

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

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

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authority of  
The Honourable Daryl Reid  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, June 5, 2012**

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

**Mr. Speaker:** Good afternoon, everyone. Please be seated.

**ROUTINE PROCEEDINGS**

**PETITIONS**

**Personal Care Homes and Long-Term  
Care—Steinbach**

**Mr. Kelvin Goertzen (Steinbach):** Yes, good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

The city of Steinbach is one of the fastest growing communities in Manitoba and one of the largest cities in the province.

This growth has resulted in pressure on a number of important services, including personal care homes and long-term care space in the city.

Many long-time residents of the city of Steinbach have been forced to live out their final years outside of Steinbach because of the shortage of personal care homes and long-term care facilities.

Individuals who have lived in, worked in, and contributed to the city of Steinbach their entire lives should not be forced to spend their final years in a place far from friends and from family.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health to ensure additional personal care homes and long-term care spaces are made available in the city of Steinbach on a priority basis.

Mr. Speaker, this petition is signed by R. Laihg, C. Schultz, E. Plett and thousands of other Manitobans.

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

**Mr. Ralph Eichler (Lakeside):** I ask leave to read a petition on behalf of the member from Interlake.

**Mr. Speaker:** Is there leave of the House for the member for Lakeside to read the petition? *[Agreed]*

**Mr. Eichler:** Thank you, Mr. Speaker.

**Personal Care Homes and Long-Term  
Care—Ashern**

**Mr. Eichler:** I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Since there has been much discussion over the past few weeks with community members in Ashern, surrounding areas with regards to the lack of beds at the Ashern Personal Care Home. At the present time, there are 20 beds being used to full capacity, and there are approximately 15 to 20 clients on a waiting list for placement.

Many clients have to go outside the community to find replacement in personal care home in other communities such as Ste. Rose, Eriksdale, Lundar, and St. Adolphe.

In one instance, a husband and wife were separated, sending one to Ashern, the other to Eriksdale because of the lack of beds, making the situation extremely hard on family members and clients.

With two municipalities and five First Nation communities in the area, there's immediate need for increase of 10 to 12 beds in the Ashern Personal Care Home.

We petition the Legislative Assembly as follows:

To request the Minister of Health consider building an addition to the personal care home in Ashern to accommodate growing need for placement in the community.

Submitted on behalf of R. Geisler, A. McMullin, M. Budze and many other fine Manitobans.

**Mr. Speaker:** Order, please.

While I appreciate the intent of the honourable member for Lakeside with respect to the petition that he's just read into the record, I must caution the honourable member. Please, it's not appropriate to use the rules of the House in the fashion that he just demonstrated here. I ask for his future consideration when he's contemplating a move such as that.

## COMMITTEE REPORTS

### Standing Committee on Social and Economic Development First Report

**Mr. Tom Nevakshonoff (Chairperson):** Mr. Speaker, I wish to present the First Report on the Standing Committee on Social and Economic Development.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Social and Economic—

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense.

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

#### Meetings

*Your Committee met on June 4, 2012.*

#### Matters under Consideration

- **Bill (No. 12)** – *The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs)/Loi modifiant la Loi sur la protection du consommateur (travaux et réparations concernant les véhicules automobiles)*
- **Bill (No. 13)** – *The Renewable Energy Jobs Act/Loi sur les emplois dans le domaine de l'énergie renouvelable*
- **Bill (No. 16)** – *The Consumer Protection Amendment Act (Improved Enforcement and Administration)/Loi modifiant la Loi sur la protection du consommateur (amélioration des dispositions d'application)*
- **Bill (No. 17)** – *The Non-Smokers Health Protection Amendment Act/Loi modifiant la Loi sur la protection de la santé des non-fumeurs*
- **Bill (No. 26)** – *The International Interests in Mobile Equipment Act (Aircraft Equipment)/Loi sur les garanties internationales portant sur des matériels d'équipement mobiles (matériels d'équipement aéronautiques)*
- **Bill (No. 28)** – *The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation*

#### Committee Membership

- *Hon. Mr. BJORNSON*

- *Mr. CHOMIAK*
- *Mrs. DRIEDGER*
- *Hon. Ms. MARCELINO*
- *Mr. MARCELINO*
- *Mrs. MITCHELSON*
- *Mr. NEVAKSHONOFF*
- *Mr. PETERSEN*
- *Hon. Mr. RONDEAU*
- *Mr. SMOOK*
- *Mr. WISHART*

*Your Committee elected Mr. Nevakshonoff as the Chairperson.*

*Your Committee elected Mr. Petersen as the Vice-Chairperson.*

#### Public Presentations

*Your Committee heard the following three presentations on **Bill (No. 17)** – The Non-Smokers Health Protection Amendment Act/Loi modifiant la Loi sur la protection de la santé des non-fumeurs:*

*Will Cooke, Canadian Cancer Society  
Ronald Guse, Manitoba Pharmaceutical Association  
Murray Gibson, MANTRA – Manitoba Tobacco Reduction Alliance*

*Your Committee heard the following two presentations on **Bill (No. 28)** – The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation:*

*Marianne Cerilli, West Central Women's Resource Centre  
Gordon McIntyre, The Winnipeg Rental Network*

#### Written Submissions

*Your Committee received one written submissions on **Bill (No. 26)** – The International Interests in Mobile Equipment Act (Aircraft Equipment)/Loi sur les garanties internationales portant sur des matériels d'équipement mobiles (matériels d'équipement aéronautiques), from:*

*Josh Weinstein, The Manitoba Bar Association*

#### Bills Considered and Reported

- **Bill (No. 12)** – *The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs)/Loi modifiant la Loi sur la protection du consommateur (travaux et réparations concernant les véhicules automobiles)*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 13)** – *The Renewable Energy Jobs Act/Loi sur les emplois dans le domaine de l'énergie renouvelable*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 16)** – *The Consumer Protection Amendment Act (Improved Enforcement and Administration)/Loi modifiant la Loi sur la protection du consommateur (amélioration des dispositions d'application)*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 17)** – *The Non-Smokers Health Protection Amendment Act/Loi modifiant la Loi sur la protection de la santé des non-fumeurs*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 26)** – *The International Interests in Mobile Equipment Act (Aircraft Equipment)/Loi sur les garanties internationales portant sur des matériels d'équipement mobiles (matériels d'équipement aéronautiques)*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 28)** – *The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation*

Your Committee agreed to report this Bill without amendment.

**Mr. Speaker:** The honourable member for Lakeside–Interlake, pardon me. I'll get it right.

**Mr. Nevakshonoff:** Mr. Speaker, I move, seconded by the honourable member for Flin Flon (Mr. Pettersen), that the report of the committee be received.

**Motion agreed to.**

#### **Standing Committee on Human Resources First Report**

**Mr. Rob Altemeyer (Chairperson):** Good afternoon, Mr. Speaker. I wish to present the First Report of the Standing Committee on Human Resources.

**Madam Clerk:** Your Standing Committee on Human Resources presents—

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense.

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

#### **Meetings**

Your Committee met on June 4, 2012 at 6:00 p.m. in Room 255 of the Legislative Building.

#### **Matters under Consideration**

- **Bill (No. 4)** – *The Missing Persons Act/Loi sur les personnes disparues*
- **Bill (No. 9)** – *The Public Schools Amendment Act (Community Use of Schools)/Loi modifiant la Loi sur les écoles publiques (utilisation communautaire des écoles)*
- **Bill (No. 11)** – *The Criminal Property Forfeiture Amendment Act (Administrative Forfeiture and Miscellaneous Amendments)/Loi modifiant la Loi sur la confiscation de biens obtenus ou utilisés criminellement (confiscation administrative et modifications diverses)*
- **Bill (No. 14)** – *The Protection for Persons in Care Amendment Act/Loi modifiant la Loi sur la protection des personnes recevant des soins*
- **Bill (No. 15)** – *The Fortified Buildings Amendment Act/Loi modifiant la Loi sur les bâtiments fortifiés*
- **Bill (No. 19)** – *The Use of Animals to Shield Unlawful Activities Act/Loi sur l'utilisation d'animaux dans le cadre d'activités illégales*
- **Bill (No. 22)** – *The Highway Traffic Amendment Act (Extension of Ignition-Interlock Program)/Loi modifiant le Code de la route (extension du programme de verrouillage du système de démarrage)*
- **Bill (No. 30)** – *The Regulated Health Professions Amendment and Personal Health Information Amendment Act/Loi modifiant la Loi sur les professions de la santé réglementées et la Loi sur les renseignements médicaux personnels*

- **Bill (No. 36) – The Human Rights Code Amendment Act/Loi modifiant le Code des droits de la personne**

#### **Committee Membership**

- Hon. Ms. ALLAN
- Mr. ALTEMEYER
- Ms. CROTHERS
- Mr. CULLEN
- Mr. FRIESEN
- Mr. GAUDREAU
- Mr. GOERTZEN
- Hon. Ms. OSWALD
- Mr. SARAN
- Hon. Mr. SWAN
- Mrs. TAILLIEU

Your Committee elected Mr. ALTEMEYER as the Chairperson.

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

#### **Public Presentations**

Your Committee heard the following presentation on **Bill (No. 30) – The Regulated Health Professions Amendment and Personal Health Information Amendment Act/Loi modifiant la Loi sur les professions de la santé réglementées et la Loi sur les renseignements médicaux personnels**:

Dr. William Pope, College of Physicians and Surgeons of Manitoba

Your Committee heard the following six presentations on **Bill (No. 36) – The Human Rights Code Amendment Act/Loi modifiant le Code des droits de la personne**:

Ken Mandzui, Manitoba Bar Association  
 Albert McLeod, Co-director, Two-Spirited People of Manitoba Inc.  
 Ro Mills, Private Citizen  
 Kim Hunter, Institute for Women's and Gender Studies, University of Winnipeg  
 Roewan Crowe and Jarvis Brownlie (by leave), Private Citizen  
 Jodie Layne, Hollaback! Winnipeg

#### **Written Submissions**

Your Committee received the following written submission on **Bill (No. 9) – The Public Schools Amendment Act (Community Use of Schools)/Loi**

*modifiant la Loi sur les écoles publiques (utilisation communautaire des écoles)*:

Doug Dobrowolski, Association of Manitoba Municipalities

#### **Bills Considered and Reported**

- **Bill (No. 4) – The Missing Persons Act/Loi sur les personnes disparues**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 9) – The Public Schools Amendment Act (Community Use of Schools)/Loi modifiant la Loi sur les écoles publiques (utilisation communautaire des écoles)**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 11) – The Criminal Property Forfeiture Amendment Act (Administrative Forfeiture and Miscellaneous Amendments)/Loi modifiant la Loi sur la confiscation de biens obtenus ou utilisés criminellement (confiscation administrative et modifications diverses)**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 14) – The Protection for Persons in Care Amendment Act/Loi modifiant la Loi sur la protection des personnes recevant des soins**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 15) – The Fortified Buildings Amendment Act/Loi modifiant la Loi sur les bâtiments fortifiés**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 19) – The Use of Animals to Shield Unlawful Activities Act/Loi sur l'utilisation d'animaux dans le cadre d'activités illégales**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 22) – The Highway Traffic Amendment Act (Extension of Ignition-Interlock Program)/Loi modifiant le Code de la route (extension du programme de verrouillage du système de démarrage)**

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 30)** – *The Regulated Health Professions Amendment and Personal Health Information Amendment Act/Loi modifiant la Loi sur les professions de la santé réglementées et la Loi sur les renseignements médicaux personnels*

*Your Committee agreed to report this Bill without amendment.*

- **Bill (No. 36)** – *The Human Rights Code Amendment Act/Loi modifiant le Code des droits de la personne*

*Your Committee agreed to report this Bill without amendment.*

**Mr. Altemeyer:** Mr. Speaker, I move, seconded by the honourable member for Fort Garry-Riverview (Mr. Allum), that the report of the committee be received.

**Motion agreed to.**

#### Introduction of Guests

**Mr. Speaker:** Prior to oral questions, I have a number of visitors in the gallery I'd like to draw the attention of the honourable members to, where we have with us in the public gallery today Dr. Joseph Du, Ms. Shirley Chang, Dr. Yuewen Gong and Ms. Debbie Guo, who are the guests of the honourable Minister of Culture, Heritage and Tourism (Ms. Marcelino).

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

And also in the public gallery where we have with us today 10 adult students from Red River College Language Training Centre under the direction of Ms. Kristina Gryz. This group is located in the constituency of the honourable member of—Minister of Culture, Heritage and Tourism.

And also in the public gallery where we have with us today 19 grade 9 students from Crocus Plains Regional Secondary School under the direction of Ms. Heather Findlay. This group is located in the constituency of the honourable member for Brandon East (Mr. Caldwell).

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

## ORAL QUESTIONS

### Provincial Sales Tax

#### Government Support for Proposed Increase

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, this morning on CJOB Radio, in response to a question, the Premier said, and I quote: We have no plans to raise the PST. End of quote.

I want to ask the Premier: In light of his prior track record with these kinds of statements, can we now be all but certain that a PST hike is in the offing?

**Hon. Greg Selinger (Premier):** I thank the member for the question because he can be certain that we'll make the equivalent of 1 per cent of the PST available to municipalities, amount of \$262 million this year, a 9 per cent increase over last year, and, over the next year—four years, well over a billion dollars for infrastructure in Manitoba with municipalities.

**Mr. McFadyen:** Again, Mr. Speaker, he said this morning, and I quote: We have no plans to raise the PST. And then he went on to say: but I can't predict the future in terms of all the things that could come down on us.

