but there's actually a \$510-million shortfall in the pension account. So what we're saying in this amendment, Mr. Deputy Speaker, what we're saying in this amendment is a pretty simple request that what we would like to see is an annual report made from the actuary that's going to tell us just how much of that 145 remains to cover off a COLA account, and we would like the actuary's recommendation as to the manner in which the available portion will be used to fund the COLA.

\* (14:40)

I think that's a reasonable request to make, a reasonable amendment in a piece of legislation that's a reasonable piece of legislation. And I don't think that anybody across the way should argue with that, that there should be a known factor with actuarial reporting coming forward telling us those two—those two issues before going and spending.

Now, that's the first thing. There is no \$145 million. In fact, it's \$510 million. But, that was as at the end of the fiscal year 2008. That may have changed somewhat now in 2009, although the markets are down over 250 points today, so there is a bit of fluctuation still in the markets.

But the second thing, and probably the more important thing right here is, we agree with the legislation. We agree with the COLA account. We agree with the funding of the COLA account. We would like to make sure that it's a legitimate funding of the COLA account, and what we agree with is equity and fairness to all employees within the province of Manitoba because, you see, this was the civil servants' pension account. There's another pension account that's held by the Finance Minister, actually, in her department, which is called the TRAF account, it's called the teachers' retirement account.

Now, you see, the teachers, the retired teachers asked for exactly the same kind of consideration under Bill 45. They asked that they could—they could transfer money from their basic pension account to their COLA account. They asked for that, and they were completely shut down. They were completely refused that request, because, as I said in my opening comments, it's important that people have the ability to maintain their lifestyle in their golden years. It's important that people be able to not lose their purchasing power on an annual basis, and the teachers are doing just that.

So we're asking, and asked too many times, to the Minister of Education (Mr. Bjornson) to treat his retired teachers equally with the civil servants, but they were refused again and again and again, and, in my opinion, that's wrong. It's wrong that the Minister of Education did not show the respect that was due to retired teachers, the same respect that's due to retired civil servants. He, the Minister of Education, must be held account for not allowing the same, exactly the same, request to take place in the TRAF account. He failed the teachers, where the Minister of Finance actually helped the civil servants.

So I congratulate the Minister of Finance, the previous Minister of Finance, for at least sticking up for his employees, and I certainly cannot congratulate the Minister of Education for showing the lack and the disrespect that he has for his retired employees.

So I would expect that the members will support this amendment, and we will, in fact, support the legislation when it comes before this House. Thank you very much.

**The Acting Speaker (Mr. Doug Martindale):** Is it the pleasure of the House—the honourable Minister of Agriculture.

**Hon. Rosann Wowchuk (Minister responsible for the Civil Service):** I want to thank the member opposite for his comments and for bringing forward his amendment.

I have to say to the member that when he—when he brought this amendment to the House, I had staff review it. And I am advised by staff in the department that this amendment is not necessary because reporting by the actuary of the unused balance of the—of the \$145 million is already being done by the request of the board, Mr. Speaker, and even if the act weren't required this actuary to be reported, the unused balances of any transfer to the board, it is already being done as a practice.

There's a very good working relationships between the board and the actuary, Mr. Speaker. And the staff who developed this legislation and have reviewed it said that there is a section, under the current Civil Service Superannuation Act, which addresses this issue, and that is 14(1) in the—it says, the board shall cause an actuary report to be made on the status of the fund as of December 31st in the year 1986 and every third year after that; and 14(2) the board may cause an actuary report to be made on the status of the fund at any time and as of any date that the board may deem it advisable to cause such a report to be made.

*Mr. Speaker in the Chair*

So, Mr. Speaker, I did take the member's amendment seriously and had it reviewed and this is the advice that we have been given, that it is not necessary because all of these things that the member opposite is suggesting can be already addressed in the existing act. So I thank the member for his amendment and for his comments and, certainly, I want to comment, when he talks about the teachers' fund, to remember that—he blames the Minister of Education. He has to remember that is the Teachers' Society that makes the decisions and it is the Teachers' Society that has made the decision on how the funding will go on the retired teachers' fund.

So, with those few comments, Mr. Speaker, thank you very much.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the amendment moved by the honourable member for Brandon West (Mr. Borotsik).

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

**Some Honourable Members:** No.

**Some Honourable Members:** Yes.

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

#### Bill 35—The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended)

**Mr. Speaker:** Okay, we'll now move on to amendments to Bill No. 35, The Municipal Conflict of Interest and Campaign Financing Act (Various Acts Amended).

The first amendment is in the name of the honourable member for—the honourable Minister for Infrastructure and Transportation.

**Hon. Ron Lemieux (Minister of Intergovernmental Affairs):** I move, seconded by the Minister of Advanced Education and Literacy (Ms. McGifford),

*THAT Bill 35 be amended in Clause 7*

*(a) by adding the following after the proposed subsection 93.6(1):*

#### Application to Flin Flon

**93.6(1.1)** Despite subsection (1), an individual who is normally resident in the boundary area defined in *The Flin Flon Extension of Boundaries Act*, S.M.1989-90, c.73, may make a contribution to a registered candidate in an election in the City of Flin Flon.

*(b) by striking out the part after clause (b) in the proposed subsection 93.16(1) and substituting the following:*

the chief administrative officer must provide a written report of the failure to council at its next meeting, and the candidate must not sit on council until the chief administrative officer reports to council that the candidate's statement has been filed.

**Mr. Speaker:** It's been moved by the honourable Minister for Infrastructure and Transportation, seconded by the honourable Minister for Advanced Education,

*THAT Bill 35 be amended in Clause—dispense?*

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Lemieux:** This bill is about increasing—the bill itself is about increasing transparency and accountability and the principles we all support and continue to promote every day. Increased transparency and accountability will help strengthen the public's confidence and support municipal governments, and the amendment addresses an oversight in the bill and will enable Saskatchewan residents of Flin Flon boundary area to contribute to a candidate's campaign. These residents are already eligible to vote and run in Flin Flon as Flin Flon residents under a long-standing arrangement.

The amendment will also require the chief administrative officer to report a candidate's failure to file their election finance statement with council rather than to the head of council. Providing for the report to be filed with the head of council better reflects how municipalities currently operate.

So, Mr. Speaker, we look forward to serving the passage of these—acceptance of these amendments and also to the passage of this important legislation.

\* (14:50)

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, it's my pleasure to rise and speak to the amendment as well. Just—the minister indicated it was an oversight. They didn't get it in the original bill. I'd just like to confirm our support for the addition of the area that he's speaking of in Flin Flon, in the city of Flin Flon. It's under the amendment act. It was brought in in '89-90, I believe. It was in that particular period of time under the previous government, and I would certainly concur that adding the—is roughly around 240 persons that live in that area of South Main that would have the opportunity to not only support but—in their vote, but financially as well in the contribution for a candidate, for the city of Flin Flon's council. And there's some

businesses along No. 10 Highway in that area that would qualify as well—just on the edges of the city as you move south from Flin Flon, and there's some folks in the Cliff Lake areas and some of the surrounding areas—none, of course, of the Saskatchewan side of the boundary, Mr. Speaker, in Saskatchewan itself. Although there are some persons that I'm told in the south part of Main, south Main Street, that the boundary is pretty transparent there as far as where the line from—between the provinces runs through the city, and so this provides them with an opportunity to contribute as well—and our side of the House has no problem with that.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is an amendment moved by the honourable Minister of Infrastructure and Transportation (Mr. Lemieux).

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

Now we'll move on to the next two amendments in the name of the honourable member for Ste. Rose (Mr. Briese).

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, I move, seconded by the member from Carman,

*THAT Bill 35 be amended in Clause 1 by replacing the proposed subsection 13(2) with the following:*

**Application**

**13(2)** Subsection (1) does not apply in respect of a statement filed before the day of the general election held in October 2010.

**Mr. Speaker:** It has been moved by the honourable member for Ste. Rose, seconded by the honourable member for Carman (Mr. Pedersen),

*THAT Bill 35 be—dispense?*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Briese:** Mr. Speaker, it's a pleasure to rise and speak on this amendment to Bill 35, The Municipal Conflict of Interest and Campaign Financing Act. This amendment is designed to only change the date of implementation of the one section of the act. The bill calls for the implementation in November of this year, and with the setup of local officials elections. We think that's inappropriate. We think it should be moved to such time as the next election of local officials, school boards and municipal.

The reason for that thinking is that the people that are on council and on school boards right now ran under a certain set of rules, and this wasn't one of them, and the rules shouldn't change three-quarters of the way through their terms on council and on school boards. It would be very appropriate and very fair to wait until the next general municipal election, and then everybody's on the same playing field. They know going in that there's going to be disclosure of these documents.

The other night at the committee hearings, the—Doug Dobrowolski from the Association of Manitoba Municipalities made a presentation and the change that's happening in this bill on this particular issue is that before your conflict documents were held by the CAO of the municipality, and you could go in and ask for them to check on a conflict and they would check it out, but the document remained closed from the public. This will open up the document to the public, and I don't know why the government would think that there was a big problem before, but the association of municipalities said the other night they're unaware of any situation where a resident was not given the right to question whether an elected official is in conflict, or any case where a CAO did not provide truthful information. That being said, this part of the legislation now—it's just the wrong time to implement it.