In light of this Premier's track record of saying one thing and doing another—the same Premier who said before the election there'll be no tax increases as part of the plan, seven months later increases taxes; the same Premier who said that he would file honest election returns and then went and filed a falsified election return; the same Premier who, I believe, even said that the stadium would be done on time—can we be certain, Mr. Speaker, can we be certain, with this current statement, that Manitobans should be hanging on to their wallets because a PST increase is in the works?

**Mr. Selinger:** Mr. Speaker, nobody should be misled by the mendacity of the member in terms of his preamble.

The reality is this: They didn't support the MTS Centre. They did not support the stadium. The stadium will get built; it'll be a tremendous asset for all Manitobans. We have maintained the second lowest—the second lowest—provincial sales tax in the country, one of the most affordable costs of living in the country, and we're investing in roads and bridges like we've never seen before in this province.

**Mr. McFadyen:** Well, Mr. Speaker, there's more than enough mendacity to go around in this House, and the Premier had the audacity to say before the election that he would never raise taxes.

He's now saying he has no plans to raise the PST. He's not taking it off the table today.

Should Manitobans be bracing for a massive historic tax increase through a PST increase because we know—we know, Mr. Speaker—that the unions are calling for it? The unions virtually run the party; isn't it just a matter of time?

\* (13:40)

**Mr. Selinger:** I appreciate the question because it allows us to put on the record that we have reduced taxes \$1.2 billion—\$1.2 billion—in this province when we came to office.

Let's recall what the tax was for small business under the members opposite: 9 per cent. Let's ask what it is today: zero per cent, the lowest tax rate in the country.

So if the member wants to continue to be mendacious, he can do that, Mr. Speaker.

#### **Provincial Sales Tax Government Support for Proposed Increase**

**Mrs. Heather Stefanson (Tuxedo):** Well, Mr. Speaker, members opposite are so desperate to raise taxes to pay for their spending addiction that they are now considering a hike in the PST.

My question is simple, Mr. Speaker. How do they plan to proceed? The way I see it, they've got three options. Will they hold the required referendum to—as set out by the balanced budget legislation, will they change the law to suit their own political agenda, or will they simply just break the law? Which is it?

**Hon. Stan Struthers (Minister of Finance):** The member for Tuxedo, you know, misses completely the option that we have chosen, and that, Mr. Speaker, very clearly, is our commitment to raise the equivalent of 1 per cent for infrastructure in this province. It's option No. 4, I guess, on her list that she doesn't—she isn't open-minded enough to see.

But our commitment has been very clear. It's been to provide an equivalency of 1 per cent so that we can address infrastructure needs in this province. We've been clear on that. We've been working on it. We've delivered on it.

**Mrs. Stefanson:** Mr. Speaker, previously, the Minister of Finance indicated that he would allocate the equivalent of 1 per cent. Now he is indicating that he said that he is going to raise the equivalent of 1 per cent.

So I will ask the minister of today—Mr. Minister of Finance today: How does he expect to raise that 1 per cent?

**Mr. Struthers:** Well, Mr. Speaker, we've been debating Budget 2012 here for a couple months. It's in the budget. It's allocated in the budget. It's Budget 2012, if members opposite need to be referenced in that direction.

It's a commitment that we said we would do: 1 per cent equivalency. We've done that. We've accounted for it, Mr. Speaker. We're committed to it. We've delivered on it. Manitobans know that this government is committed to the 1 per cent equivalency. And we've dedicated that directly into roads and bridges in this province.

**Mrs. Stefanson:** Well, Mr. Speaker, the Minister of Finance has said that he plans to raise the equivalent of 1 per cent of the PST. So I'd like to ask how he plans to proceed to do that with the increase in the PST.

He has three options, Mr. Speaker: follow the law, change the law, or break the law. Which will it be?

**Mr. Struthers:** Mr. Speaker, the member from Tuxedo misses the point. The point is we said we would, in Budget 2012, dedicate the equivalency of 1 per cent, which we've done already. That's been done; been there, done that.

We said we would make this commitment, which we did. We said we would raise that money, which we did. We—it's the equivalency of 1 per cent dedicated directly back into infrastructure in this program—in this province, Mr. Speaker. It's a very clear commitment that we made, and we followed through on it.

I know they—they're being jealous that we've got a better position than they do, Mr. Speaker, but they shouldn't try to put words in people's mouths.

#### **High-Risk Sex Offenders Electronic Monitoring on Release**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, yesterday, a notification was issued on the release of a high-risk sex offender who's expected to reside in



the city of Winnipeg. The public notice states that all adult females who come into contact with this individual are at risk.

Mr. Speaker, when a dangerous offender such as this is released into the community after they have served their sentence, we need to do everything we can to ensure that they do not cause another victim in our community. In areas such as Alberta, there's already electronic monitoring that is used on high-risk sex offenders.

I want to ask this government why they do not use the same technology to protect our community, to protect women, to protect children, from high-risk sex offenders.

**Hon. Andrew Swan (Minister of Justice and Attorney General):** There are different circumstances. If an individual has served their sentence, whether it's in a provincial institution or a federal institution, if they've served their sentence, there's nothing that any provincial government or any police service can do to monitor that person.

In terms of what is done when a specific individual comes back into the community, let me make it very clear, we trust the police. We respect the police. We count on the police to provide such information as they think is necessary to protect public safety, Mr. Speaker.

**Mr. Goertzen:** This is a government that's always been lukewarm to the issue of electronic monitoring.

They ran a test pilot for four years on the program. They said that they were going to have a study on the program. That was four years ago, and as of last month, that study has still not been completed.

And although there are dangerous offenders who are released back into our community, Mr. Speaker, there are things that can be done. Alberta has proven that. The City of Edmonton has proven that by having a program that monitors high-risk offenders—high-risk sex offenders with ankle bracelets.

This is a government that said during the last election that they would expand the program, the electronic monitoring program, to include high-risk sex offenders.

Why are they waiting on that while the community is put at risk, Mr. Speaker?

**Mr. Swan:** And we indeed have mentioned that we will be expanding electronic monitoring in a way

that is appropriate for the community and for the offenders that we're managing.

Now, let me make it very clear, though. If an individual has served their sentence—I believe the member is trying to misinform Manitobans—if somebody has served their sentence, no province, whether it's Alberta, Manitoba, or any other province, can require that individual to wear an ankle bracelet.

If the member wants to change the criminal law, he should speak to his Member of Parliament, who, I understand, holds a fairly important position in the federal government.

**Mr. Goertzen:** In fact, Mr. Speaker, there are specific things that can be done when an individual is placed on the Sex Offender Registry, and other jurisdictions have done those things.

There are high-risk offenders who are being released into our community, putting women at risk, putting children at risk, and this government isn't taking the action that other jurisdictions are taking, Mr. Speaker.

In fact, the member for St. Johns (Mr. Mackintosh), when he was the Family Services minister late last year, he said that the government would be announcing a detailed strategy on expanding electronic monitoring to high-risk sex offenders and he said he would do it this spring.

Where is that detailed strategy, Mr. Speaker?

**Mr. Swan:** As I have indicated, we promised and we will be expanding electronic monitoring across the province. But let me repeat again that it is the police who make decisions on notification.

And it's a very good thing that, because of this NDP government, we have more police protecting us in this province than ever before. The member for Steinbach, and every other member of the Progressive Conservative caucus, has voted against every single one of the more than 270 police officers that we've added in Winnipeg, we've added in Brandon, we've added in communities across this province.

So we will continue to work with the police. We'll continue to take the advice of the police. Most importantly, Mr. Speaker, we'll continue to support the police, unlike the member for Steinbach and every member opposite.

**Assistant Deputy Minister  
Distribution of Email**

**Mrs. Mavis Taillieu (Morris):** In Estimates, I asked the Minister of Immigration to provide a list of people who received emails from her ADM, Mr. Ben Rempel, asking civil servants to attend the Legislature on April 19th. She refused, and now we know why, Mr. Speaker. As reported, at least four other bureaucrats echoed Mr. Rempel's email, including one that told immigrant service agencies that the government would like as many to attend as possible. Rempel then reportedly asked other people in the Immigration Department to forward the message to businesses, ethnocultural service providers, and related stakeholder distribution lists.

Mr. Speaker, will the minister today table the emails and come clean about the extent of her involvement of the civil service for her own political purposes?

**Hon. Christine Melnick (Minister of Immigration and Multiculturalism):** Mr. Speaker, the department was receiving many, many calls from service providers who were very, very concerned about the unilateral cancelling of the settlement services annex. They took action on this issue as they have with all the other issues around immigration. It's that sort of open communication and letting people know what is going on that has built the best model in the province of—in the country of Canada.

These people are concerned about the more than 100,000 newcomers who have come to Manitoba. They want to bring more people to Manitoba. They want to protect the Manitoba model. Mr. Speaker, whatever members say, they took a standing vote against the protection of the Manitoba model. The future economy of this province is the real issue.

\* (13:50)

**Mrs. Taillieu:** Mr. Speaker, this minister either directed her ADM to do her political bidding, or the civil service has become so entrenched with the NDP, she didn't have to. Either is a travesty to democracy.

The documents obtained by media show the call to attend the Legislature went beyond immigration support groups. It was also distributed to advisory groups such as the Manitoba Immigration Council and the Manitoba ethnocultural and advisory council. The emails that were forwarded from Ben Rempel were circulated with the message to circulate to all

your contacts because the government wanted as many people there as possible.

Mr. Speaker, will the minister table the email referenced? Who received those emails? We need to see the true and deep extent of her politicization of the civil service.

**Ms. Melnick:** Well, Mr. Speaker, the member has misquoted the information. People were interested in coming to see what was happening here in the Manitoba Legislature. The members opposite did not want Manitobans coming in to see that debate. They do not want civil servants communicating with the people that they're working with, the service providers. They even don't want them talking to each other.

And this is very interesting, because in the same session of Estimates, the member for Morris held up a document that she wanted me to comment on. I asked her to table that document and she refused. She doesn't want anyone to be talking to anybody else about anything of importance in this province.

We believe in democracy on this side of the House, and we will continue to talk to Manitobans.

**Mrs. Taillieu:** Well, Mr. Speaker, the letter she wanted tabled came from her. She had it.

Either the minister has turned over her department to her ADM—either she's turned it over to him or she has to have directed him to do this, to send the email to the people directing them to come to her political rally at the Legislature.

And if the ADM advised civil servants to leave their jobs, Mr. Speaker, that is an abuse of power. Suggesting people should leave their service-provider jobs to come to do the bidding of the NDP is shameful.

Mr. Speaker, the minister previously said that Mr. Rempel was only responding to grassroots concerns within the immigration community, and now we see today that is not true.

Mr. Speaker, this scandal needs to be called before a Legislative Affairs Committee so we can learn the true extent of the politicization of the civil service by this NDP government. When is the government going to do that?

**Ms. Melnick:** Mr. Speaker, Madam FIPPA, the member from Morris over there, is so removed from the people of Manitoba that she doesn't understand that these organizations—oh, there she is—

**Mr. Speaker:** I wish to caution the honourable minister. All members in this Assembly are honourable members, and please do not make disparaging remarks about any member of this Assembly, please.

I ask the minister to withdraw that to remark.

**Ms. Melnick:** Yes, I withdraw the comment, Mr. Speaker.

**Mr. Speaker:** The honourable Minister of Immigration and Multiculturalism, to continue her response.

**Ms. Melnick:** Understanding that these groups are made up of grassroots people, the organization of MEAAC and MIC are crucial to the progress of immigration in this province, and they are made up of grassroots people from all sorts of organizations. They wanted to be kept informed; they were kept informed, Mr. Speaker.

The issue here is the future economy of the province of Manitoba, and the way that we need to deal with this is by talking to people, Mr. Speaker, not shutting down discussion, not shutting people out, and not standing up in this House as every member of the opposition did—

**Mr. Speaker:** Order, please.

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

**Mr. Speaker:** Order, please. Order, please. Minister's time has expired.

I wish to draw the attention of honourable members to the Assembly where we have many members of the public, including children from our schools, here as guests of this Assembly. I ask for the honourable members to make sure you conduct yourselves in an appropriate fashion so that we leave a good and positive impression with the folks that are here with us today and for the members of the public who may be watching us online.

#### **Immigration Settlement Services Meetings on Federal Centralization**

**Mr. Reg Helwer (Brandon West):** It is clear that the NDP government is interested in only one thing when it comes to immigration: creating fear. And that is the one thing that many of these immigrants sought to leave behind when they left their country and they came to Canada.

Last week, I asked the minister about her fear-and-intimidation tour and the closed meetings she

held in Brandon. If she wanted people to know what was happening and why things were happening, why did she seek to exclude the media? This government pays lip service to being open and transparent, but its ministers are doing quite the opposite when it tries to use the Immigration Department as its own political party.

Will this minister apologize and admit she has been misleading Manitobans?

**Hon. Christine Melnick (Minister of Immigration and Multiculturalism):** Mr. Speaker, I have been to Brandon twice talking about immigration. I have been speaking with many people in the community. The member from Brandon West has attended several of those meetings, and he was asked to comment at those meetings.

The issue here is not that I have been attending Brandon to speak to the people of Brandon about what's happening. It's that the member from Brandon West has not been speaking to the people he represents about the concerns that they have and the real issues around immigration. That's the problem, Mr. Speaker, not that I've been going to talk to Brandonites; it's that he's not.

**Mr. Helwer:** I must have missed that invitation, because, yes, I did attend two meetings; neither one of them was I invited to speak at. It's interesting to note that no MPs were invited on her fear-mongering stop in Brandon.

We've seen from this minister that she is desperate to use this issue to cause unnecessary fear and create a distraction from her party's plans to increase taxes. Perhaps this minister is trying to mislead Manitobans and hide the truth because she will lose a large part of her ministry to these changes.

Will this minister apologize and admit she has been misleading Manitobans?

**Ms. Melnick:** Mr. Speaker, the member from Brandon West should keep up with his mail more often. He was, in fact, invited to the open meeting that I had over a month ago in Brandon, and he was there, and he heard of the concerns and he saw the people of Brandon also concerned. He said nothing; he did nothing.

He is not talking to the people of Brandon, but the one thing he did was stand in this House and vote against keeping settlement services at the local level of the province of Manitoba. That's his record. That's all in the record. They're trying to get people to look

over here—look over here. The issue is standing together in a non-partisan way for the future of this province. I invite members to join us.

**Mr. Helwer:** Well, I do try to, you know, have some respect when I attend these meetings, and if I'm not asked to speak, then I don't stand up and do so. It is the role of the minister that she spoke at these meetings. In fact, the closed one that I was invited to at the last minute, there was no intent, I believe, to have me speak to that.

But I ask again: Why does this minister want to cause fear at private meetings in—around Manitoba? Why does this minister use the civil service as a tool for her political objectives?

Even her ADM, in a CP news story, can understand that, and I quote: It's probably not a good idea for people to come here, Mr. Rempel replies. If staff are recognized in the gallery, then it is, oh, why are the taxpayers paying salaries for bureaucrats to attend question period for political purposes sort of issue. Unquote.

You know, obviously, they recognize it, so why won't she just admit she's trying to cause fear to create a distraction so Manitobans won't notice the massive tax increases and broken promises of the NDP?

Will this minister apologize and admit she has been misleading Manitobans?

**Ms. Melnick:** Mr. Speaker, the issue is the future economy of the province of Manitoba.

The more than hundred thousand newcomers who have been welcomed into 130 communities around this province have greatly added to the strong economy we have today.

This is a non-partisan issue. This is not about who signed the deal. We give all the credit to the federal—to the provincial Tories of the time and the federal Liberals of the time. This is about a partnership that has worked, that has been very successful, that Manitobans are very concerned about, Mr. Speaker.

In all sincerity, I invite members opposite to join us. Stand together with the newcomers, with Maple Leaf, with HyLife, and stand up for—

\* (14:00)

**Mr. Speaker:** Order, please. Order, please. Minister's time has expired.

### Introduction of Guests

**Mr. Speaker:** Just prior to recognizing the honourable member for Midland, I wish to draw the attention of honourable members to the public gallery where we have with us 17 grade 6 and 7 students from Greenland School under the direction of Mr. Jason Goosen. This group is located in the constituency of the honourable Minister of Local Government (Mr. Lemieux).

On behalf of honourable members, we welcome you here today.

### Greenhouse Project (Grand Rapids) Funding and Construction Status

**Mr. Blaine Pedersen (Midland):** In May of 2006, the government announced it was providing \$1 million to promote technology exchanges and partnerships between communities in northern Manitoba and Israel. Research projects would include the construction of a rapid-growth greenhouse technology to promote local food production.

In November 2007 Throne Speech, the promise—the Province promised a commercial greenhouse project for Grand Rapids, yet here we are five years later and not only is the Grand Rapids greenhouse not in production, the project hasn't even started.

Mr. Speaker, can the Minister of Agriculture explain why this government is so good at announcements and so bad at actually delivering the needed projects, or was this just another empty promise made by this government?

**Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Initiatives):** It's a great pleasure to address the question brought forward by the member opposite.

We do believe in healthy food and we all know what the initiative was set up to be, as we talk about providing healthy food to our residents regardless of where their geographical area is. As we have all had some discussion, the ACC project that was designed and we're moving forward with the proposal in the project to be done in Grand Rapids and the further northern communities to provide an educational component that's very key to the health and preventing costs to the health-care system in the province of Manitoba.

**Mr. Pedersen:** Mr. Speaker, the Grand Rapids greenhouse project was supposed to complement this government's Northern Healthy Foods Initiative, but

it's nowhere to be seen. The funding first materialized in 2006, the project was reannounced in the 2007 budget speech, feasibility study's been completed, yet to date the project hasn't even started. Had this government not messed up this project so badly, this greenhouse could have been producing fresh vegetables for the Grand Rapids families.

Mr. Speaker, after spending a million dollars, can the Minister of Agriculture provide any assurance that this greenhouse will indeed be built to supply the much-needed fresh produce to the community of Grand Rapids?

Promises made, promises broken.

**Mr. Kostyshyn:** As we all know that, you know, we developed construction sites and we moved through a various factions. I want to ensure the member opposite that the project is going to carry through. You know, we've had some construction delays, but we are moving forward.

I think it's irrelevant of the time element where we focus. I think the main thing we have to be concentrating on is we're providing educational ideas and suggestions, but healthy food, No. 1, prevent health-care costs to the province of Manitoba.

And I would like to also remind the members opposite, how much were they involved when they were in power? I would ask them the questions. How much money have they dedicated to our people of the northern region?

Thank you so much.

**Mr. Pedersen:** Oh, that was an answer, Mr. Speaker. There's no doubt that fresh produce would be—help all Manitobans, particularly northern Manitobans, but you got to build the greenhouse first in order to get it.

Mr. Speaker, back in October 2008, the former minister of Agriculture, who was also the former member for Swan River, said this greenhouse project would result in better quality food and a better economy for northern communities. Besides supplying needed fresh produce to northern Manitoba, the project was supposed to provide training opportunities to local residents.

However, photo ops and announcements, money spent, and there's still no sign of the greenhouse on the landscape. More promises made, more promises broken.

Mr. Speaker, will the Minister of Agriculture explain why this government has not followed through on its very own promise to supply locally grown fresh produce to the people in Grand Rapids?

**Mr. Kostyshyn:** I like to remind the member opposite, we do have greenhouses in existence in the province of Manitoba. You know, we've got—we tend to focus—we tend—like the members opposite, we tend to focus in the highly populated area. But I want to assure them, Mr. Speaker, our government does not geographically prefer areas of preference.

Our government is—geographically, the whole province is a concern to us. We want to work with the people of the northern regions. We're working towards milk subsidy, healthy food; we're working towards greenhouses; we're working towards a health food, and we're providing additional hail care systems in the province of Manitoba, in the northern communities. So I'm very proud to stand here and defend our case, and we're moving forward for greenhouses.

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

**Mr. Speaker:** Are we ready to proceed now? The honourable member for River Heights has the floor.

#### **Waste-Water Treatment Plants (Winnipeg) Phosphorus Removal**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I raised my concerns about the Harper government's decision to shut down the Experimental Lakes Area May the 23rd in question period. It's good to see the NDP following the Liberal lead and going on record with me today at a joint media conference to preserve the Experimental Lakes Area.

The ELA, as it is known, the Experimental Lakes Area is instrumental in understanding the approach needed to clean up lakes like Lake Winnipeg, which have been so beset by problems under this NDP government.

So I ask the Premier: Since the phosphorus coming from the city of Winnipeg's sewage is the single largest point source of phosphorus going into Lake Winnipeg, when will the phosphorus be removed from the sewage coming in from the city of Winnipeg?

**Hon. Greg Selinger (Premier):** Yes, first of all, I'd like to thank the member for joining together with this side of the House on the Experimental Lakes project. It's nice—I can feel we're converging on this

issue, and I know the member wanted to be involved, and he was involved.

And there was a press conference all across the country today on the Experimental Lakes research area because of the tremendous value that research has provided to the entire planet. It has saved Lake Erie. It has done research on phosphorus and nitrogen in lakes. It has brought forward cutting-edge research that has been the basis for our save Lake Winnipeg plan.

The member knows full well that just this last year, about this time of the year in June, we had a bill in the House on save Lake Winnipeg. And you know what, Mr. Speaker? We had unanimous consent to support Lake Winnipeg. And then in the election, the members of the official opposition decided to go another way and reverse themselves on it. But as long as we're in the House, I'm sure we have consensus on saving Lake Winnipeg and the research in the Experimental Lakes Area.

**Mr. Gerrard:** Mr. Speaker, the NDP government has presided over the largest increase in algal blooms in Lake Winnipeg in the history of our province, and, of course, cared so little for the environment that one of the first things they did was kill the Manitoba Environment Council.

You know, it's very sad when the NDP are unable, after having been in power for 12 and a half years, to even tell us when they are going to be assured that the phosphorus is removed from the city of Winnipeg's sewage.

Mr. Speaker, I ask the Premier: Why has the government, in 12 and a half years, so badly failed to get the phosphorus removed from the city of Winnipeg's sewage?

**Mr. Selinger:** I do appreciate the question from the member, because our save Lake Winnipeg plan has been one that was broadly supported in the House, not necessarily supported on the hustings when we were out during the election period.

But the reality is we have strong legislation in place. It does talk about removal of phosphorus from the City of Winnipeg system. They've done it in the West End treatment plant. They've done it in the South End treatment plant. They have a plan—they have a requirement to bring forward an effective plan for the North End treatment plant. We look forward to that plan. We know that that plan will make a difference. It's not the only source of pollution that

goes into our rivers and streams, but it's a significant one that is one part of the overall solution.

And the member knows full well that we'll follow through on that. I thank him for his support.

\* (14:10)

**Mr. Gerrard:** Mr. Speaker, it's odd that the government, after 12 and a half years, is not talking about when the phosphorus is going to be removed; it's talking about when they are maybe going to have a plan sometime. That's not good enough.

The NDP government are the ones with the power to ensure that phosphorus is removed from the city of Winnipeg sewage in order to help the Lake Winnipeg recover from the devastating algal blooms which have plagued our wonderful lakes since the NDP government came into power.

Why has the Premier—I ask the Premier: Why has he allowed the City of Winnipeg to continue dumping large amounts of phosphorus into Lake Winnipeg for 12 and a half years?

**Mr. Selinger:** Mr. Speaker, as I said in my previous question, the phosphorus is being removed in the West End plant. Phosphorus is being removed in the South End plant, as well as nitrogen. The North End plant is retooling as required under our legislation.

We're doing things with septic fields all across the province. We're doing things in terms of—we're doing things in storing—in terms of storing waste from hog barns in Manitoba and reducing the impact of hog barns on the environment.

Everybody in this House supported that legislation until we went into an election, and then when the official opposition walked outside the door, they said something completely different outside the door. They said one thing here in their vote; they said another thing outside the door. I appreciate the fact that the Liberals are consistently supporting our plan to reduce phosphorus in Manitoba.

#### **Primary Care and Wellness Centre (St. Claude) Facility Construction**

**Ms. Sharon Blady (Kirkfield Park):** Monsieur le président, nous savons que rien n'est plus important pour les Manitobains et les Manitobaines que la santé de leur famille.

Est-ce que le Ministre de la Santé peut nous donner une mise à jour des investissements récents envers notre engagement envers l'accès à un médecin de famille pour chaque Manitobain d'ici 2015?

**Translation**

*Mr. Speaker, we know that nothing is more important to Manitobans than the health of their family.*

*Can the Minister of Health update us on the recent investments in our commitment to provide access to a family doctor for every Manitoban by 2015?*

**Hon. Theresa Oswald (Minister of Health):** Aujourd'hui, j'ai eu le privilège de visiter le village de St. Claude pour célébrer le lancement du projet communautaire tout à fait inspirant qui apportera de vrais changements pour les familles de cette région.

Le nouveau centre de bien-être et la clinique de soins primaires offriront non seulement les services d'un médecin de famille, mais rassembleront aussi pharmaciens, physiothérapeutes, conseillers en santé mentale et physique, tous pouvant offrir des services bilingues.

C'est un partenariat unique entre le gouvernement du Manitoba et la communauté de St. Claude.

Nous avons 20 cliniques en développement partout au Manitoba. Bâtir plus de cliniques telles que celle de St. Claude est une partie importante de notre plan qui assurera que chaque Manitobain aura accès un médecin de famille par l'an 2015.

**Translation**

*Today, I had the privilege of visiting the village of St. Claude to celebrate the launch of a very inspiring community project that will bring real changes for families in the area.*

*The new bilingual Primary Care Clinic and Wellness Centre will include not only a family doctor, but also pharmacists, physiotherapists, mental health professionals and fitness counsellors.*

*This is a unique partnership between the government of Manitoba and the community of St. Claude.*

*We have 20 clinics under development across Manitoba. Building more clinics like the one in St. Claude is an important part of our plan to ensure that every Manitoban will have access to a family doctor by 2015.*

**Lyme Disease  
Diagnoses and Patient Services**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, Lyme disease has impacted many Manitobans. It's clear that the impact of this disease takes a massive toll,

and the longer that this disease has to manifest in the body, the more damage it can cause.

The state of Minnedosa–Minnesota diagnosed and attempted to treat over a thousand cases in 2010; Manitoba diagnosed 25 cases. While the Minister of Health believes that our science is not different from Minnesota's, it's clear that this province is unable to diagnose Lyme disease.

Mr. Speaker, I ask the minister once again: Can the doctors of this province diagnose Lyme disease, or should patients be going to Minnesota?

**Hon. Theresa Oswald (Minister of Health):** As I've said to the member opposite that there is much debate within the medical community concerning Lyme disease, not only the early detection, not only treatment protocols, not only tests that should be used to detect Lyme disease, but any number of things, which is why Manitoba brought together an international conference to bring medical experts together to debate these issues to view what best practices might be.