And I'll quote from the Association of Manitoba Municipalities' presentation the other night at committee. On another section, they said: We're equally concerned with changing the rules in the middle of the current mandate. Sitting elected municipal officials put their name in for consideration based on a clear set of rules and requirements. Everyone elected gave considerable consideration to the expectations and requirements. We understand the assumption that by entering public office your life becomes more public. However, there was never a commitment to have your financial disclosure information available for anyone to review anytime. It is unjust to change the rules on this important issue in the middle of the mandate.

And that's a key word; it is "unjust." It's not a fair practice, which is what's being talked about here.

The other night at committee, Gord Steeves, councillor with the City of Winnipeg, Jae Eadie, former councillor with the City of Winnipeg, George Fraser, former deputy mayor of Winnipeg, and the Association of Manitoba Municipalities under the

president, Doug Dobrowolski, all made presentations to that effect: that it's unfair. It's unjust to change the rules three quarters of the way through the mandate.

I urge the minister to take this under consideration. I have talked to the minister on several occasions asking for his support on this. I have explained to him where we were coming from on it, what our thoughts were on it. This is an amendment that can only strengthen this bill, not weaken this bill, and I certainly urge the members opposite to support it.

**Mr. Lemieux:** Mr. Speaker, during question period today, the Progressive Conservative Party—they used to be called the Progressive Conservative Party, now they're just the—now they're just the Conservative Party. Now they want to be known as the right-to-know Conservative Party. That's all we heard during question period: the right to know, the right to know.

Mr. Speaker, this is—this is about accountability and transparency legislation, and Bill 35, The Municipal Conflict of Interest and Campaign Financing Act, is an important bill. It's about accountability and transparency.

A very important aspect of this bill is strengthening the municipal councils' conflict-of-interest legislation that now applies to all municipalities. Our bill will require municipal council members' statements of assets and interest to be available to the public beginning with the 2009 statement. As you know, under municipal conflict-of-interest legislation, the court, and not a municipal council or CAO, determines whether a member of council has a conflict of interest. The legislation provides a mechanism for any person to allege a conflict of interest exists. Statements of assets and interest are integral. However, without public access to the statements and knowing what is contained in them, citizens have a limited ability to allege conflict—that a conflict, indeed, exists. We believe that citizens should be assured that the decisions made by their elected municipal councils are objective and fair, in the best interests of their community. The Auditor General, in her March 2008 special audit report, commented on the importance of these statements and recommended that changes be made to conflict-of-interest processes. This bill addresses some of the issues raised by the Auditor General. Provincial MLAs' statements have been public for many years and are public in

municipalities in B.C., Québec, and New Brunswick, Mr. Speaker.

This legislation, Mr. Speaker, is truly important. And members opposite, I can't see why they certainly would not just want to pass it without amending what is there. We've said the bill is about increasing transparency and accountability and principles we all support and continue to promote every day amongst all of us. Increased transparency and accountability will help to strengthen the public's confidence and support in municipal governments.

Campaign finance rules are integral to transparent and accountable elections. The bill extends long-standing provincial and Winnipeg campaign finance rules to all Manitoba municipalities. These rules have been strengthened and updated and will apply—will also apply to Winnipeg. Consistent municipal campaign finance rules will apply to all municipalities province-wide beginning with the 2010 municipal elections. These new rules further strengthen the municipal election process, as I mentioned before. New municipal election legislation, The Municipal Councils and School Boards Elections Act, came into effect in 2006 for municipal elections.

\*(15:00)

As well, strengthening conflict-of-interest rules for both municipal council members and employees support transparency and accountability of municipal governance and decision-making. Citizens will know and can be confident that municipalities' decisions are objective, fair, in the best interest of their communities.

We look forward to passage of this important legislation, unanimously by this House. Thank you, Mr. Speaker.

**Mr. Leonard Derkach (Russell):** I'd like to add some comments regarding the amendment to this bill. Mr. Speaker, it's a good thing to see the minister is able to read from some prepared notes, but what he has to do is think about whether or not this makes any sense or not in the whole area of accountability and conflict of interest for municipalities.

You never change the rules in the middle of a game, and, Mr. Speaker, it would be like changing boundaries in the middle of a mandate of an MLA and saying, now you're going to change boundaries and you're going to have to start representing a different area. You do that at the end of a mandate,

which means that prior to an election or after an election, those boundaries would take place.

And it's the same thing in this instance, Mr. Speaker, why are we imposing on municipal councillors that they all of a sudden have to change the rules of a game, when they ran under a different set of rules to begin with? When these people put their names forward, they put their names forward in good faith, under an established set of rules. Now, because the government wants to ride roughshod over municipal officials, they have decided that they are going to change the rules in the middle of the game.

And I want to know from the minister—now, he has spoken to this bill already, but I want to know from the minister whether he and his government had any courage to consult with municipalities and municipal officials prior to bringing this legislation forward. Because, from our understanding, they did not.

For the municipal councillors back home, there was no understanding that this legislation would start coming into force at the beginning of November of this year, rather than after the election, which is going to take place next year. And what's the downside? What's the downside to letting this legislation wait for a year?

I submit, Mr. Speaker, that the government has a different agenda in mind. And what they've got is a political agenda in mind, where they, for their own political purposes, can start exposing the issues and the assets of certain elected officials prior to the next election. Otherwise, it would not be in their interest at all to have this legislation take effect on November the 1st. They would then wait until the election of next year before the legislation came in.

So, Mr. Speaker, it's an underhanded way to conduct business, and the minister and this government should be ashamed in terms of what they have proposed here. And the other thing that they need to take account for is that what is being proposed by the member from Ste. Rose is a practical approach. Now, the member from Ste. Rose is a long-time municipal official. He was a leader of the municipal organization of this province. He understands, and his words should be taken to heart and they should be considered, because he understands what municipal officials have to go through.

And the amendment that he came forward with today is not a frivolous amendment. It's a serious one. And, Mr. Speaker, if the government does not accept this amendment, and we're going to be going out and meeting with municipal officials, because these are people who are the first line of government in communities. And we're going to be letting them know that a practical amendment to this piece of legislation, proposed by a former leader of the organization, and something municipalities have asked for in the committee stage of this report. Now, if the government was listening to anyone, they should have been listening to the municipal officials who came forward.

I think the leader of the municipal organization, Mr. Dobrowolski, made it very clear that this was a practical amendment that the government should be incorporating into the legislation.

So, Mr. Speaker, I look at the minister who is responsible for Intergovernmental Affairs now, who, I know, is a pretty practical individual himself. I look at him and I ask him not to do what his—perhaps his party has agreed to, or his caucus or his Cabinet has agreed to, but to consider this in the light that it's a practical approach and it makes eminent sense to postpone the implementation of this legislation until after the next election so that councillors will know when they run in the next election that they are running under a new set of rules and they will understand those rules by then. It's no skin off anybody's nose to postpone this type of legislation for at least the one year.

And, with those comments, Mr. Speaker, I hope that other members are going to get up and offer some comments with regard to this amendment.

**Mr. Rick Borotsik (Brandon West):** Mr. Speaker, I'd just like to put a few words on the record, and I know the Minister of Infrastructure and Transportation (Mr. Lemieux) will listen to some logical arguments as his explanation leaves a few holes in it.

This amendment is not a substantive amendment. It simply would like to delay the implementation of the filing of the asset report for a municipal councillor for effectively one year when the new council and councillors and reeves and mayors will be elected. That's a pretty reasonable request to make. I have a fairly extensive experience at the municipal level as does the member from

Brandon East. And when I—when I went and I asked the rules that pertain to running in a municipal election, I was given a fairly extensive indoctrination. That indoctrination included all of the rules. I had to be a resident of my municipality, my ward. I had to be 18 years of age. I had to be a Canadian citizen.

I—this indoctrination also explained to me what was going to happen should I be successful in running and winning in a municipal election. And it also told me what I had to do to comply with respect to conflict of interest. I saw the by-law. I saw the conflict of interest by-law, what I could and could not do. And I saw the requirements that I had as a candidate, should I be successful, to file with the city clerk of the day my declaration of assets. And I accepted those rules. I went in there with my eyes wide open knowing full well that should I be successful—and I was, as was the member from Brandon East. And when I was successful, I complied with the rules that were in place at the time.

Now, I'm gonna try to make an analogy that I'm sure the Minister of Transportation and Infrastructure is gonna understand. It's like a change in the rules at the NHL level. It's like when the NHL decided that they were gonna take away the centre line offside. They didn't do it between the first and second period. They didn't do it between the second and third, and they didn't do it halfway through the season. What they did was is when they made the rule change they did it starting off the new hockey season. They do that.

When they make rule changes in the NHL, they don't do it in the middle of the year. They make it—the board of governors decide what they wanna do and they make the changes. And all this amendment is saying, yes, we agree with openness; yes, we agree with the legislation; yes, we agree with the right to know, but what we would like to say is those municipal councillors that are there, who ran under one set of rules should not be forced to change that horse in midstream. They may not want to put their name forward one year from now based on this new legislation, and that's their right. They have the right to make that decision based on those rules then, not have those rules changed in midseason like the NHL.

This minister knows that this amendment is the right amendment. If he—if he is—if he is honest about it, he is going to make sure that this amendment does

pass because it's the only right thing to do for those people who are putting their names forward as councillors in all of the municipalities in this great province of ours. Thank you, Mr. Speaker.

\* (15:10)

**Mr. Maguire:** Mr. Speaker, I'd just like to say that this amendment, I think the minister's considering passing it. I think that, you know, in the spirit of co-operation, it was able to speak in regards to his amendment that came forward. We had no problem with that, of course, that was somewhat of a logistical thing, I think, that he wanted to see changed. This is merely—as my colleagues have said, and I know the colleague from Ste. Rose constituency, the former president of the Association of Manitoba Municipalities, knows full well that this would be changing the rules in the middle of the game. And a number of them—you know, we've got 198 municipalities across Manitoba with councillors and reeves and mayors, and I think they all ran under one set of rules. They'd like to finish off their terms and start into the new session next year with the same set of rules that they ran under. And that's all that's being asked here for.

If the minister decides not to, it would be like saying, well, all of us that were not in this House prior to the 1999 election or even maybe those of us that were elected in the 1999 election shouldn't be here, Mr. Speaker. And I don't think that's what he means. I would hope that it wouldn't be like that. And I know that he's a, you know, he's a minister of transport, he's a bridge builder, he's supposed to be there to put smooth roads in place. And here's an opportunity for him to be able to, as he did with his own amendment, make a mere change in logistics for the—to allow more people to contribute and that sort of thing. We'd certainly appreciate him supporting this amendment, Mr. Speaker. Thank you very much.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the amendment moved by the honourable member for Ste. Rose (Mr. Brieese).

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Voice Vote**

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

**Formal Vote**

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** Recorded vote, Mr. Speaker.

**Mr. Speaker:** A recorded vote having been requested, call in the members.

Order. The question before the House is the amendment moved by the honourable member for Ste. Rose (Mr. Briese).

**Division**

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

**Yeas**

*Borotsik, Briese, Cullen, Derkach, Dyck, Eichler, Gerrard, Goertzen, Graydon, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Stefanson, Taillieu.*

**Nays**

*Allan, Altemeyer, Bjornson, Blady, Blaikie, Braun, Brick, Caldwell, Chomiak, Dewar, Howard, Irvin-Ross, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Reid, Robinson, Rondeau, Saran, Selby, Struthers, Swan, Whitehead, Wowchuk.*

**Madam Deputy Clerk (Bev Bosiak):** Yeas 17, Nays 28.

**Mr. Speaker:** I declare the amendment lost.

\* \* \*

**Mr. Speaker:** We will now move to the second amendment in the name of the honourable member for Ste. Rose.

**Mr. Briese:** Thank you, Mr. Speaker. I ask leave not to proceed with the second amendment.

**Mr. Speaker:** Is there leave for the honourable member to—are you withdrawing your amendment?

**Mr. Briese:** I withdraw.

**Mr. Speaker:** Is there leave for the honourable member to withdraw his second amendment?  
[Agreed]

Okay, there's agreement that the second amendment brought forward by the honourable member—or that—is in the name of the—in the name of the honourable member for Ste. Rose will be withdrawn. Okay, there's agreement for that.

Now, we will move on to—oh, the honourable Minister of Family Services and Housing.

**Hon. Gord Mackintosh (Acting Government House Leader):** Mr. Speaker, I think there's an earlier misunderstanding. If next, instead of 36, next you would call 37.

**Mr. Speaker:** Okay. The previous announcement I gave for the business of the House has been changed.

**CONCURRENCE AND THIRD READINGS****Bill 37—The Public Schools Amendment Act (Limited At Large Elections of Trustees)**

**Mr. Speaker:** Now, instead of calling 36, I will be now calling concurrence and third reading of Bill No. 37, The Public Schools Amendment Act (Limited At Large Elections of Trustees).

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the Minister of Education (Mr. Bjornson), that The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

**Mr. Speaker:** It has been moved by the honourable Attorney General, seconded by the honourable Minister of Education, that Bill No. 37, The Public Schools Amendment Act (Limited At Large Elections of Trustees), reported, from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Mr. Speaker, I'm pleased that we have brought Bill 37 to the Chamber for third reading.

It is a very brief bill, but one that means very much to the constituents that have requested the



change to the act, and I appreciate the opposition and their discussion with the regards to this bill, the briefing that I held with my critic, and, of course, their willingness to see this bill move forward to this stage.

It is a bill that will allow school divisions that previously had been elected at large to hold wards—pardon me—that now have ward systems to dissolve the ward system and go back to an at-large election system. And this is something that has been supported by the Manitoba School Board Association, as well as the two school divisions that have request that we undertake this change in the act.

So, with those few words, Mr. Speaker, I'm pleased to move forward with the third reading of Bill 37.

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** Mr. Speaker, I thank the minister for his comments.

I understand that the member for Springfield (Mr. Schuler), the critic for Education for our caucus, has had briefings with the minister. It's been brought to committee and there were discussions there, as well as some words were put on the record at the second reading by the critic and we're ready to proceed.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House, concurrence and third reading of Bill No. 37, The Public Schools Amendment Act (Limited At Large Elections of Trustees).

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

## REPORT STAGE AMENDMENTS

### **Bill 36—The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries)**

**Mr. Speaker:** Okay, we will now—as previously agreed, we will now deal with report stage amendments to Bill No. 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries).

And we have 10 amendments in the name—in the name of the honourable member for Emerson.

We'll now deal with the first one.

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, I propose—or I move, seconded by the member for Arthur-Virden (Mr. Maguire), that the amendment to The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries),

*THAT Bill 36 be amended in Clause 11, in the part after clause (b) in the proposed subsection 131(2), by striking out "shall be increased by a maximum of \$800. per month" and substituting "shall be increased to an amount that reimburses the victim for all personal home assistant expenses, including attendant care, in any residence of the victim or elsewhere, to enable the victim to function and contribute to society or the labour market".*

\* (15:30)

**Mr. Speaker:** It's been moved by the honourable member for Emerson, seconded by the honourable Member for Arthur-Virden,

*THAT Bill 36 be amended in Clause 11—*

**Mr. Speaker:** Dispense?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Graydon:** Mr. Speaker, the intent of this amendment is twofold, and I believe once I identify what that is, I'm sure that the members opposite will agree.

The definition of—to clarify the definition of a personal home assistant, under this, under this proposed bill, what they have—the MPI and the minister have brought forward is to expand the reimbursement by \$800, bringing it up to \$4,800.

Mr. Speaker, by just some quick math, at \$17 an hour, that \$800 would equate to four days, four days' care. That's what that would do with personal home assistance. The quality of the people that is needed—that are needed and the expertise that is needed in the home for the people—or for the victims that are catastrophically injured demands that they need an education, a good education. They also need the training that is necessary to help these people, the catastrophically injured, and this amount of money is a pittance. It's a shame that they are restricted to \$4,800 a month, and there's no place that—in this bill that we can see that this money would be—any other money would be coming from for that purpose.

The cap should be removed entirely. There shouldn't be a restriction on the people, the most

defenceless people in our society that have been covered by the insurance policy, they shouldn't be penalized with this type of a bill and with this type of a restriction placed on them.

When a person is insured through the only automobile insurance company or insurance business, is catastrophically injured, they should not have to ration their care and expenses to fit within the limits of MPI. They shouldn't have to depend on relatives and on friends and, if they happen to be the breadwinner, if they're the breadwinner in the family, Mr. Speaker, they shouldn't have to ration, they shouldn't have to ration what their family has to live on. That shouldn't have to be a burden. They've went through some terrible, terrible times, some terrible stress, they're trying to deal with the situation, the family is trying to deal with the situation, and here, we're putting a restriction on the care that will be supplied to them.

And that has to be picked up somewhere along the line by the family, by their friends and, probably, by neighbours, if they happen to have neighbours, Mr. Speaker.

The fact that the \$800 isn't going to cut it for the 24-hour care for the catastrophically injured, I've referred to that, and I'm almost apologetically ashamed for that being put into the bill. What we have said to those that are catastrophically injured is, it's better to institutionalize you where that money would probably cover if you were looking after five or six or 10 people in an institution, not in society where they belong.

It wasn't their fault that they were in this accident and nor should they be punished. They're the most vulnerable people in our society. They paid for insurance. They should have the coverage that is—that they, that they figured that they had paid for. We certainly should not be—shouldn't be penalizing them in this—in this fashion, and I'm sure that the minister responsible will agree with me, and the members opposite, after hearing—after hearing in committee on Monday, September the 28th, from individuals who either were catastrophically injured or who had a family member catastrophically injured, the breadwinner in the family catastrophically injured, the minister, I have to say, along with many of his colleagues that sat there on Monday last, had to have heard and did agree with the presentations that were put forward, the passion that was in that presentations, the articulation that was in the

presentations outlining the problems that these people had to go through.