Without a doubt, I would say to the member opposite that medical professionals do debate very strongly multiple issues on Lyme disease. We know our public health officials in Manitoba are working very hard on this issue, listening to advocates, because they, as everyone in this House would, want the best possible treatment for those that are living with Lyme disease, Mr. Speaker.

**Mr. Graydon:** Deer ticks do not stop at the Manitoba–Minnesota border. However, it would seem that proper diagnosis does. We have Manitoba doctors disagreeing with the American doctors on this issue, but the simple fact remains the system continues to fail these patients.

This year—in the spring of this year, 30 dogs have been diagnosed with Lyme disease in southeastern Manitoba just in three months.

I want to ask this Minister of Health a very simple question: Which is it, Minnesota science or Manitoba science?

**Ms. Oswald:** I believe, Mr. Speaker, the question at hand is the interpretation of the science, and medical professionals have been debating this for quite some time, long before the member himself thinks that he found Lyme disease and invented it. He did not.

There has been lots of study going on on this issue, on the issue of diagnosis, and most importantly, Mr. Speaker, on the issue of appropriate

treatment. The member is correct in saying that Lyme disease can be a very debilitating situation in the life of a patient and that family's life. Manitoba public health officials and doctors, the medical professionals, are keenly interested in providing the best possible care for their patients.

And I would suggest, Mr. Speaker, that those discussions and debates need to be left to medical professionals, not politicians.

**Mr. Graydon:** Mr. Speaker, Lyme patients in this province are suffering. They're unable to receive long-term disability and are forced to pay thousands of dollars to be properly diagnosed outside of our province. It's clear that the province does not know how to care for the Lyme disease patients. Without proper diagnosis and long-term supports, livelihoods are taken away.

Mr. Speaker, the Lyme's disease is on the rise in this province, and when will this Minister of Health be able to properly care for Lyme disease patients?

**Ms. Oswald:** And again, I will say to the members opposite that medical health—or public health professionals here in Manitoba are very interested in learning different points of view from individuals that have expertise in treating Lyme disease. That's why they held this international conference, Mr. Speaker. It's why we have completely changed the way that we're communicating with the public about prevention. It's why we're intervening as early as possible in these situations.

But may I say, Mr. Speaker, it's clear once again, as it is, frankly, every day, that members opposite don't have any respect for our doctors in Manitoba. We do.

#### **Highway 5 Bridge Upgrade Requirements**

**Mr. Stuart Briese (Agassiz):** Mr. Speaker, almost two years ago, the Highways Department set up a set of lights on No. 5 Highway south of Ste. Rose and created a one-lane bridge, almost two years ago. This is a major trunk highway in this province. It's inconveniencing the people there. Farm equipment's detouring miles. I just wonder when the standard is going to change. Is one-lane bridges the new standard? We continue on and on and on with this, and there's going to be a death there one of these days.

When is the minister going to fix that bridge?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** I appreciate the opportunity to put on the record that we are fixing a lot of bridges, Mr. Speaker, across this province, both related to the flood—\$50 million this year, \$50 million last year, a historic investment in bridges. We've been doing inspections, and we're undertaking a historic reinvestment in bridges, many of which date back as far as the 1920s.

And I do want to indicate, Mr. Speaker, that—perhaps the member opposite doesn't realize this and neither does the member for Charleswood (Mrs. Driedger), but it's not the minister that fixes this. It's our dedicated staff working with contract engineers and the contractors throughout this province who undertake in meeting that challenge, and I'm really proud of the fact that this government is investing in our bridges, including in the member's constituency. I wish once he would support it.

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

#### **MEMBERS' STATEMENTS**

##### **Strathclair School**

**Mrs. Leanne Rowat (Riding Mountain):** As the MLA for Riding Mountain constituency, it gives me great pleasure to rise in the House today to congratulate students at the Strathclair school.

On November 23rd, 2011, Winnipeg played host to Manitoba's first We celebration. We is an opportunity for students all over North America to celebrate contributions youth are making in their communities and abroad. In November, over 15,000 students and teachers flooded the MTS Centre for a day of learning, speakers and celebrations. It was at this event that Strathclair school was chosen to participate for a chance to win a trip for one student, four friends, and a staff member to a country of their choice to volunteer and sightsee with the organization Me to We.

\* (14:20)

During We Day, Strathclair school was asked to choose one student to participate on stage and speak about something they wanted—somewhere they wanted to visit and why they would like to visit that country. Grade 11 student Grace Kang was chosen and gave an unforgettable speech on stage in front of 15,000 peers and live on MuchMusic. Social justice plays a great role in Grace's life, and as she spoke on stage everyone listened, erupting in applause after. Grace was chosen out of two other students in the



competition to visit the country of her choice through the organization Me to We who helps put on We Day.

Grace and the group from Strathclair chose to visit India for 12 days this summer. While doing a bit of sightseeing throughout India, Grace and her friends from Strathclair will spend three days in the village of Lai Gow helping to build a school. This community has a population of approximately 750 people, of which about 250 are children. Most children do not attend school and there are no proper books or supplies for children to use in this community. In India, I'm sure the students will have a life-changing experience.

It is so amazing to see youth in Manitoba doing so many wonderful things to help others in their communities and beyond. Grace Kang has written about volunteering and social justice. She believes that volunteering shouldn't be a novelty, but needs to be lifestyle. Mr. Speaker, this shows compassion and selflessness way beyond her years.

Mr. Speaker, once again, it is a great honour to rise in the House to talk about such amazing youth in the Riding Mountain constituency. Grace Kang and her friends, Robyn Gerrard, Jessica Arnfinson, Lisa Rystephanuk and Shaylyn Lamb, and vice-principal, Bobbi-Lynn Geekie, leave for India on June 30th for 12 days. I wish them the best of luck. It truly is an opportunity of a lifetime and I'm sure will change their lives for the better.

Thank you, Mr. Speaker.

#### **Dr. Fengshan Ho**

**Hon. Flor Marcelino (Minister of Culture, Heritage and Tourism):** The extraordinary life of Dr. Fengshan Ho and his valiant efforts against formidable odds to save Jewish people during the Holocaust must be remembered, celebrated and shared with the world. His humanitarian work, alongside the awareness efforts of his daughter, Manli Ho, was recently recognized at the One-Person Profound Difference luncheon put on by the Canadian Museum of Human Rights, B'nai Brith Canada and the Winnipeg Chinese Cultural and Community Centre. Dr. Joseph Du, Ms. Shirley Chang, Dr. Yewen Gong and Ms. Debbie Guo from the WCCC were instrumental in helping Manli spread her message and they join us in the gallery today.

Mr. Speaker, Dr. Ho was a Chinese diplomat serving in Vienna when Austria was annexed by

Nazi Germany in 1938. After witnessing the horrors of Kristallnacht, Dr. Ho started using—issuing thousands of visas to Jews against orders from his superiors. Most countries had already closed their doors to Jewish refugees then, yet he enabled them passage to Shanghai in order to continue on to other countries like the Philippines, one of the few countries which opened its doors to Jews at that time. We do not know exactly how many visas Dr. Ho issued, but we do know that over 18,000 Jewish people reached Shanghai. Dr. Ho saved thousands of lives.

Dr. Ho's heroic actions remained unknown until after his death in 1997. He did not speak of his accomplishments with anyone, not even in the memoirs he published in 1990. His daughter, Manli, learned of the selfless actions he did to save many Austrian Jews when she met a Holocaust survivor who showed her the visa his father issued. Dr. Ho was posthumously awarded the title Righteous Among the Nations by the Israeli organization Yad Vashem in 2000.

Mr. Speaker, Dr. Fengshan Ho lived a life of honour and dignity. I want to thank Manli Ho, the Winnipeg Chinese Cultural and Community Centre, B'nai Brith Canada and the Winnipeg Shanghai Connection exhibit curator, Dr. Alison Marshall, for bringing to Manitoba Dr. Fengshan Ho's powerful story and his legacy of courage, compassion and service to humanity.

Thank you, Mr. Speaker.

#### **Emerson Fruit Orchard**

**Mr. Cliff Graydon (Emerson):** When one thinks of southern Manitoba, the first thing that comes to mind does not include fruit orchards. Emerson mayor, Wayne Arsenich—Arseny is trying to change that. Last fall, Manitoba forestries donated dozens of trees which were planted along high—alongside Highway 200 in Emerson's new tree nursery, which allowed the town of Emerson to replace dead and damaged trees around the community.

Recently, however, the tree nursery took on a very different look. After reading a Tree Canada grant application, Mayor Arseny got to work and received a grant of approximately \$2,000, which would only be available to 15 communities across the country. Major elements of the grant application included community involvement, long-term sustainability, proven benefits and an educational element, and a marketing and promotion plan. Mayor

Arseny partnered with Manitoba Forestry and Emerson Elementary School, creating a hands-on education project and a sense of ownership for the whole community. The students learned how to dig holes, how to break trees free from their pots and arrange the roots and finally plant a tree.

Afterwards, the students were able to name each tree. Mr. Speaker, when planning this project, Mayor Arseny set out with a long-term goal of organizing a nursery club where interested locals can help with the upkeep and can arrange for regulated picking of the fruit from the orchard. This would help to create significant community involvement from all generations in the community, from students at the Emerson Elementary to senior citizens and everybody in between.

Mayor Arseny is truly a great community leader. Projects such as these raise the profile of a small, committed community such as Emerson and helps to attract new investment in this community. Every resident of Emerson should be proud of projects such as this, and I know that this will only raise an already strong level of community spirit. I would like to take this opportunity, on behalf of all my constituents, to commend Mayor Arseny and I would personally like to reserve my place in line for some of this orchard's finest fruit.

Thank you, Mr. Speaker.

#### **Family and Community Violence Conference**

**Mr. Frank Whitehead (The Pas):** Mr. Speaker, Opaskwayak Cree Nation hosted an excellent conference about family, community violence, on May 30th and June 1st. They wished to raise awareness about issues that affect many communities across northern Manitoba.

Many people from the community and surrounding areas attended the conference. They included local residents and others from human service agencies. Everyone who was there appreciated the speakers and workshop leaders, who shared their insight into family and community violence. It will be—it can be difficult to acknowledge that these disturbing problems exist in our neighbourhoods, even in our own backyards.

Events like this are especially important because they draw attention to difficult subjects so communities can move forward and talk about how to respond to them. Prevention and healing were the two most important things they talked about at the conference. And this conference would not have

happened without funds from Opaskwayak Health Authority at OCN. I ask all members to join me in thanking them. I would also like to thank the conference co-coordinators, Charlotte Whitehead and Brian Ballantyne and Ray Desjarlais, and the many people that worked with them to make this event a success. They were able to have meaningful discussions and share their dreams about how they can strengthen their communities.

Thank you, Mr. Speaker.

#### **World Environment Day**

**Mr. Larry Maguire (Arthur-Virden):** It's my great pleasure to rise today to recognize World Environment Day. Every year on June the 5th, millions of people across the globe gather to celebrate and promote positive environmental action.

Beginning in 1972, World Environment Day has grown to become one of the United Nation's principal instruments for stimulating international awareness and concern for environmental issues. Using World Environment Day as its platform, the United Nations Environment Programme organizes a variety of activities throughout the year to encourage individuals to reflect on their relationship with the environment. With over 8,814 registered World Environment Day activities occurring in nearly every country on Earth today, these celebrations aim to inspire us to improve our quality of life without compromising that of future generations.

\* (14:30)

Some past initiatives include tree planting and community cleanups in India, an environmental art competition in Pakistan and a musical concert on the lawn of Melbourne, Australia's State Library. This year's theme, "Green Economy: Does it include you?" is geared towards getting all of us involved in sustainable environmental and economic practices. Generally speaking, a green economy is one that emphasizes the importance of how carbon—low carbon emissions, resource efficiency and social inclusivity. Being—by being smarter with our resources, we enhance efficiency, reduce pollution, and encourage biodiversity within our ecosystems.

Most importantly, World Environment Day reminds us that we, as individuals, can make changes that positively affect our communities. Whether it is switching from plastic to reusable bags, starting a recycling drive, cycling or carpooling to work, or creating a compost, the opportunities are endless.

I would like to congratulate those who are actively participating in World Environment Day activities today. Their dedication, energy, and enthusiasm for a sustainable future do not go unnoticed.

Thank you, Mr. Speaker.

### GRIEVANCES

**Mr. Speaker:** Any grievances? Seeing none, we'll proceed with—the honourable member for Agassiz on a grievance?

**Mr. Stuart Briese (Agassiz):** Yes, on a grievance.

Last year, the Premier (Mr. Selinger) and his NDP government made a decision. They were faced with an emergency flooding situation in Manitoba and they said: What will we do?

They decided to sacrifice the people around Lake Manitoba in order to save people and property in other areas of the province.

They said: We will sacrifice a few to save many, and to a degree it worked. Millions of dollars in damage were incurred by the farmers, ranchers, property owners, and First Nations around Lake Manitoba, but the decision saved billions of dollars in other areas of the province.

The NDP told the people around Lake Manitoba: We will be there for you. We won't see you out of pocket for your losses. Trust us. We will go to the wall for you.

They said: We will put programs in place to cover your losses. They said: We are caring, we're compassionate. We have an election coming this fall, so we will make any promise that sounds good, and we can forget them after the election.

It was a simple decision. They knew that if they won the election, they could break the promises, as they always do. Or if the Conservatives won the election, they would have to honour the NDP promises.