And we do know—we do know that one of the— one of the high-profile individuals who'd been catastrophically injured is Steven Fletcher, is a prime example. He's a poster child, and he was a poster child for MPI when they said, yes, you can get an education. You can get an education—and so he did, and he worked hard at it. And he is one of the most catastrophically injured high-profile people today and he's—ever since he became involved in politics, Mr. Speaker, he's been penalized, penalized by this minister and the members on the other side of the House.

They had an opportunity to be heroes. They had an opportunity to showcase Manitoba, and what have they done? They have tried to pull a rug out of—out from under a quadriplegic that can't defend himself physically. He certainly can though, he is paralyzed only from the neck down, not from the neck up. And I would suggest that this bill right now indicates that they are paralyzed from the neck up.

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

This does not cover, this section does not cover the amount that is needed for the care. The minister knows that. The members opposite know that. The judge said when Mr. Fletcher was forced to go to court that the coverage was totally inadequate, and the Premier (Mr. Doer) of this province stepped forward and said, we need to address that. And the minister addressed it with \$800; \$800 is four days coverage.

Mr. Deputy Speaker, I would suggest that is a slap in the face to every, every catastrophically injured individual in this province, and any that will be catastrophically injured going forward. God forbid that there will be, but I'm sure that there will be, and it's a slap in the face to them as well. It's a slap in the face to any of the relatives, to any of the friends, to the family, to the wives or the girlfriends or the boyfriends of any of the people that have been catastrophically injured. We don't know what we have when we are able to come to this House and stand and say what we want, or we can walk down the street and buy a hot dog. We take all these things for granted, but then we say to the catastrophically injured, we're going to give you \$800; \$800 is pittance. They need 24-hour care.

I've seen Mr. Fletcher the other day being attacked by mosquitoes and having to ask someone to come and brush it off his ear or in his hair—he can't do that. He can move his nose, but he can't touch anything else. He can't move anything else. I would suggest to this minister that he needs to spend one day, one day in Steven Fletcher's shoes. He needs to get up every morning or get up one morning and go through the whole process that Mr. Fletcher goes through, and he needs to then go through the day, the whole day of Mr. Fletcher goes through. And I would say to this minister and to the members opposite that Mr. Fletcher does make a huge contribution to our society. It's because of his tenacity and because of his drive and because of his aggressiveness but not, not because of this minister and of MPI. They had an opportunity to be heroes, and they turned out to be zeros in this situation, and they're offering others. They say, oh, this is a lot of money. Eight hundred dollars is four days care, that's all. That's all that it amounts to, Mr. Speaker.

We're ashamed, we're ashamed that that's what it is, but that is what it is. The definition—section 131 is further amended to broaden the definition of personal care. Under the current definition, claimants have been denied benefits because they have more than one home or because they need attendant care while at work. Now we're saying, we will rehabilitate you, but you can't go to work. You can't leave your home. That's what this bill is saying, but we'll give you \$800—we'll give you \$800 for four extra days in your home, Mr. Deputy Speaker. The minister must recognize, as well as his colleagues on that side of the House, that when these people were injured, before they were injured, they had hopes and dreams. They had a life planned for themselves, and we know that life throws you many curve balls, and when you come to forks in the roads, you take them. This was a fork in a road that they hadn't planned on. Nobody plans on this.

\* (15:40)

But here we have a minister bringing forward a bill that will limit these people to be homebound or institutionalized, and Mr. Deputy Speaker, that's not—that's not a quality of life. That's not the quality of life that the insurance should provide for anyone.

That's why this amendment is being brought forward, Mr. Deputy Speaker. It's to offer the best quality of life that we can possibly offer. Under this particular bill, there is nothing like that. There is nothing. You can't commit to a job, you can't commit

to a relationship, you can't move outside of the area that you're in.

Mr. Fletcher could not—he could not be in government as an MP today if it was not for the House of Parliament or the House of Commons that subsidized this. Is that the right thing to do? We have an insurance policy. He had an insurance policy when he had his accident, Mr. Deputy Speaker, and he never wanted to use that. That wasn't his choice. It's not his choice to be in a wheelchair. It's not his choice to be subsidized and to be helped by anybody, and anyone that has met Mr. Fletcher, the poster child that you had, anyone that have met him knows that he would love to be independent. He does things that we can't do. He can sail—

**The Acting Speaker (Mr. Rob Altemeyer):** Order. Order. The honourable member's time has expired.

**Hon. Dave Chomiak (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Mr. Speaker, the member spoke emotionally about both presenters that appeared before the committee. He spoke about catastrophically injured individuals. He spoke about MPI. And that's why I'm very proud of the bill that we put forward.

I was on the other side of the House when the bill was put forward by members opposite that set the limits, Mr. Speaker, and at the time we had indicated that we thought those limits were not appropriate. Of course, at the time, we didn't realize that members opposite were going to privatize—are intending to privatize home care, which is very integral to this—

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

**Mr. Chomiak:** Well, yes, that was significant. That was very significant, because the medicare system is fundamental to part of the—to part of this plan, Mr. Speaker, and the medicare system is fundamental to the kind of care we provide to all Manitobans, not just one or two Manitobans.

And I'm proud of this bill, Mr. Speaker. I'm proud of the fact that it'll provide tens of millions of dollars to that group of people that are the most—that are the most aggrieved. And that the—that the issue of the monthly—of the monthly amount that is provided for is a significant increase, in combination with the retroactive indemnity that's paid and the other funding increases that have been provided in this bill.

The members—I don't like to cite particular individuals, Mr. Speaker, in this Chamber when it comes to particular instances. I didn't hear members opposite ever cite particular individuals when the bill was brought in, in the first place, and they put it forth, a no-fault insurance scheme. And I want to remind the member—I want to remind the member for Emerson (Mr. Graydon) and all members opposite who would love to privatize MPI, who would love to do that. They'd love to throw expenses on MPI. They'd love to have it financially fail. They'd love to privatize it. They'd love it to be in the position where a catastrophically injured person in the United States like the—like the actor Chris Reeve had his benefits run out, and he had to have fundraisers to get benefits for his catastrophic injury, and he had the best—he had the best insurance possible, and ours goes beyond that, Mr. Speaker. And the member opposite talks about cases. He should talk about the cases of the private insurers who wouldn't even pick up this coverage. This is tort coverage, no-fault coverage, given to an individual.

And, Mr. Speaker, of the two speakers that presented, one said that she thought that the coverage was appropriate. She thought the coverage was appropriate, so the member—the member cries crocodile tears for a bill and for a chance that in their long, lean, mean years, they had a chance to increase and didn't. And now they stand up and say that MPI's not doing enough.

The amendments put in by the member with no cap and no limits, Mr. Speaker, could—have not been costed by the member. The fact that we have a medicare system that catches—

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

**Mr. Chomiak:** —oh, the members just hate when I talk about medicare. They just hate it, and we know why. We know why they don't like the medicare system. We know why. Individual. Individual will go for it. Individual will take care of himself. Well, in our society sometimes individuals can't. That's why we have a catastrophic system. That's why we have a system that pays no fault. That's why we have a system that's gonna give \$250,000 lump sum retroactively, Mr. Speaker. That's why we have an active home-care system that's rated the best in the world, the best in the world by the World Health Organization, our home-care system that provides service to individuals, and members opposite wanted to privatize it. They went into an election campaign, they didn't talk about it and they tried to privatize it.

And I daresay, after two years when we're gonna be facing another election, let them go to that. Let them talk about medicare and what they want to do. That's the essence of this argument. It's the health-care system and the insurance system that's a universally applied system that the members don't like. They don't like a universally applied system that helps everybody.

The member has the audacity to say, walk in an individual's shoes, Mr. Speaker. We walk in the shoes of Manitobans every day when we bring forward the legislation we bring forward. That's why we have the reforms in the areas we have. That's why we have the programs in place. That's why we have the budget in place. That's why we've had no tax increases. That's why they've lost three elections in a row, and then they cry crocodile tears on specific points and bring it forward, one specific point.

When MPI brought in the—brought in the act, reviewed it, extended all of the benefits to the 120 or 130 individuals. In fact, the definition of catastrophic that's been used as an example from Saskatchewan and Australia is world-setting, Mr. Speaker, and will provide comfort, care and flexibility to those people who, through no fault of their own, have been injured by accidents.

And the members opposite talk about the monthly cap. They put the monthly cap in place. They put the monthly cap in place. The member put the monthly cap in place. We said at the time it wasn't high enough and, you know, Mr. Speaker, we've increased it. And not only that, we've increased the supports surrounding it, and members opposite cherry-pick a particular aspect of it.

I daresay this entire package that provides tens of millions of dollars, going forward and retroactively, to those individuals who are in this category, will be of significant benefit. And that's what insurance companies should do, rather than have the money go into the pockets of dividend holders, like members opposite would like, you know, parcelling it off to their friends in the private sector, filling their pockets, going to their coffee shops and talking about how well they manage government after they sell things off, Mr. Speaker. We have a universal program that provides additional benefits because the corporation's run well and made profits and that money's going back to the very people, the very people that it was designed to protect.