The NDP then co-ordinated their campaign. They very carefully made sure the Premier had 25 photo ops in the area of the province where there was some success in the flood fight. But they kept him away from Lake Manitoba where most of the devastation was occurring. They misled the people of Lake Manitoba with communications that were at the least wrong and at the worst totally false. They put out flood forecasts and predictions of peak levels that

were totally erroneous, and then when things went wrong, they blamed everyone but themselves. And they made all those promises that they didn't intend to keep.

Through all of this, the people of Lake Manitoba, the military, the hard-working government employees, believed in their provincial government. The citizens of Lake Manitoba believed their NDP government would keep their promises.

Unfortunately, that was in 2011, with an election on the horizon. And it's now 2012, with the election past, and politics trumping common sense and compassion.

The citizens of Lake Manitoba have now been fed to the wolves. Programs were put in place; they looked good until you read the small print and realized how many people would slip through the cracks. Lake Manitoba citizens were told they wouldn't be out of pocket for their sacrifices.

And then they found that the programs had maximums, they had deductibles, and they had a huge array of floodfighting and property damage costs that simply weren't covered. They were told that the coverage for their sacrifices would be multi-year. Now they find that multi-year means multi-year to receive the reduced compensation, not multi-year coverage.

The NDP ministers stand in this House and they shout about how many claims there are and how much they have paid out, when the reality of 2012 is they have abandoned the people of Lake Manitoba. The 2011 flood is not over for the people around Lake Manitoba.

The damage and destruction continues in 2012 and will for many years to come. The only thing that is gone is the commitment this NDP government—the commitment of this NDP government to make things right, to fulfill their promises, to bring life back to normal for the victims.

The flood effects continue, but the rehabilitation and compensation has ceased. As one of the flood victims has said to one of the ministers, I don't know how your mother could be proud of you.

Mr. Speaker, the NDP have ignored the Lake Manitoba residents. They don't listen. They don't listen to the people who have lived around the wonderful lake all their lives. They're not interested in local knowledge, and they don't want to understand the nature of Lake Manitoba.

They instead prefer to make their decisions in isolation. They make their decisions based on politics, based on what can we gain politically? How do we spin what we did to Lake Manitoba and the residents? Where's the integrity in that approach?

The First Nations, ranchers, farmers, property owners around Lake Manitoba have had their lives altered, their property destroyed and now their belief in government destroyed. It is irresponsible; it is beyond belief that the NDP government is now turning their backs on the people of Lake Manitoba.

Mr. Speaker, I quote from a letter I received. I quote Dee Dee Armstrong on some of the things she has put forward in this flood fight around Lake Manitoba. She lives just east of Langruth, Manitoba. She says, we are confused, uncertain and desperately needing answers. Our land was completely flooded in 2011 by the decision made by our NDP government to save those living on the flood plains and sacrifice those of us in the rural areas. We realize the decision to save the populated area was a necessary one, but now ask that you consider each and every one of our situations individually and in a timely manner.

Twenty-eight years ago, and I quote Dee Dee, 28 years ago, we diversified because of our proximity to Lake Manitoba with her glorious trees and sandy beaches. We chose to start a cottage business. For 26 years, we leased sites to individuals on an annual basis. Five years ago, we began a three-phase subdivision preparing for retirement. After four years of red tape, and I dealt with them through that red tape, and government bureaucracy, we received 28 titles for phase 1. Three days after, the flood broke through their dikes. What a disappointment.

She says, and I quote, others are waiting, waiting to see if their compensation packages will enable them to rebuild. Some have already informed us that they're considering taking their part 3 money somewhere else.

They know the government does not have any plan to widen the Fairford channel or create another waterway. The water would run from Lake Manitoba to Lake St. Martin and on to Lake Winnipeg. Inflow must equal outflow.

You know, the thing I noticed in a—in the *Co-operator*, and I'll quote from it. It's a little humorous, but it kind of states the way this flood's been handled. You know, during the election, the

Premier (Mr. Selinger) promised 100 per cent compensation to people who got flooded, right? And then after the election, he clarified that 100 per cent compensation actually meant 100 per cent fair compensation.

And then later, he clarified 100 per cent fair compensation for everybody actually meant fair compensation for anybody who actually—who qualified.

And then after that, he pointed out that, based on the guidelines that the government had established, only people who had been interviewed by the CBC or were likely going to be interviewed by the CBC actually qualified.

And in the end, it turned out that the application process was designed so that even if you could afford to hire the quantum physicist you needed to fill out the forms, you wouldn't actually get any money 'til you could prove beyond a reasonable doubt that the size of the polar ice cap was shrinking at a rate equal or faster than the size of your bank account. That's just a quote out of the *Co-operator* on how the flood was handled at Lake Manitoba.

You know, we've heard the now Minister of Finance (Mr. Struthers) say the flood—I'll quote him, the flood was not a natural event and that there was—there would have to be multi-year help. There's no programs going forward.

\* (14:40)

They've asked for programs. I have the—I have a letter from the Deputy Minister of Agriculture. I can also advise that, as the program provided support for income loss and infrastructure damages in 2011, to assist businesses, the program will not be providing further business income loss compensation for 2012 calendar year. In addition, loss of rental incomes of pastureland is not covered by assistance programming in 2012.

Mr. Speaker, the way many of the people around Lake Manitoba have been treated throughout this—the flood issue of 2011, is beyond belief; it's almost criminal. They were intentionally flooded to protect others and they were told that they would be covered if they were in an inundation zone, they were—be covered for all their losses, and that's flown out the window. That's unacceptable.

I think the government needs to take a good, hard look at themselves and the actions they're taking

in that area, and, maybe, make some changes and do what's right for those people.

Thank you very much.

## ORDERS OF THE DAY

*(Continued)*

### GOVERNMENT BUSINESS

#### House Business

**Hon. Dave Chomiak (Deputy Government House Leader):** Mr. Speaker, I wonder if you might call for second reading, bills 2, 38, 25, 29, 37 and 8. That's bills 2, 38, 25, 29, 37 and 8.

#### SECOND READINGS

**Mr. Speaker:** Will now call second reading on bills 2, 38, 25, 29, 37 and 8.

#### **Bill 2—The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended)**

**Mr. Speaker:** Starting with Bill 2, The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended).

**Hon. Erin Selby (Minister of Advanced Education and Literacy):** I move, seconded by the Minister of Children and Youth Opportunities (Mr. Chief), that Bill 2, The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended); Loi sur la protection de l'accessibilité aux études universitaires (modification de la Loi sur le Conseil de l'enseignement postsecondaire), be now read a second time and referred to a committee of this House.

#### *Motion presented.*

**Ms. Selby:** I rise today to recommend for second reading The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended).

The proposed amendment does two major things: First, the bill establishes a process by which universities will receive a forecast for funding over a three-year period. This helps universities with longer-term planning and budgeting. Second, the bill establishes strong protections for university students ensuring that tuition fee increases are linked to the rate of inflation and that the other course-related fees are reasonable and justifiable.

The bill empowers the Council on Post-Secondary Education with powers to reduce course-

related fees if tuitions were to increase beyond the rate of inflation. The bill requires COPSE to reduce funding to institutions by an equal amount.

Bill 2 helps ensure that affordability for university students is protected within the governance framework of the post-secondary education. I recommend this bill to all members of the Legislature.

Thank you, Mr. Speaker.

**Mr. Wayne Ewasko (Lac du Bonnet):** Bill 2 establishes multi-year funding agreements for universities and requires universities to peg tuition increases to the rate of inflation. It applies only to universities and not to colleges. Bill 2 sets out to provide stable, predictable funding for universities, which is something we've said is important to help our post-secondary institutions plan and thrive.

We know the important contribution universities, in fact, all post-secondary institutions, make to Manitoba's economy, not only through research and development, but also in educating our future workforce.

In my past life I was a grade 6 to 12 guidance counsellor, so Bill 2 hits home for me. I worked with students who were making fundamental decisions about their future: take a gap year to work, or travel and gain life experience, or go start their post-secondary careers. I helped those who decided to continue with their education make the tough decision of where to go by providing them as much information as I could. Often, students were weighing the decision of whether or not to stay in Manitoba.

One of the examples I would like to give at this time is the point on scholarships and bursaries which are provided by post-secondary institutions in the States, Canada and right here in Manitoba. A lot of students would come up to me and would be weighing out whether they should go down to the States or stay here in Manitoba or travel across the country to university or college, and in some cases we would try to just weigh out the pros and cons, Mr. Speaker. Some of the students would come up and say, you know, Mr. Ewasko, we would talk about—I was given a \$20,000 scholarship from a college from the States and here in Manitoba they're only giving me \$1,200. So then we would actually sit down and, again, come up with the pros and cons as far as proximity to their home, also the fact that their \$20,000 scholarship to the States would be coming

off of about a \$40,000-a-year tuition fee down there. So that would put them \$20,000 in the hole compared to tuition fee up here, about \$3,700 to \$4,000, and then the \$1,200 coming off would put them at about \$2,800 which would be left owing on their tuition.

Of course, grade 12 students have many choices here in Manitoba. They could go to private vocational institutions, colleges, universities and, of course, the apprenticeship trades. They could also get a job and they could also stay at home, but, of course, we lean to encouraging to go on to post-secondary education.

Manitoba is home to fine colleges and universities. Since this bill only affects Manitoba universities and university students, I'll focus my comments solely on universities. Since we don't often have time to highlight the excellent work of our Manitoba universities, I'd like to take a moment to highlight their excellent work. We have five universities in Manitoba that offer exceptional programs for students and produce search-research that is internationally recognized.

Let me start with Brandon University, home to over 3,000 students, who, despite suffering through Manitoba's longest post-secondary strike this fall, have tremendous university pride. Brandon University remains an exception academic institution, offering small class sizes and a convenient location for many rural-based students. It also attracts students from all over Manitoba for its internationally renowned School of Music program. The education and nursing faculties are also well regarded. BU students are quite proud of their successful Bobcats sports teams, especially the basketball team which has won national titles in the past.

For more than a century, the University of Manitoba has produced groundbreaking research in many areas, including research on Canada's Arctic and in the area of combatting HIV and AIDS. Through this work, the talented faculty provides students with hands-on learning opportunities. This university has produced countless Rhodes Scholars, which speaks to the high level of accomplishments of its student body and the quality of the programs.

The University of Winnipeg has grown immensely since its inception. It is well-known for its leadership and environmental sustainability, its strong liberal arts programs and, now, its growing science and business faculties. I am proud to note

that the University of Winnipeg has been named among the best undergraduate universities in Canada by *Maclean's* magazine.

Manitoba's newest post-secondary institution is St. Boniface University, which was formerly a university college. Being the only fully French language university in Manitoba it attracts many students from abroad, which greatly contributes to the diversity of the student body. St. Boniface is well known for its high-calibre education program that produces many of the French language teachers for the province and also has exceptional nursing program, among many others.

The University College of the North is a unique university because its programs are offered in many locations throughout northern Manitoba. It provides education in many traditional university fields, but also focuses on social and economic development, which addresses the unique needs of Manitobans—Manitoba's northern community. Over 300 faculty and staff provide education and services to 2,400 students.

\*(14:50)

After years of being financially starved as a result of the tuition freeze, having a three-year funding agreements established in legislation is a step in the right direction. The question remains what increases the government will be able to afford in the long term. The government's financial position is precarious right now, and if they continue to increase spending, run deficits and drive up our debt, then I fear this legislation won't be worth the paper which it is written on. Time will tell whether this ends up being a good deal for Manitoba's five universities.

In terms of tuition, at first blush, pegging tuition to the rate of inflation based on CPI seems to make sense. It could end being reasonable depending on how it's implemented. However, when you look more closely at the legislation, there are several unanswered questions. For instance, Mr. Speaker, what happens if, heaven forbid, we experience deflation? Will tuition fees go down? The minister hasn't answered that question. Conversely, what happens if we begin to experience larger interest-rate growth than we have had in recent years? Would double-digit inflation growth also mean double 'dishet'—double-digit tuition increases?

It's interesting that, as with so many other pieces of this NDP government's legislation, the government is doing something with this legislation

that other provinces do by way of policy. For some reason, this government believes they must legislate, legislate, legislate. In this case, other provinces, like Alberta and BC, adhere to the policy that they will peg tuition fees to inflation. In Ontario, they cap fees for non-professional faculties at 5 per cent.

I continue to question why the government felt the need to legislate this policy, unless they don't believe they could implement it any other way. I find it hard to believe that their Advanced Education Minister's relationship with Manitoba's universities is so soured that she couldn't implement this policy.

Now we see legislation that raises questions to which she isn't offering answers to. The legislation also contains the option per—for professional faculties to ask for exceptions to raise tuition above the rate of inflation. However, the bill doesn't define professional faculties. It leaves that to be done by regulation, which means that the impact of Bill 2 could be wider reaching than it first appears. Another example, Mr. Speaker, of details we will have to wait for. We may end up with just arts and science faculties being subjected to the NDP's election promise to peg tuition fee increases to the rate of inflation. By the time the council on post-secondary institutions defines professional faculties and hears exceptions from each of them, many, many students may be facing annual tuition fee increases above the rate of inflation.

Our caucus will be watching the implementation of this bill closely both for its impact on students but also on the universities themselves. Many students have voiced concerns about this legislation and have been left with unanswered questions despite the minister's boasting about the positive impact of this bill. The issue is that students are not fully aware of the financial effects that this bill will have, and, therefore, have a number of concerns. The Canadian Federation of Students and the University of Manitoba Students' Union students want predictability with respect to tuition fees for the duration of their university studies, but Bill 2 only addresses this issue in part. Depending on the program that a student is enrolled in, this bill may or may not apply to them, which causes a lot of confusion.

CFS and UMSU would also like to see some consistency between the tuition fees of Canadian and international students, but this bill does not address this issue. Will international student fees also be pegged to inflation?

Another issue that CFS and UMSU have raised is that this bill does not provide any cap or predictability on ancillary fees. Even during the decade that Manitoba saw tuition fees frozen, ancillary fees kept increasing as a way to circumvent the freeze, which is something that many students were not prepared for. While this bill is being presented as a way protect the affordability of tuition fees by pegging fees to inflation, many students' student groups assert that year-to-year inflation be quite unpredictable at times and could really hurt students and families during years that inflation is unexpectedly—unexpectedly high. Will there be any mechanism in place to protect students in these situations?

Clearly, there's a lot of confusion about whether this bill were—will actually protect the affordability of tuition fees or not. In addition, this bill leaves a lot of questions posed by student groups unanswered. I know that both CFS and UMSU are registered to be speaking in committee, so I look forward to hearing about their concerns in person.

Mr. Speaker, all of our universities strive to achieve year-after-year enrolment growth. Most have been successful in the last couple of years at growing their student population. I fear after last year's 'debilitating' strike, Brandon University will be looking at declining enrolment next year. During Estimates, the minister was unable to answer the question on how enrolment and applications were going so far at Brandon University. She continued to say how Brandon University is business as usual.

As a past guidance counsellor, I can't imagine what is going on in students' heads in light of the dated June 1st media report. On June 1st, 2012, CKLQ radio in Brandon were talking about after 35 years Brandon University's Northern Teachers Education Program was shut down, as of June 30th. Fourteen employees are affected, four professors will go to UNC, while some are retiring. For those who will be unemployed, a severance package will be provided. The Brandon University Northern Teachers Education Program will be shut down as of June 30th. This media report was dated June 1st, 2012.

What about the students, Mr. Speaker? It'd be interesting to hear if and how much consultation took place before this decision was made. Were the students contacted who had applied or is this another incident where the minister's department feels it will just disappear or solve itself? I don't see anything in

this bill that will expressly help universities attract more students. I don't see anything in this bill that will get more students into classrooms and, ultimately, into Manitoba's workforce. While the ideas have some merit, I'm not sure legislation is the answer to every issue. In this case, legislation has raised concerns among student groups. I'm sure the minister does not want to see Québec-style protracted students' protests over her plan to peg tuition increases to the rate of inflation. I hope we're not headed there either.

I hope that the minister's door is open to Manitoba students' groups, who, I know, have concerns and questions about this bill. I hope they don't feel like they have no other choice with this government but to take to the streets. While I have nothing against peaceful protest, I believe there are more constructive ways to pursue conflict resolution first. So time will tell whether that's where we're headed in Manitoba.

I certainly look forward to committee on this bill, and hearing the minister's responses to students who'll be raising questions about this bill and sharing their concerns.

Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, I want to comment on Bill 2, The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended).

I think it is interesting that right off that the title—Protecting Affordability for University Students Act—will address I think it is something like 48 per cent of the post-secondary education students, but leave something like 52 per cent of the post-secondary education students unprotected because they are in professional faculties, they are international students or they are in colleges or they are in the colleges—college activities associated with universities. So the reality to start with and the promise of this bill are clearly at some difference.

Let me comment on a couple of things. Interestingly enough, the proposal to have tuition freeze increase at the rate of inflation has been a Liberal approach for many years and this one that we believe is a reasonable one, it provides a situation where students are protected from high levels of tuition free increases, and that it means that the tuition fees can be kept at a reasonably affordable level. The problem, however, are severalfold with this particular section of the act.

\* (15:00)

First of all, that it doesn't include all students, that the international students are not included. Why are they not included? Does the government feel that it's not important to consider international students as well? There's no explanation for why international students are not included. Professional students in professional programs are not included. Let's leave it out as to the lack of a very clear definition of professional programs under this act, and we'll wait and see what all programs may be included or not included, but, nevertheless, professional programs are not included.

Colleges are not included. It is an interesting fact that when we look at college students, that, in general, colleges have continued to receive funding increases lower than those received by universities, and yet their student fees are protected less than university students. The interesting paradox of the way that things are working under the NDP.

This certainly could have been more comprehensive in the application of this tuition fee mandate, but the reality is that it only covers some 47.3 per cent of post-secondary education students and it leaves out 52.7 per cent of post-secondary education students—who are not covered by this legislation. Furthermore, when we're looking at this increase in tuition fees, it is interesting that the act doesn't actually mandate, doesn't require the universities to not increase more than the rate of inflation. But what the act does, the act basically says that where a university increases fees more than the rate of inflation, that the money that the university gets from those increased tuition fees will have to be contributed or paid back, I believe, to the government.

And so this is an odd way to work this. It would seem more logical just to mandate the legal requirement, that the tuition fee does not increase more than the rate of inflation, rather than to take this approach where the government could—will allow universities to raise tuition fees at a—greater than inflation, but will then clawback the dollars raised.

I think that the promise or the delivery of what is promised here, is actually quite different from what the NDP are trying to give the impression. And that is, they are trying to give the impression that everywhere increases in tuition fees will not be more than the rate of inflation when, in fact, more than half the students will not be covered by this legislation.



Secondary of that, I want to talk a little bit about is the importance of funding universities adequately and the importance of having multi-year budgets and plans for funding of universities. Now, this is a position that the Liberal Party has believed strongly in for quite some time. But, when you look at the way that this is being approached in the current legislation, that the government, under Bill 2, is committed not every year to provide a three-year budget plan for the revenue to be provided to post-secondary education institutions, but it only commits the government to create a three-year funding projection for every third budget.

This is, quite frankly, an odd way to do this. It doesn't achieve the objective of being able to have an ongoing three-year plan so that each year the government tables a budget with what will be provided to the universities not only in the budget year, but in the next two years.

That approach would definitely provide for much greater certainty on the behalf of universities and colleges, but it would also allow much better planning and budgeting by post-secondary education institutions and it would also allow the Province to be able to plan, budget ahead of time, considering that post-secondary education is probably one of the most important areas covered by provinces. Certainly, it is absolutely critical in today's world that we have the support for very high quality institutions and for assuring that people from—students from Manitoba can able to be afford to go to post-secondary education institutions.

So I think that the problem here is that the bill sounds as if it's going to create a rolling three-year budgeting framework, but, in fact, it does this only every third year, and this is really a far cry from what is really necessary.

It also, you know, is interesting that the budget projections, there's no assurance that the government will actually keep to those budget predictions and so it's not clear that this will actually provide the solid, forward-thinking framework that universities and colleges need for planning. I think that the solid, rolling, three-year budget so that the universities and colleges know when they're going to—what they're going to have for the next three years and they can plan properly is what's needed.

But to have budgetary projections which the government then cannot follow, this clearly creates a potential for major problems. And I think that one can compare this, for example, to the situation that

we have had with transfers from the federal government, equalization transfers. There were, for many years—it wasn't until virtually the last minute that the provincial government knew what was going to be coming in terms of equalizations transfers. And then under Jean Chrétien and Paul Martin's governments, the change was made so that the equalization dollars were known with much greater certainty for several years into the future, and that has allowed provinces to plan much better and has certainly been a big help to Manitoba.

And, certainly, when we're looking at post-secondary education, which has got to be one of the most critical areas for provincial funding, that this is something that should be done in this area at a provincial level to make sure that colleges and universities can plan well, that we're not finding ourselves in situations as, for example, happened this year where you had some post-secondary education institutions which were not able to keep on people who were vital to some of their programs because of the amount of funding that was provided and the amount of tuition fees, of course, that were allowed.

So this bill, although certain aspects of it and maybe the concept of it, of the direction is not unreasonable. There are some major problems with it. And one of the issues in terms of the budgetary projections or the budgetary revenue being provided by the Province to universities is this: that there's nothing in here to provide any assurance whatsoever that the amount of money provided by the Province to post-secondary education institutions is going to be adequate or sufficient for them to provide the highest possible quality of post-secondary education.

\* (15:10)

I mean, I think that, you know, it is worthwhile also adding that some post-secondary education institutions are in, you know, particular circumstances. The University of Winnipeg, for example, has had a relatively higher increase in enrolment in the number of students, and yet the amount of the grant that the University of Winnipeg gets depends primarily on historic value, which is based on a historic number of students. And the value of the grants to the university, like University of Winnipeg, doesn't necessarily 'reflect' that there has been a dramatic increase in the number of students. And therefore, it, in essence, penalizes the University of Winnipeg for doing well and being able to operate in a way that it attracts lots more students.

And I think that one of the things that is wrong is to penalize a university or college, which does very well in attracting students. That the funding formula should work so that post-secondary education institutions are supported in their efforts, which attract greater numbers of students from Manitoba, or, indeed, from elsewhere. And so that instead of, you know, in essence, providing the sort of positive feedback for achieving excellence, this government has been providing negative feedback for achieving excellence by not recognizing that those post-secondary education institutions do better, which do better.

I think it's also true that there needs to be some look at the unique circumstances of certain institutions. Brandon University, as we all know, found itself in a very difficult position this year. There was a strike and a lot of students, you know, were found themselves not being able to attend classes for quite some time. Some students dropped out. Some students had been in this circumstance for two years now, once several years ago, and then again this last semester. And so I think that one of the things that we need to make sure is that there are not, you know, particular needs for individual student-universities, which are not being looked at adequately.

I think that one of the areas, which I hear repeatedly from people at post-secondary education institutions, is a concern over the handling of pensions, how these are legislated, and, essentially, what is a requirement when the—you know, because pension funds are invested. You know, when the funds, which are invested, you know, are doing well and getting a strong return as the market does well, that the university can be doing well and seem to have an excess in the pension. But then, when the markets are not doing so well, universities get themselves—and it's not through, necessarily, any particular fault of their own, they get themselves into a circumstance where there is less revenue coming in and the money invested for pension plans. And so the universities or colleges are required to put up additional money, and, essentially, to limit their provision of courses or other activities in order to be able to cover adequately the pension funds because of the way that things are restricted or covered.

Now, I think it is a tribute to all our post-secondary education institutions for the areas where each one of them have excelled. The University of Manitoba has developed a record of excellence in a number of areas, which are very important to our

province, as has the University of Winnipeg and Brandon University. University College of the North is coming along, has unique circumstances and requirements as well, and, you know, it's not entirely clear that the approach to funding is going to adequately serve well people in the north. Or, indeed, one of the things that needs to happen is for people in the north that the University College of the North can work well with the other universities and colleges to be able to enhance programs for people in northern Manitoba. So that there doesn't have to be complete duplication of everything, but the University College of the North can excel in certain areas which are particularly important to the north, things like mining, reclamation of mines, areas which are important in particular areas, for example, of health care, areas of economic growth, of resource management and so on.

I think that the—we know, also, that the Mennonite university, the Assiniboine College, the Red River College are all making major contributions to our province and it's important that as we move forward that we're providing a framework that all of these institutions are going to be able to do well.

And, indeed, I think that this bill, although there are some interesting aspects of it, certainly has some limitations. It's going to be very important to hear from the various representatives of colleges and universities, as well as to hear from students about the approach that they believe—in changes to this act which they believe are going to be needed.

Certainly, I've received representation from students, particularly at the University of Manitoba and the University of Winnipeg, with respect to this bill, and they have emphasized many of the things that I've already talked about that there are—although there may be some concepts here that are good, there are certainly some problems, as I have pointed out, in both the major areas of support for—relative to the amount of tuition fee increases and, at the same time, support for universities.

I think it's vital, absolutely vital, in a time when the government is moving to—and we've gone through a period when there have been tuition freezes. It's vital that the government is recognizing that the—and the government does recognize that the amount of direct grants to universities and colleges is certainly providing some limiting ability for the post-secondary education institutions to produce the excellence of programming that is so badly needed.

I think we—I should mention just a couple of things about the problem that we still have in our province of not a high enough proportion of our young people attending post-secondary education institutions. We have a lower graduation rate than—from high school than almost every other province in Canada. We clearly need to bring that up and we clearly need to pay attention in particular areas: ensuring that the number of Aboriginal students who are graduating from high school increases and the number of Aboriginal students who attend post-secondary education increases are examples.

New immigrants who have come as refugees, in particular, and are in a position where affording attending university is critical, that there needs to be some recognition of that and some ability to provide enhanced support in this area.

In our—in the last election we proposed several measures that would have been particularly important in helping students. Instead of delaying the rebates for tuition fees, as the current government is doing, moving those rebates up so that the students get the money when they actually need it. We have been strong supporters of the efforts like the opportunities for youth program that's being provided at the University of Winnipeg, and that that program is vital in terms of being able to provide the support and funding, particularly for Aboriginal and disadvantaged students, and is something that we believe can be in conjunction with other universities and colleges, in a much more effective and larger way, to help students around the province.

\* (15:20)

We also see that students should be supported in their efforts to get a U-Pass or a pass for transit at reasonable dollar figures, so that students can be encouraged to use transit and enabled to use transit to allow them to cover some of the ancillary costs, in this case, related to transportation, more easily.

We also addressed some issues around housing, making sure that students who are attending in residence have the kind of support for their housing needs that they should have.

Mr. Speaker, you know, I've outlined the Liberal position and talked about the positive and the negative aspects of this legislation, and I now await the comments that are being—or will be made, at the committee stage, by people from all walks of life, but particularly from students, and representing the post-secondary education institutions. Thank you.