I daresay some of the examples that members talked about, about catastrophic injury, would not even be covered by private insurance. They'd not even get coverage under the definition of private insurance. They'd have to go sue and spend millions of dollars on lawyers, Mr. Speaker. And we know members opposite, no lawyer left behind. No lawyer left behind for members opposite—[interjection]

And, Mr. Speaker—oh yes, the member reminds me, the member for Steinbach (Mr. Goertzen), the member from Steinbach on the horn. You know, the soft on crime, soft, you know, the soft-on-crime member. You know, we hear that every day in this House, soft on crime. It comes out of his mouth on a regular basis.

The only campaign pledge they had in the last campaign—we had an election campaign, all—and we hope the member from Steinbach means, stays co-chair. Yes, they brought in no fault. Yes, we supported it but we said there was a problem with the cap. We've dealt with it in a comprehensive way, both retroactively and going forward, that'll put millions of dollars in the pockets of those unfortunate, Mr. Speaker, who were in an accident.

The total package is one that's been thought out and addressed and dealt with, Mr. Speaker, and I find it ironic, I find it ironic that we get the individualistic, extremist Conservatives talking about the individual when they don't talk about helping each other, which is the essence of what this bill does, which is the essence of insurance, which is the essence of what the Manitoba government should do.

And let them cherry-pick and morph all that they want, Mr. Speaker, this benefit, I think, was accepted by most Manitobans. They recognize that those most severely injured will have an opportunity to have tens of millions of dollars to provide for the comfort and care. And we cannot accept the amendment, for the member for Emerson (Mr. Graydon) and I say to the member: too little, too late from the Conservative Party.

\* (15:50)

**The Acting Speaker (Mr. Altemeyer):** Is the House ready for the question?

**Some Honourable Members:** Question.

**The Acting Speaker (Mr. Altemeyer):** On the amendment brought forward by the honourable member for Emerson, is it the will of the House to adopt the motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**The Acting Speaker (Mr. Altemeyer):** All those in favour of the motion, say aye.

**Some Honourable Members:** Aye.

**The Acting Speaker (Mr. Altemeyer):** All those opposed to the motion, please say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Mr. Altemeyer):** In my view, the Nays have it.

#### Formal Vote

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** A recorded vote, Mr. Speaker.

**The Acting Speaker (Mr. Altemeyer):** A recorded vote has been requested. Call in your members.

*Mr. Speaker in the Chair*

**Mr. Speaker:** Order. The question before the House is the amendment moved by the honourable member for Emerson (Mr. Graydon).

#### Division

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

#### Yeas

*Briese, Cullen, Derkach, Dyck, Eichler, Faurshou, Goertzen, Graydon, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Taillieu.*

#### Nays

*Allan, Altemeyer, Bjornson, Blady, Blaikie, Braun, Brick, Caldwell, Chomiak, Dewar, Gerrard, Howard, Irvin-Ross, Lamoureux, Lemieux, Mackintosh, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Reid, Robinson, Rondeau, Saran, Selby, Struthers, Swan, Whitehead, Wowchuk.*

**Madam Clerk (Patricia Chaychuk):** Yeas 14, Nays 30.

**Mr. Speaker:** I declare the amendment lost.

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**Mr. Speaker:** We will now move on to the next amendment.

**Mr. Graydon:** The proposed amendment to Bill 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries), moved by myself and seconded by the member for Portage la Prairie (Mr. Faurschou),

*THAT Bill 36 be amended in Clause 11 by adding the following after the proposed subsection 131(2):*

**Limitation on regulations**

**131(3)** A regulation referred to in clause (2)(b) must not

- (a) limit the personal home assistance expenses to only those expenses that relate to a victim's personal care or performance of essential activities of everyday life; or
- (b) set a monetary limit as to the personal home assistance expenses that the corporation shall reimburse to a victim.

**Mr. Speaker:** It's been moved by the honourable member for Emerson, seconded by the honourable member for Portage la Prairie,

*THAT Bill 36 be amended in Clause 11—dispense?*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Graydon:** Mr. Speaker, the limitations on the regulations that are there currently—and this here must not, must not limit the home assistance expenses. I have spoke to this earlier in my last speech that didn't seem to get across to the members opposite. Hopefully, I can make an impression on the minister this time that he will pay attention to this and, perhaps, support this amendment.

The amendment strengthens the section of 131 of The Manitoba Public Insurance Corporation Act by ensuring that no government will be able to put a monetary limit on personal home assistance expenses that the corporation will reimburse to a victim, and we heard, Mr. Speaker, as we listened to the minister in his rant just a few minutes ago, that oh, no, we have all kinds of money and that the members on this side of the House would limit this and limit that. Well, we're not limiting.

What we're saying is the quality of life of these individuals that have been catastrophically injured, the most vulnerable people, the most vulnerable victims of serious accidents, we're not going to limit the home care that's provided for these individuals. The corporation will reimburse the full home

assistance and should reimburse them, and I'm sure that the minister, having given this some thought now, will agree to that.

So for him to stand and rant that we would do away with this and we would do away with that, and we had brought in the wrong legislation in 1994. I'm sorry, Mr. Speaker, I wasn't here in 1994. I wasn't here in 1996. I wasn't here in 1999. I wasn't here until 2007, but the minister was here all that time and there is nothing. I have heard nothing from him except rhetoric today about what wasn't done, and he's right. He did nothing in 1999. He did nothing in 2000, 2001, 2, 3, 4, 5, 6, 7, 8; 2009, he brings in a poorly, poorly crafted bill that needs at least 10 amendments.

Mr. Speaker, that's not performance. That's not what the ratepayers and the insurers and the drivers in the province of Manitoba deserve. That's not what they need. That's not what they want, and they will let this minister know that, very shortly. They have been letting him know but he hasn't been paying attention. He will pay attention. There is no question that he will be punished. He will be punished if he doesn't support an amendment like this.

It also prohibits any government from limiting the type of expenses payable under section 31 through regulation. These amendments are important and necessary. They're necessary. There's just too much leeway for MPI to limit the benefits it provides to the injured claimants. The process, Mr. Speaker, the process is atrocious. Every day, I get calls. Every day I get calls with people that have problems with MPI: Our claim has been denied; we have to go to review.

If you're catastrophically injured, you can't wait for tomorrow for a lot of the things that is necessary. They need it today. They wouldn't have asked for it today if they didn't need it.

But, no, the attending physician, the attending physician that has worked with these catastrophically injured individuals, the victims of serious accidents, the attending physician would be the one that knows best—that knows best what they need and what their needs are. But no, it's been denied. It's been denied by some bureaucracy.

And it's not the people that work there, Mr. Speaker. The people that work there are excellent people. It's the direction—it's the direction from this minister. It's the direction from him that

dictates—dictates—to the employees of MPI that no, no, no, it's about the money. It's about the money.

They just voted against an amendment, an amendment, Mr. Speaker, that they offered \$800; \$800 is four days' care, four days out of the month. That's all it added to that month. It is the intention of this minister to keep the catastrophically injured either in an institution or at home, at home, out of sight. He doesn't have to look at them. He doesn't have to listen to them. His staff is instructed that, no, you deny. You deny. Let them—there's a process. There's a process that we can do. We can go to review. We're transparent. We can go to a review. Well, when they've asked for something, when their attending physicians have said, we believe that this is necessary; we believe something is necessary, and it's denied, so we go to review.

\* (16:10)

And the review is carried on all the time that this individual, this catastrophically individual and his family, they are rationing what they have. They are stressed. Their attending physician says, I don't understand it. But we go to the review. The review has no time limit. The review could be called a month, maybe two months later. All this time the stress that's in that family, the stress of that catastrophically injured individual can't be measured. You can't pay for that. There is no amount of money that can pay for that. And the minister has to know that. He has to appreciate that, and so do his colleagues on that side of the House.

I find it difficult that they didn't—they didn't support the last amendment. But I am sure—I am sure that there's a will on that side of the House to support this amendment. Because this amendment guarantees, it guarantees that the victims of the catastrophic individuals, the victims of terrible, terrible accidents, will not be limited, will not be limited by any government, including theirs, and they would never be limited by ours. But on that side of the House they brought in legislation that would limit them, and yet he stood there only moments ago, blaming something that happened in the '90s. He had 10 years.

And, if it had not been for the Premier (Mr. Doer) of the province, who right now is jumping ship and running to the United States because he knows the ship has holes in it, but it was because of him that this bill came forward. No other reason. No other reason whatsoever.

Don't tell me that all the phone calls that I get and the letters that I get have not went to the minister, have not went to MPI, have not went to the MLAs on that side of the House. Because they don't all come from my constituency. They don't all come from the constituency of Russell or Steinbach or Portage. No, Mr. Speaker, they come from Gimli, they come from Selkirk, they come from Minto, they come from Fort Rouge.