**Mr. Reg Helwer (Brandon West):** Mr. Speaker, I'm pleased to rise to speak on this bill. It seems to be an interesting piece of legislation. I'm really not entirely certain why it needs to be legislation. Obviously, we had a tuition freeze here in the last little bit and that seemed to work for the government. It didn't necessarily work all the way across for the universities but, you know, that—well, that—yes, we'll never know what the real story is there anyway. It's probably something that, I believe, could be happening just outside of legislation, as has been done in the past.

I don't see a role for the board for governors to play at the universities here and I am a little concerned about that. What is the role of the board in this new type of legislation? They are responsible for setting tuition and that is one of the things that they can do and will do.

So, you know, you can—certainly, the board will listen to the minister, I'm sure, at all the universities, and is able to be recommended from the minister, which direction they should go. Obviously, they've had some controls there in the past but, again, the question is what is the role of the board; if you're setting legislation in place here to control tuition, then taking something away from board and maybe they lose some responsibilities along the way there.

Interesting, I think, in here, that it's talking about professional versus non-professional departments and that this applies to the non-professional departments, the ones that don't end up with a designation, like nursing or education, medicine, that type of thing. Those ones, apparently, are exempt from this type of—or can apply to be exempt from this. So the boards can, I guess, increase tuitions as they need to, in those particular departments.

And, you know, I have been through board budgeting processes. I was on the board of governors of Brandon University twice, in fact, once as the student union president and once as an appointee.

So I have seen the budgeting process. It's not necessarily an attractive one but there is money that, you know, moves back and forth between particular departments. And there may be a concern there that, you know, you could ramp up the fees in professional departments and if, you know, you can move some across to, maybe, the non-professional ones, to keep it even, so that if you need those increases above the rate of inflation in particular departments, you might move it from another one.

So those are all questions, I guess, will have to come out, perhaps, in the regulations. How will all this, in fact, take place? The regulations will probably be key to this particular legislation and how it would fall into place.

You know, the three universities, I guess, mainly are the ones that it's going to apply to, Brandon University, the University of Winnipeg and the University of Manitoba. The other ones seem to be exempt from it. The university north and university St. Boniface is apparently exempt from this legislation, from what I seen here, and, of course, The Mennonite College Federation Act will be exempt, is what they say, as well.

So, perhaps some, you know, unevenness in how it might be applied. Certainly, we look at tuition fees across the board; it has been an interesting process in Manitoba, how that has gone across. We're certainly not the highest; we're not lowest in Canada. We look to the United States and some of them are much higher; some of them, you know, there's ways that you can make it low.

I certainly worked my way through university and I'm sure, probably, people might be surprised that I did, indeed, have to borrow money to get through Brandon University. I worked my way through university, not only in class, but—and I paid as well, where I did earn my own tuition and pay for it, but, again, had to borrow to get through the end of the year, like many students in Manitoba and elsewhere and when attending university in the United States. Obviously, the cost of tuition was much higher, but, again, there's ways to make it through. You work for a professor there, you get a way to maybe pay in-state tuition or find something along the way, that your tuition may be covered by an employer or other things. So there are ways to get through the process.

And I think it was mentioned earlier, when we look to some of the other institutions, we are—you are, of course, looking at 20, 30, 50 thousand dollars in tuition, which is certainly prohibitive for anyone, and I don't believe we want to get to that level at all in Manitoba where we have a much more open environment here on how we move people through our institutions. So it's an interesting piece of legislation.

The regulations will probably be key on how this legislation will be enacted and, I guess, a big concern there on the role that I see for the university boards moving forward for this legislation and what their

role will be, because it does seem to be removing some of their role in the environment of universities.

Thank you, Mr. Speaker.

**Mr. Speaker:** Any further debate on Bill 2? Seeing none, is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** Question before the House is Bill 2, The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended).

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

We'll now proceed with Bill 38.

Sorry, the honourable Government House Leader.

### House Business

**Hon. Jennifer Howard (Government House Leader):** On House business, could you please canvass the House for agreement to waive the 48-hours' notice requirement for committee consideration of Bill 2?

**Mr. Speaker:** Is there leave of the House to waive the 48-hour notice required for committee consideration of Bill 2? *[Agreed]*

**Ms. Howard:** Thank you, Mr. Speaker, and I'd like to thank all members of the House for that.

I would therefore like to announce that the Standing Committee on Human Resources will meet on Wednesday, June 6th, at 6 p.m., to consider Bill 2, The Protecting Affordability for University Students Act, council on post-secondary education act amendment.

**Mr. Speaker:** It has been announced that the Standing Committee on Human Resources will meet on Wednesday, June the 6th, 2012, at 6 p.m., to consider Bill 2, The Protecting Affordability for University Students Act (Council on Post-Secondary Education Act Amended).

**Ms. Howard:** Yes, Mr. Speaker, on further House business. I'd like to announce that the Standing Committee on Private Bills will meet on Monday, June 11th, 2012, at 10 a.m., to consider Bill 208, The Remembrance Day Awareness Act and Amendments to the Public Schools Act; Bill 212, The Apprenticeship Recognition Act; Bill 300, The Jewish Child and Family Service Incorporation Act;

and Bill 301, The Young Men's Christian Association of Brandon Incorporation Amendment Act.

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**Ms. Howard:** Yes, Mr. Speaker, I'd also like to announce that the Standing Committee on Legislative Affairs will meet on Friday, June 8th, 2012, at 10 a.m., to consider the following reports: the Annual Report of the Children's Advocate for the fiscal years ending March 31st, 2009, and March 31st, 2010, combined report; Annual Report of the Children's Advocate for the fiscal year ending March 31st, 2011.

**Mr. Speaker:** It has been announced that the Standing Committee on Legislative Affairs will be done Friday, June the 8th, 2012, at 10 a.m., to consider the following reports: the Annual Report of the Children's Advocate for the fiscal years ending March 31st, 2009, and March 31st, 2010, combined report; and the Annual Report of the Children's Advocate for the fiscal year ending March 31st, 2011.

We'll now proceed with Bill 38, The Statutes Correction and Minor Amendments Act, 2012.

\*(15:30)

**Bill 38—The Statutes Correction and Minor Amendments Act, 2012**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the minister of family services and housing, that Bill 38, The Statutes Correction and Minor Amendments Act, 2012; Loi corrective de 2012, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** This bill is presented primarily to correct minor drafting, typographical and translation errors for the statutes of Manitoba.

I do want to bring one amendment in the bill to the attention of honourable members. This bill contains an amendment to The Child and Family Services Act, which would enable masters of the Court of Queen's Bench to terminate permanent orders of guardianship with the consent of all interested parties which would include the parents of the children in question. Currently, although both judges and masters can make these types of orders with the consent of the parties, at present only a judge and not a master can terminate orders of permanent guardianship. That is so even if the agency that has guardianship of the child and the parents' consent to the termination of the guardianship order. This amendment would correct an inconsistency in the act and should help to reduce delays in the court process.

If there are particular questions or any clarification sought by members on the numerous statutes that are being amended by this bill, I'd be pleased to discuss the bill with them and, in any event, at committee stage.

Thank you, Mr. Speaker.

**Mrs. Mavis Taillieu (Morris):** I move, seconded by the member for Arthur-Virden (Mr. Maguire), that debate now be adjourned.

*Motion agreed to.*

**Mr. Speaker:** We'll now proceed with Bill 25, the groundwater and well water and related amendments act.

**Bill 25—The Groundwater and Water Well and Related Amendments Act**

**Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship):** I move, seconded by the Minister of Finance (Mr. Struthers), that Bill 25, The Groundwater and Water Well and Related Amendments Act, be now read a second time and be referred to a committee of this House.

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

**Mr. Speaker:** It's been moved by the honourable Minister of Conservation and Water Stewardship, seconded by the honourable Minister of Finance, that Bill 25, the groundwater and well water and related amendments act, be now read for a second time and be referred to a committee of this House.

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

**Mr. Mackintosh:** Mr. Speaker, we often don't think of the water we can't see, and that's the water below the ground. Over 25 per cent of Manitobans, though, which is more than 300,000 people, rely on groundwater every day to meet their needs for a variety of uses. Many industries are also viable here because of our significant water resources. More than 1,500 water wells, I understand, are drilled in Manitoba each year, tapping into our precious underground wealth.

We also know that while groundwater quality in Manitoba is typically good, we do see exceedances of drinking water quality guidelines in some private water wells. Work done by my department over the years suggests that some wells, particularly large-diameter wells and—shallower wells, can exceed water quality guidelines for such contaminants as total coliform, E. coli, and nitrate. Exceedances also occur more often during heavy rains and flooding that cause overland flow into poorly constructed, poorly maintained or poorly sealed wells.

Historically, some exceedances also occur due to poorly constructed and maintained septic systems that provided a source of contamination for wells in close proximity. In some cases, water quality guidelines are exceeded as often as 43 per cent of wells. This issue is not, of course, unique to Manitoba, but I want to take strong steps today to reduce the incidence, the risk of groundwater contamination in Manitoba.

And so, Mr. Speaker, we have announced a new eight-point strategy to protect aquifers, groundwater and those, indeed, who rely on well water. That eight-point strategy was set out on the day we announced the introduction of this bill and it is to be put in place by 2014.

The Province's original legislation which, of course, comprises the strategy that is there to protect groundwater, is The Ground Water and Water Well Act, and it was first proclaimed almost 50 years ago. So while it's had summed up—updates since then and this new act before the House will ensure the continued safety of our groundwater resources for the future.

There have been many changes on how we do things and what we value over the last half a century. The new proposed act deals with a number of issues not currently included in the law or where strengthening of legislation is needed to provide additional protection to groundwater and aquifers to

prevent future contamination and ensure safe water for drinking.

The bill proposes new and improved licensing and standards to protect groundwater and well owners, including updated standards for well construction and new standards for the sealing of wells. For the first time in Manitoba, new certification requirements are proposed for well drillers and sealers, including those drilling water wells and geothermal wells. The bill also proposes measures to enable the development of a certification program for well hookups and pump installers. For the first time in this province, the bill also proposes new measures that require wells to be protected from flooding.

The new act would set out a formalized process for establishing aquifer management plans, for the management, protection and sustainable use of aquifers. The new formalized process is similar to successful measures in place for surface water under The Water Protection Act. Mr. Speaker, the act not only promotes conservation and protection of groundwater areas, it also engages all Manitobans. The act commits the government and future governments to engage in consultation with Manitobans in the development of supporting regulations that will be an important part of the statutory regime.

In addition to water supply wells, the legislation will apply to wells constructed to serve the geothermal industry, as I noted earlier, for geotechnical wells to serve the construction industry and for monitoring wells. With the growth of earth energy systems, adequate groundwater protection measures are required for geothermal wells constructed into aquifers in particular.

I am very pleased that the Manitoba Water Well Association and the Manitoba Geothermal Energy Alliance are supportive of the direction proposed by the government in the bill and the strategy. We have consulted with these two associations and others in March and April of 2012 and, in general, feedback was very positive. Most commentators agreed that there was a need for stronger legislation to protect our valuable groundwater resources. And I note, Mr. Speaker, that there are some issues that have been advanced. And many of them will, of course, necessarily be dealt with in the course of the consultations leading to the promulgation of regulation.

I would add, in conclusion, Mr. Speaker, that the proposed act being introduced today will work in combination with previously introduced regulations for sewage disposal, introduced in 2009, to better protect well water from potential sources of contamination.

I commend this bill to the House, Mr. Speaker.

**Mr. Ian Wishart (Portage la Prairie):** Mr. Speaker, I'm pleased to rise and put some words on the record about Bill 25, The Groundwater and Water Well and Related Amendments Act.

Manitobans are quite reliant on water wells and, as the minister has indicated, over one-quarter of the population uses them on a daily basis, and an excess of 1,500 new wells are drilled in a—on—drilled in the province annually. Not to mention, there are literally hundreds of thousands of old wells scattered across the province, many of them more than a century old.

Bill 25 is much more detailed legislation that replaces the existing groundwater and well act that dates back to the early '60s, as the minister has mentioned. And certainly there's a need to update legislation that is that old, particularly with the rapid changes in technology that we have seen.

There has been really only limited changes to the original legislation, making some of the provisions that are existing really very dated. Additionally, as I mentioned, significant technological advances in the area of well drilling, as well as the emergence of the geothermal industry, when you think back, even in the 1960s the most common method of locating a well on the average farm operation, for instance, was actually to hire someone to come in and witch the well, which is technology that is long since gone from the community. And these days we use much more—much better technology, using resident imaging and technologies more along the line of the oil industry.

All these factors lead the government to review the legislation to come forward with some proposed amendments. And some of the key components of Bill 25 include imposing—improved licensing and standards to protect groundwater and well owners; certification requirements for well drillers and sealers; development of a certification program for well hookups and pump installers, and a formal process for aquifer management planning.

\* (15:40)

With respect to the licensing provision, the proposed amendments in Bill 25 will require all well drilling contractors to be licensed, and most these days are, in fact, certified already through existing national systems. Individual well drillers and sealers will be required to be certified, including those drilling water wells and geothermal wells.

However, Bill 25 does provide for a couple of exclusions from the licensing and certification requirements. For example, property owners who construct domestic wells with their own equipment on their own property will not be required to have licences or certification. Any producers will be able to dig wells on their own agricultural operations, provided they do not remove more than 25,000 litres of water per day. Similarly, the provisions of Bill 25 do not apply to a well or test hole to which The Mines and Minerals Act applies, or a well or test hole to which The Oil and Gas Act applies.

Bill 25 will allow for regulations to be developed respecting the certification of installers of equipment related to wells and respecting the installation of pumps and related equipment used to obtain water from a well in a test hole.