They're not dealt with. They're not being dealt with. They're not being dealt with by their own MLAs on that side of the House. So they come to me. I do the best I can. I write letters to the minister. And it was only because of the Premier of the province, made a promise in a news release, or in a scrum, that he would deal with, deal with a case like the poster child that once was a poster child for MPI, Steven Fletcher, after he had gone to court, after this bullying government had taken an individual to court because he was trying to get what was rightfully his.

It was only then that the Premier of the province recognized that there was a shortfall in this. It was the Premier of the province that recognized it and forced the minister. And you can tell that he was forced, kicking and screaming, to bring forward legislation, poor legislation, that he has today that requires 10 amendments. You were forced, Mr. Minister, and I feel sorry for you, that you do not take into consideration what these families go through, that the victims go through. And you want to limit them to institutions. You want to keep them in the dark, keep them at home so that you don't have to look at them. That is wrong, Mr. Speaker, and I suggest that every member over there support this amendment. Thank you.

**Mr. Chomiak:** Factually, the member's wrong. The member's got a number of his facts inaccurate. In fact, he is so off base, Mr. Speaker, that I don't even think I have to refute anything the member's said. It's totally inaccurate. *[interjection]* And there we go, the member from Steinbach who drove in with a hand on the horn, he's yelping up, yelping up.

And, Mr. Speaker, if they read the bill, they would find out that it's a comprehensive plan. That it's a plan that would have MPI co-ordinate all the services. That it's a plan that would provide money retroactively. That it's a plan that provides for a multiple of benefits. It's a plan that provides for additional benefits in a discretionary fund. It's a plan that was studied by the corporation. That the—it's beneath—I—there's not even anything I have to—the

fact that the member attacks me personally, or attacks the Premier (Mr. Doer) personally, or attacks the members of this House personally, to me, suggests the level of debate and the level of thought that's gone in from the member with respect to these amendments, and I won't lower myself to that.

This is a good act that provides a broad range of services to a group of individuals who automatically qualify if they meet the category. The member talks about doctor's certificate. The member dares to talk about doctors. The member that was part of a party that closed, that limited the Faculty of Medicine. You know, Mr. Speaker, and he talks about Ontario. Why does Ontario have a standard form? Because they have a thousand insurance companies and there's one form that's put in place by the government of Ontario for their doctors to fill out, then it goes through the myriad of bureaucracy at those corporations, if you even qualify, and if you don't qualify, you have to go out and get a lawyer, and you have to fight it in court for months, and you have to prove liability and negligence in Ontario. And the member uses that as an example?

We have coverage where you automatically qualify, that you have MPI co-ordinate it, that you have money retroactive, and—I don't even have to argue with the member. It's silly. It's silly what the member proposes. It's silly that he cherry-picks. It's silly that he doesn't look at the entire act and the co-ordination done by MPI through all the social services involved. It's silly, and it's not a proper business plan to put an open-ended—to put open-ended costs on anything. And the member talks about running a business? Has he ever run a business where it's an open-ended plan? No, but he cherry-picks on this particular issue, as they do on other issues dealing with Crown corporations. When it's in their individual interest, they talk about it. When it's not, they attack the Crown corporation and, when they're in government, they privatize it, Mr. Speaker. It's a familiar pattern.

I think Manitobans like the quality, comprehensive, non-fault based insurance scheme that's in place. It is—Mr. Speaker, it's much superior. That's why we supported the act when it was brought in. That's why we've amended it to provide a comprehensive catastrophic coverage that's leading in the world, and we'll put our catastrophic coverage up against any single insurance company in the world. Let him name a better plan in the world—and he waves his hand because he doesn't have one. He has no better plan, and he knows it. And they know

they love to cherry-pick MPI, and I'm glad that we have MPI providing us this kind of service and this kind of comprehensive coverage. Thank you.

**Mr. Leonard Derkach (Russell):** Well, Mr. Speaker, I've listened to this debate for some time, and I, you know, you could be led to believe, perhaps, what the minister, in his rant, would put on the record but if you didn't know the reality. And I've been dealing with a case like this for a number of years.

As a matter of fact, Mr. Speaker, the reason why the member from Emerson is trying to bring a reasonable amendment before this Legislature is because he has been listening to Manitobans. His been listening to the people who have experienced the catastrophic injuries, who have pleaded with government, with the corporation, who've come before the committee and who have asked that some consideration be given to make their lives a little more easier to deal with and to make their lives productive in our society once again.

Mr. Speaker, I have a constituent, and I'll name him. His name is Mr. Don Porter [*phonetic*], whose wife, Corrine [*phonetic*], had an accident about 10 or 12 years ago. And, if you were to look at Corrine [*phonetic*] today, she was a registered nurse, who had a catastrophic injury in a car accident that she had no fault in. She was left with a brain injury that disallowed her to be employable for the rest of her life. And I visited with the Porters [*phonetic*], and, when you walk into their home and you speak to Corrine [*phonetic*], you would think that there is nothing wrong with her. But, in the middle of a conversation, she will just leave the room and walk out of the house.

\* (16:20)

When I walked into their yard, I noticed that there was a picket fence around the house with a locked gate. When I walked through the gate I happened to leave it open, and while I was sitting in their home visiting with them, Mrs. Porter [*phonetic*] decided to leave, and, all of a sudden, her husband jumped up from the chair and ran out, and before he got to her, she was halfway across the field because, for whatever reason, her brain injury was such that she would often just walk away from a conversation, walk away from the home. And what it meant was that she needed 24-hour care. And Mr. Porter [*phonetic*] left his work to be able to care for her on a 24-hour basis because he needed to be around her in order to ensure that she was well.



And, Mr. Speaker, I have to tell you they have fought with MPI for the last 12 years trying to get some justice so that she could be looked after. She needs therapy twice a week and the agreement with MPI was that they would pay for her treatments and for getting her to the treatments. Mr. Porter [phonetic] hasn't received a cheque for nine years because MPI have decided that, for whatever reason, they don't qualify. Now, when Mr. Porter [phonetic] calculated how much money they were owed, it comes out to over \$200,000 that is owed to him and to her by Manitoba Public Insurance.

And, you know, we talk about appeals. Well, they've appealed this on numerous occasions and Mr. Porter [phonetic] has a very detailed account of every single meeting he has had with MPI workers, but he has been shunted from one worker to another. He would present his case to one worker and then when he had an appointment to revisit that worker, all of a sudden that worker disappeared and a new worker would be in place and he would have to start again. This didn't happen only once, Mr. Speaker, it happened on numerous occasions.

And today that file is still outstanding. We've appealed this: we appealed this to MPI; we appealed this to the minister's office to no avail to this present time. And, Mr. Speaker, the injustice that is being done to these people is criminal.

And, while this government sits in office and continues to ignore these pleas from people who have justifiable causes, it's a shame—a shame that in today's society we have a government that is so uncaring. If it were a member of a family on that side of the House, I'm wondering what kinds of hurdles they would jump over to make sure that justice was done. But—yet because this person is remote from them, remote from this House, remote from the city, these people continue to suffer miserably.

The Premier (Mr. Doer) finally acted because of the high profile case that was brought before this Legislature through Steven Fletcher and they could not continue to ignore it any longer. But did they do justice to the amendment that they have brought forward in the bill? I say, no. And what my colleague, the member from Emerson is doing is attempting, in a very earnest fashion not to politicize this issue, but, indeed, to stand up—[interjection] Well, Mr. Speaker, there's laughter on the other side of the House. I wonder whether those people who presented before the committee would find that this is a funny matter. I wonder whether the presenters—I

wonder whether Mrs. Porter [phonetic] and Mr. Porter [phonetic] would find this an amusing statement because I don't know how Mr. Porter [phonetic] votes. I don't know how—whether they vote at all. But that doesn't matter. These are Manitobans who have been wronged.

And the Premier did the right thing. He listened to somebody who was catastrophically injured in an accident. But, Mr. Speaker, the measure doesn't go far enough. And what we are trying to do through an amendment is not a political approach to this. It's simply saying let's look at the reality. Let's make sure that we give these people a second chance in life. Let's make sure that these people have every opportunity to be able to contribute to society.

And, Mr. Speaker, is this going to mean that the corporation is going to suffer because these people who deserve justice may get it through an amendment to the bill? The minister stands up and rants about it. Well, Mr. Speaker, the people who should be ranting about it are the people who can't get justice under this minister and the Attorney General of this province.

Now, Mr. Speaker, we've all gone through tough times. There isn't anybody in this House, I don't think, that has never experienced a calamity in their lives or in their family's lives, and we know how important it is to be sensitive to people who undergo tragedy and discomfort and catastrophe in their lives. And all that we are trying to do, the member from Emerson is trying to do, through his amendments is to ensure that there is a little bit of consideration given to, perhaps, treating the victims of catastrophic injuries a little more humanely.

This is a party and government that prides itself in social justice. Well, if there were ever an issue of social justice, this is one. This one should be at the top of the list, Mr. Speaker.

And so I ask members on this—on the other side of the House to think carefully when voting on the amendments that are being presented, to shed their political blanket and to look at what is practically important to those people who today still suffer because they have not received the justice they deserve through MPI.

Thank you, Mr. Speaker.

**Mr. David Faurchou (Portage la Prairie):** Mr. Speaker, I truly appreciate the opportunity to rise and participate in debate on—at report stage to Bill 36, The Manitoba Public Insurance Corporation

Amendment Act, and I would like to commend the honourable member for Emerson (Mr. Graydon) for bringing forward an amendment which, I believe, is very important.

The minister has referred to this as being an open-ended, blank cheque type of amendment that no responsible government would support. That is not the case at all. It is specific to the assistance for persons that have, unfortunately, been affected by a catastrophic injury in an automobile.

Now, the member for Emerson said that unless we pass this legislation, indeed, persons could be left in the dark in their own home, and I will say that that is not a comment that is invalid. I will share with you an exact example, and I hope the member for St. Norbert (Ms. Brick) is listening because this is very serious, insofar as that home-care assistance was provided by MPI to an individual in their home. However, the criteria of assistance was limited to personal care. The individual did receive that personal care in their home, however, the light bulb burnt out in the kitchen, and the personal care could not be delivered to this individual in the dark. So, therefore, the personal care was delivered only in the daylight hours and, as you can appreciate, in the wintertime, daylight hours are very limited. So the personal care was delivered in a very small portion of a 24-hour period. I think that is atrocious and, without this particular clause, this will continue.

\* (16:30)

And I look to members across the way that, if you feel that this situation should be continued, then you will vote down this particular amendment. If you feel that this is a travesty to individuals unfortunately affected by catastrophic injury in an automobile—and that's why I ask that you seriously consider this particular amendment, because it does affect loved ones here in Manitoba. And it is vital that we recognize the shortcomings that currently exist and that we address them. We cannot consciously deny them that, and I ask, I ask members of the government side of the House that you support this amendment because it is, indeed, important to those that we in this House should be responsible for their care.

Thank you very much, Mr. Speaker.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question being before the House is the amendment moved by the honourable member for Emerson.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

**Mr. Goertzen:** On division.

**Mr. Speaker:** On division.

\* \* \*

**Mr. Speaker:** Now, we will move on to the third amendment.

**Mr. Graydon:** Mr. Speaker, the proposed amendment to Bill 36, The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries), seconded by the member for Turtle Mountain (Mr. Cullen),

*THAT the Bill 36 be amended in Clause 14 by adding the following after the proposed subsection 137.1(3):*

#### Time limit for notifying the victim

**137.1(3.1)** The corporation must notify the victim, in writing, within 14 days after receiving the victim's request for the corporation's consent to the payment of expenses under this section.

**Mr. Speaker:** It's been moved by the honourable member for Emerson, seconded by the honourable member for Turtle Mountain,

*THAT Bill 36 be amended in Clause 14—dispense?*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Graydon:** Mr. Speaker, this amendment requires MPI to be prompt when making decisions to provide additional, to provide additional benefits under section 137.1. Under this new section, MPI is

authorized to make payments to claimants for expenses they would not otherwise be authorized to pay. However, as anyone who has dealt with MPI knows, the corporation is not always prompt in its decision making.

I think that common theme has come through in the, this, the people speaking to the amendments that went forward earlier today that, unfortunately, the members opposite have voted against and, in fact, some members opposite laughed—they laughed at those that had been catastrophically injured. They laughed when it was pointed out that these people could be and would be in the dark. They laughed—they laughed when we asked for proper compensation and proper care, and, Mr. Speaker, it's not acceptable. It's certainly not acceptable. I was shocked; I was shocked by the member that did the laughing after she had stood in the House today and complained that we only heckled the lady speakers from the other side of the House.

Mr. Speaker, we don't heckle anyone. We just try to point out their inadequacies. You have to understand that we're trying to help the Minister responsible for MPI. We're trying to help the Minister responsible for MPI to make his bill more palatable to the unfortunate victims of serious accidents—to the catastrophically injured, whether they happen to be quadriplegics, whether they happen to have brain injuries, whether they've happened to have lost one or two or multiple limbs.

Mr. Speaker, it's our duty—it's our duty as members of this House to bring forward the concerns, the concerns of the people of Manitoba. It's our duty to help this minister, and I'm not suggesting that he's helpless. What I am suggesting is that he is not listening in the last two amendments. I hope that he's paying attention to this one.

In most cases, it's merely a source of inconvenience and frustration for MPI claimants—or clients. But when it comes to catastrophically injured, delays can seriously impact their quality of life, seriously impact. If you—if you are catastrophically injured and you're a quadriplegic and you're laying in bed and you don't get the proper care, you can end up with bedsores, and, unfortunately, those bedsores can become infected very, very quickly. It's not only a discomfort—it's not only a discomfort—it's an issue—it's an issue that they could end up with an infection that could be terminal. So, Mr. Speaker, when we say—when we say that we believe that MPI should be prompt in

making decisions to provide additional benefits, it's no laughing matter. It's not a laughing matter. And we would—we would expect the members opposite to support this very, very important amendment.

For that reason, this amendment puts a maximum time limit on MPI of 14 days to notify the claimant as to whether the expenses will be covered under 137.1. And I'm sure that the minister—well, if he doesn't know, he probably has the act there and he can look that up, but I'm sure that his colleague behind him would be more than happy to inform him of what that—what that section says. 14 days is a long time. 14 days, if you're waiting—if you're waiting for the decision from MPI, that is a long time. And we believe that we have given plenty of latitude to the minister at 14 days. But, Mr. Speaker, many times they wait 30 days and 40 days, 50 days, and some never do—some never do get a response. They don't get a response. They go to review—they go to review, and one day, they don't have to go anywhere. That's unfortunate. That's unfortunate because that's not the care that they paid for the day that they bought their insurance. They didn't choose to be in an accident. They didn't choose to be catastrophically injured. But they did pay in case that happened.

So this amendment, and through this amendment, we want to give them a better quality of life. Thank you, Mr. Speaker.

**Mr. Chomiak:** I can only state, with a bit of a biblical phraseology, to the member opposite to perhaps take a log out of his own eye before he sees a sliver in someone else's eye with reference to members on this side of the House, Mr. Speaker. And the vain attempt to try to indicate that members opposite—that there was laughter or any lightness attached to this issue is what it is, a vain attempt, as the members try to bring forward amendments to an act that provides annual claims of \$7 million to the 100, 120 individuals that are catastrophically injured [*interjection*]-ongoing, that proceeds retroactively, that provides for MPI to co-ordinate all of the services to the individuals.

\* (16:40)

There is a fundamental divide in this argument. The fundamental divide is the members opposite comprehension that insurance and only insurance should cover everything that an individual is involved in. That's sort of the private, if you pay for it and you get it and if you're lucky enough to have liability and negligence involved, you get paid, but if it wasn't, you get nothing. And that's the essence of

the member's argument that, I think, fails in a no-fault system. And it fails in a system that has universal coverage and it fails in a system that has, that has, that has criteria that provide for, that provide for automatic coverage, Mr. Speaker.

I think that the provision of putting in a 14-day scenario is, is not, in fact, helpful, Mr. Speaker. Often the expenses are not known until a period of time. The care is provided. MPI's processed over 200,000 bodily injury claims since the inception of the personal injury—200,000 claims. Yes, there has been problems, but does the member not realize that the provisions this act raised the level for everyone who's covered? Does he not recognize that it goes retroactively? Does he not recognize that there's automatic coverage? Does he not recognize that there's a provision of \$1 million for extenuating circumstances? Does he not recognize that the corporation will co-ordinate all as services provided? Does he not recognize that Child and Family Services, Health [*inaudible*] provide the services to all individuals?

I say not, Mr. Speaker, and we cannot support this amendment and this attempt to cherry-pick parts of an act—and the members bring in individual cases that there are individual circumstances that cause a good deal of difficulty. And there are problems, and it's not a perfect system, but this bill is an attempt to take one category of particularly difficult claimants and provide comfort and care to them in a comprehensive fashion. And members opposite have provided a, a, I suppose, support, to a certain extent, to this bill, but the premise on which their entire arguments have been made are phrased in a private-insurance world that they dream of again returning to in Manitoba, I suspect, and where benefits are cut off, where you don't get coverage. And I don't think that's the kind of coverage that Manitobans want.

And I say that the privileged few that are able to afford those days—that old, that old philosophy is not one that's invoked by Manitobans on a day-to-day basis. I think they appreciate the universal coverage. They appreciate the no-fault coverage. They appreciate the co-ordination by MPI. I know it's not perfect, but it's the better than the world—it's better than the member's old world where, if you could pay you get and if you can't pay, doesn't matter any more. And I suggest that they rethink the basic premise of that principle. Thank you, Mr. Speaker.

**Mr. Faurschou:** Mr. Speaker, I do appreciate once again to be able to participate at the report stage on the amendment to Bill 36. The particular amendment to which we have before us this afternoon is a very friendly amendment on the basis that it is specific to a time limitation. And two weeks, if anyone has the opportunity to wait that length of time for a response, I believe, will be supportive of this amendment, because two weeks is more than adequate time to hear back on a question that pertains to an individual's well-being. And the 14-day qualification here, I think, is only responsible of us as legislators to expect that of our Crown corporation to which it enjoys a monopoly of insurance provider to the motoring Manitobans in the province of Manitoba.

It's regretful that some of the dialogue taking place in debate this afternoon is suggestive of non-support, or of those hardworking individuals that are employed by MPI. It's not to be taken as such from members on the government side of the House or the members on the opposition side of the House. We recognize it is challenging in many affairs. However, we as legislators are responsible for providing the parameters to which the Crown corporations operate here in the province of Manitoba, and I believe this amendment is very much in keeping with that responsibility to provide for a recognized time period for response.

I think it is incumbent upon us to adopt this amendment because it is both respectful of the individuals that require the response and it is also respectful of the corporation, because two weeks is a very acceptable time frame in which to render a decision on a request. So I look to the government side of the House for support of this amendment because, indeed, it is a friendly amendment and respective of our responsibility as legislators. Thank you.

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, as I sit and attempt to do some correspondence at the same time, I listen attentively to a number of the debates back and forth on what is a really important issue. And I was here during the no-fault debates and discussions that had taken place, and at the end of the day, I think that our system works relatively well. And we do need to recognize there's always room for improvement, and we look at this particular amendment in terms of saying that, yes, you know, that there is some merit in terms of having things done in a timely fashion.

There's a great deal of anxiety that's built up, a great deal of agony and so forth. It even goes beyond a victim of a significant crash, and just in listening, you can hear—you can hear a great deal of passion on both sides. And we just felt that in dealing with this particular amendment that there is—there is some—there is some merit in terms of seeing some form of a reasonable amount of time built in so that there is this expectation of a better process.

You know, it's interesting. As I was listening to the debate, I was reading a different letter on a totally different issue regarding regional health-care authorities and some of the frustrations—and I'll table the letter, Mr. Speaker—and, you know, there is a responsibility for all of us to do what we can in addressing issues that come before us, like the letter that's brought to—been brought to my attention a little bit earlier today or in just reading the letter right now, to presentations and representation to this particular member and no doubt this reason why he feels so passionate about having what he believes is a better compensation package.

And even though we might not necessarily agree on every point that the member brings forward, I think that this one does deserve a lot of attention from the government. Whether it's 14 days, 21 days, the idea that you need to have some sort of a time frame that is much more acceptable, given the very nature of the horrific accidents and the claims that do have to go through. Thank you, Mr. Speaker.

**Mr. Larry Maguire (Arthur-Virden):** It's my privilege to put some words on the record in regards to the proposed amendment to Bill 36, Bill 36 being The Manitoba Public Insurance Corporation Amendment Act (Enhanced Compensation for Catastrophic Injuries). And I've listened to—intently to some of the debate, had to be out of the House for part of it this afternoon, but I would say that, first of all, I'll speak to—a little bit directly to this particular amendment.

I know that what has been provided here is just something in writing to provide an awareness from the public insurance corporation to the—to the person that's, shall we say, hit by one of these catastrophic injuries, involved in that disconcerting event that would have happened in their lives, Mr. Speaker. And I would say that this is really just a formality of—if anyone cares for the individuals that are hurt, that they provide in writing the corporation's consent to the payment of expenses under this section and

that it's, therefore, in writing. It has been pointed out by several members in the House today. You know, two weeks in the circumstances of catastrophic injury seem like a lifetime, and I know that the minister may not have had anyone directly involved with it. It certainly wouldn't appear like it from the callous comments that I've heard him say today. As the Justice Minister in this province, I always thought that, you know, your part of a role of a Justice minister is to deal out or recommend sentences when they're, when they're needed, and other times to be compassionate and show some compassion for the victims. Well, Mr. Speaker, there is no compassion for victims in this regard.

\* (16:50)

I have said before, and, actually, if I would say that if the minister could go back and read *Hansard* from this morning or if he heard some of the comments this morning on Bill 229, he would have had a much better feel for some of the garbage that he was putting on the record earlier today—that was spewing forward about things like privatization, about some other issues that he was dealing with because they were all dealt with this morning. And he certainly should, I think, take the time to go back and relook at or rethink some of the comments that he's made. He'll have opportunities to do that, I'm sure, as we speak on these amendments—further ones that, there's a few more to come, I believe, in regards to this.

And I think that, you know, I always, I was going to start off by saying that he's certainly the guy to follow the yellow brick road, 'cause he's sure shown that he's heartless today, and I guess that's unfortunate, Mr. Speaker. I've listened with—intently to the discussion about catastrophic injury and how he wants to put limits on people's lives by only increasing the compensation to \$800 per month and if he goes back and checks *Hansard* from the things that I said this morning, he'll know full well that removing the cap would be the only right thing to do in this regard, and, you know, the member from Burrows was talking this morning about leaving it open-ended. I believe it was him. There is—this is not an open-ended situation.

Records through Manitoba Public Insurance, which I'm sure the minister must have looked at, show that there are 16 quadriplegics in Manitoba since 2004. Mr. Speaker, that's not open-ended; that, if you projected that into the future—hopefully, there's zero in next five years—but to have 16 people

impacted by this and many more at lesser stages than quadriplegic, it certainly—because there are various levels of it as well, I would certainly think that the minister would know that this isn't going to break Manitoba Public Insurance Corporation to be able to deal with these unfortunate circumstances for these individuals. And, if he had the compassion that he talks about, he would know that the objective is to try to mend these people back to a productive life of home, family and work from where they were before this unfortunate circumstance occurred.

And, Mr. Speaker, I believe that, when you're looking at a—at this kind of a situation, it's very, very apparent that we would not hope for any one of us to be placed in this position tonight on the way home, tomorrow as we live our lives, or any time in the future. Regardless of what age we are, and to put a cap on something like this, certainly—at least the size of cap that has been here—if the minister had had any personal experience with this kind of a circumstance, he would know that \$4,800 a month will not do anything towards rehabilitating types of situations if you're going to put these people back into a realm of existence and life that they were at prior to their catastrophic injury. Now I wanted to say as well, Mr. Speaker, that, and I have, that this could happen to any one any time, and any time any one of us, I guess I could say, before we die.

And that brings me back to a gentleman that we all know very well in Manitoba. He's now a Member of Parliament, Steven Fletcher, and he is actually just one individual that this has occurred to. And the minister was going on and on about Christopher Reeves and his dilemma. That's not what we're talking about here. We're talking about a situation where you're trying to rehabilitate lives of people and show compassion and get them back into the work force and, or the education, in this particular case, of a single individual, no—not married, with no children. Certainly, he has family and they were very, very supportive.

And I guess I'll say that I think it's that my comment about this could happen to any one of us at any time before we die is extremely fitting in Mr. Steven Fletcher's case. And I will only say that if the minister cares to begin to think about compassion, he—then I recommend that he read Steven Fletcher's book, because the title of that book is, what happens when you don't die. So, Mr. Speaker—*[interjection]*—yes, the member from Steinbach's correcting me—what happens if you don't

die. So I have read the book, I can assure you, and many of my colleagues have, and I know first-hand that Mr. Fletcher, from speaking to him, had to go through huge battles to get anything that he's got, and, of course, he's a fighter, that's for sure, and a survivor. That has, I think, been shown in spades and beyond the call of any doubt in anyone's mind.

And so I think that the minister may want to take—you know, if this bill doesn't pass today, he may want to look at bringing more amendments forward, and that, of course, I think—this is report stage, Mr. Speaker, and dealing with those, and I think our side would give him leave to be able to bring those forward if he has that opportunity to have a—to show that he has a heart and bring those forward.

And I guess I'm concerned about the last amendment that was just being defeated by the government when I came in, about clause 23(2), Mr. Speaker, where they wouldn't allow on the day that this act receives royal assent to provide these benefits back to January 1st of 2004, or to the day on which the victim became entitled to the indemnity or benefit. And, you know, I just said, I think that if the minister had had a report or looked into it himself, he would know what the—that it's not just a catastrophic injury, it's a catastrophic cost to these individuals financially. And not everyone is in—in fact, I don't think there'd be anyone that's in a particular situation to be able to handle all of the things that are thrown at them financially when this kind of a catastrophic injury occurs to them.

And so I guess that's one of those areas that I think the minister needs to take a look at again. I think that he needs to look at the definition of catastrophic injury. He needs to certainly look at the levels of support and to remove the cap from catastrophic injury supports for the home care and the daily care that these individuals would need. And, you know, I think that without getting into the finances of the provincial government and how the health budget has doubled since I came into this House 10 years ago, Mr. Speaker, without looking at injuries that have been dealt with through public insurance, and, as I said earlier, there are other venues that cover persons of these catastrophes, like Workers Compensation and others, there are circumstances that—

**Mr. Speaker:** Order. The honourable member's time has expired.

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the amendment moved by the honourable member for Emerson (Mr. Graydon).

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Voice Vote**

**Mr. Speaker:** All those—all those in favour of the amendment, say aye.

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

**Mr. Goertzen:** On division.

**Mr. Speaker:** On division.

\* \* \*

**Mr. Speaker:** The hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, October 1, 2009

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