Updating the licensing and certification requirements to a more uniform standard is a very sensible move. It is our understanding that many of the province's well drillers are already following the certification requirements of the Canadian groundwaters association, as promoted by the Manitoba well association, so for many existing businesses that are out there, there really is no additional need to pass legislation, but they are prepared to accept and work within it.

One thing we're always concerned about is the increased cost of any registration, because it—if it costs significantly more to register a well in the process, or to be licensed to do that, they have a tendency in the industry to pass that on to the individual involved. So we certainly need to be aware that these costs do not add dramatically to the cost of drilling wells, which is not a cheap option for many rural areas.

In regard to well construction, Bill 25 will allow for regulations to be made regarding setback distances from other structures, boundaries and source of contamination. And that is both a pro and a con, Mr. Speaker, because certainly we recognize that the most common form of contamination for a well—there's actually a rule of thumb used in the industry—90 per cent of contamination comes from—

to a well from within a hundred feet. So, certainly, you look for that source within the hundred feet. So setbacks from building which are potential sources of contamination are certainly something we would like to see looked at and considered in the future, but, at the same time, we need to be very aware that wells have to be in the proximity that they're needed, so you need to look at proper location and not try and put in rules that create unreasonable distances, because if you're trenching in the lines, which is almost always the case—that it comes at a significant cost and in some cases can be a significant problem if there happens to be other mineral deposits in the area that can create not only sources of potential contamination but barriers.

It is important to note that hookup points between drilled wells and the water system can be areas of great potential concern. The minister made reference to that that we need a certification process to do that. The hookup process is the most common source where any contaminant will get into the system, so, certainly, particular attention needs to be paid to that—make sure—and that would not only be not only the well driller, but the local contractor that is doing the plumbing or whatever, or even the private individual, in certain cases, might be in that—a position to do that. So we need a lot of attention pays to that, and I would encourage the minister to do an awful lot of consultation in the process, because any regulations that are put in place there need to be practical and work in a field situation. This is something that cannot necessarily be done from a theoretical point of view. The ability to actually do these hookups and know how to do them properly is an in-field developed talent, and certainly people would need to be very aware and work in a consultative manner, so we would hope that you would consult to get a good set of regulations that are practical and applicable.

Bill 25 also deals with the potential for finding contamination during the construction or sealing of the well. In section 30, there's a reference to odour from groundwater indicating contamination. And there is concerns about this, because actually there are a number of groundwater sources in the province that come, quite naturally, with quite a bit of odour associated with them. It does not necessarily mean they are unusable sources. Certainly, they need additional adjustments made in terms of filters so that they can be used as a potable water source, but in many cases they can be used directly for non-potable water uses whether it be a small scale

irrigation, or a vegetable washing line certainly meets the requirements to do that. So the issue of just odour alone seems like a bit of a red flag and, further, there's discussion more about the—in same—section 30 about discoloured water.

Well, an awful lot of groundwater in Manitoba, frankly, is discoloured, particularly shallow wells as the minister had made a reference to that come from the sand aquifers that underlie a great deal of southern Manitoba. They often contain very high levels of iron or iron oxides and are quite visibly discoloured, yet, with proper filtering they are actually a very good source of water. So that alone is not enough to indicate that there actually is a problem. So we certainly would encourage the ministry to take into consideration those two issues when putting in the regulation; make sure that colour or odour alone are not enough of a red flag to have them rejected as a water source.

Proposed amendments in Bill 25 also include updated standards for well construction as part of the efforts to protect groundwater and aquifers. And the minister made reference to the fact that flooding is very often an issue, and we certainly need to protect wells from that. And, at the same time, aquifers that water is drawn from when flooding is an issue, that's a potential source of contamination to those aquifers. So that is something that needs to be considered as part of them.

There will be new standards for protecting wells from flooding. The bill will contain definitions with respect to the designated flood areas as defined in The Water Resources Administration Act. And I would certainly encourage the minister to have a really good look at whether or not the designated flood areas have been updated because, as the minister knows, a number of areas in the province have been protected from flooding—overland flooding by other structures, whether they be water storages or diking or diversions. And I know from past experience in the Red River Valley that, in fact, the map for potential flooded areas had actually not been updated and still contained areas that were now protected by flood-control structures, so we certainly need to pay attention to that.

Bill 25 provides for new standards for sealing wells and it is important to note there a number of groups currently involved in sealing abandoned wells in Manitoba. This is very valuable work frequently done by the conservation districts or associated groups, and they need to be in a position where they



will qualify to do this process of sealing. Certainly, they may need some additional training. There doesn't currently appear to be a national training process for the sealing of wells, so I suspect that you're going to have to look at developing one and I hope that that's done in a very practical manner.

Certainly, in areas where there are shallow wells, the sealing process is very easy, very straightforward. But narrow diameter deep wells, which do include a lot of Manitoba, it's a much more difficult process to do the sealing properly, so we want to be sure that we know how to do these and get them sealed. Certainly, it's to our advantage in terms of reducing the risk of aquifer contamination to have these things sealed as often as possible. Many of them have, frankly, been abandoned over the years because there was a time when every quarter section in the province had—probably had a well on it because it certainly had a homestead on it, and that would mean that, by definition, we have a minimum of over 700,000 abandoned wells out there, somewhere, that need to be dealt with, and that's a huge number and a huge potential source of contamination.

Bill 25 provides provisions for a public registry of groundwater information which will include copies of permits issued and a listing of all wells and test holes declared to be contaminated or declared to be abandoned wells. Well, certainly the one that's out there right now is useful, having used it myself, in fact, to determine where well locations were on a piece of property that we had purchased and, in fact, we found on one quarter section a registered list of seven wells that had been drilled over the period of time somewhere back 100 years or so. We did find some of them. Some of them had disappeared and obviously long since either been sealed inappropriately or just abandoned and unable to be reclaimed in any way. But it did provide us with a list and an opportunity to go in and seal those wells and reduce the risk to the aquifer, and allowed us, actually, a little bit of information that we were able to use along with new technology to locate a much better water source than what obviously had been the case in the past.

\*(15:50)

Any time you find a farmyard or a quarter section with seven well sites, you can be pretty suspicious that they never did find their water and that was the case. They had never found a good water source, but there was actually good water

sources available on that property. You simply had to look a little further to find them.

And that registry information was an important component in doing that. So I would certainly encourage the ministry to not only update that but to be it as comprehensive as possible and put it in a form that was more workable because we were stuck using hard paper copy back 15 years ago, and certainly technology has moved well past that.

The public registry will also contain copies of well construction and sealing orders, which I think is necessary, as well as copies of each aquifer management plan approved by the minister. However, this information—having this information more readily available to well owners, drillers, and sealers will be a useful tool, as I had indicated.

Mr. Speaker, an up-to-date, electronic, public registry would be a very valuable resource moving forward when it comes to protecting our groundwater and aquifer resources. During the bill briefing, the minister indicated he hoped the registry would be operational by 2014, and we hope that goal can be met. As I indicated earlier, it's a very useful tool if used in the right way.

With Bill 25, definition of a well will be updated substantially and now includes references to test wells, monitoring wells, production wells, dewatering wells, flowing artesian wells, and geotechnical wells, and injection wells.

Now we all know that the number of holes going in in many of these sites has certainly increased dramatically. These days, if you want to put in a hog—or a manure lagoon of any description, you need monitoring wells around that. In fact, if you're doing irrigation development, you very often have to put a number of monitoring wells in around them, and we certainly look at large numbers of them coming on stream.

Dewatering wells in some parts of the province are almost a necessity in any type of construction project because of high aquifer levels, and so I hope you put in a place that allows for some flexibility there because those things have to be put in, often, on a very short notice. Particularly, I know, in the city of Portage, they—when they have a sewer breakage or a waterline breakage, they have to put dewatering in before they can actually begin the repair process. So we certainly need to have something in place that can be very quickly put in place so that rules will not necessarily be broken.

The amendments also include specific definitions of closed- and open-loop geothermal wells, taking into account Manitoba's growing use of geothermal wells for heating and cooling. It's particularly important to pay attention to closed-loop geothermal when they're installed in areas that actually currently do contain aquifers, because, very often, there's preservatives put into those loops and that is a significant increase to the risk of that particular aquifer in terms of flooding. So we would certainly encourage the minister to pay a lot of attention to that and make sure that rules in place are adequate to deal with that.

And, in particularly related to those, it's actually the sealing the hookups that are usually the source of contamination. Very seldom, though it does happen, is a loop actually damaged by someone else's construction project. Shouldn't happen but it does. But it's very often leakage at the hookup points that actually leads to any potential source of contamination. So we certainly need to look at paying a great deal of attention to that.

Minister, by regulation, may designate certain geographic areas containing one or more aquifers as—or portions of aquifers as aquifer management zones and specify their boundaries. Now, as the minister indicated, we do understand quite a bit about water in this province. We understand a lot more about surface water than we do about groundwater. We do not know, by definition, where many of these aquifers are, how big they are in terms of their potential impact, and how much resource is actually there to use. We need to do an awful lot of work in terms of defining these, and I would certainly encourage the ministry to include the well drillers as part of this process. Their experience and the records that they have been keeping will be a very useful insight into defining some of these aquifers.

But you do need to fall back on the community development process and the integrated watershed management planning that many of the conservation districts are doing is a good first step. However, even they, very often, lack very much information on the aquifers that they're actually operating on top of. We have never done—there's a few in the province, such as the Carberry aquifer and the Winkler aquifer and the Oak Lake aquifer that are well defined and we know a fair little bit about them, but there are a great number that we actually know are there and we use to some degree as individual resources, but we very seldom know the exact extent nor their capability.

The minister will also have the authority to appoint aquifer planning authorities whose members would include the boards of the conservation district or planning district or a council—councillor of the municipality as well as others to work on the development of an aquifer management plan. And I would certainly encourage the minister to work very closely with these associations as they have the practical, hands-on, local information. Now, I know it is not all inclusive, and sometimes we're often very surprised when we do aquifer management. Having worked with the irrigators' association in the past to determine some of these aquifers and their extent and use for irrigation, we were all—been many cases very surprised at the extent of the resource that we did not know we had.

And so, certainly, any information that is out there you want to use, but we will have to go through a process of developing additional information. In the meantime, of course, we want to do what we can to protect the resource that is there.

The development of an aquifer management plan has already been undertaken in some parts of Manitoba, as I mentioned, as part of the watershed management plans, but certainly not complete. Across the province, I believe roughly half of the integrated watershed management plans are actually at work in terms of being developed, and many of the rest are only nicely initiated. So we've got an awful long way to go.

Development of these types of plans does make considerable time and—take considerable time and technical resources, and we will request the Province examine ways that can be supportive in this process.

Additionally, it would be valuable to seek the input of the well drillers in the development of these plans.

With respect to the issue of flowing artesian wells or test holes, drillers and sealers have raised questions about the liability that they may be able to come, or whether it's the owner of the property that has the liability with the driller or the sealer. There's certainly nothing out there right now for many of the well drillers in terms of insurance that will allow them to protect themselves against the risk of a flowing artesian well. We know these are relatively rare, but they do occur; and, when they do occur, they're a great deal—they're very expensive and a great deal of difficulty to get properly resealed.

So we certainly need to look at whose liability that is and how it must be dealt with, whether reporting alone is enough or whether we actually—an action plan must be taken to deal with the sealing of these artesian wells. Also have questions as to whether it's even possible to secure the liability insurance.

I'd like to recognize the Department of Conservation and Water Stewardship did take—did do the consultation document, did issue a consultation document this March on the proposed changes to The Ground Water and Water Well Act, and I know from our briefing with the ministry, that we did—they did have 19 written comments and had support from the well drillers and the Manitoba Geothermal Energy Alliance in moving forward on this legislation.

We hope the industry and other stakeholders' feedback will be useful in drafting this legislation. Bill 25 contains substantial provisions with respect to regulation making. We strongly encourage the minister and his department to continue to consult with well drillers and sealers, the geothermal industry and other stakeholders in the development of the regulations. We recognize, of course, that these—this type of industry is very hands on, and practical experience in trying to make the regulations work in this field are very important. So I would encourage the minister to talk to them and try get as practical a process put in place as possible.

Licensing and certification fees will apply to the well drillers and sealers, and we look forward to the minister's providing this information. As I said earlier, any heavy additional increase in the fees will have to be passed on to the people actually paying for the process, and that will add significantly to the cost of drilling some of these wells. And, frankly, knowing from practical experience, this is not a cheap process to begin with. So, certainly, we don't add—want to add in any way to the cost.

We are also looking for information on ongoing educational and training updates those in the industry will be required to take to maintain their licensing or certification as well as the associated costs for this.

In closing, we appreciate the opportunity to put some comments on record about Bill 25. It's essential that we protect our groundwater resources for the future. We look forward to seeing Bill 25 go to committee and soliciting additional stakeholder feedback, and thank you for the opportunity to speak to Bill 25.

\* (16:00)

**Mr. Ralph Eichler (Lakeside):** I'm pleased to rise and put a few things on the record in regard to Bill 25. As you know, Mr. Speaker, a number of us living in rural Manitoba are affected by bill—by the water drillers and wells that take part in our particular ridings. In fact, as the minister said, and the member from Portage, in relying on rural water is really important for us, those in rural Manitoba and, of course, a number of us just outside the city of Winnipeg as well.

But I know that the minister and the member from Portage talked about the geomathernian—geothermal industry in Manitoba. In fact, I know this government was part of that, that helped to encourage geothermal industry within the province of Manitoba, and it's a great program. My concern is, in fact, I know the number of my constituents that put in these systems are now being punished by property taxes being increased on the cost of those products that they are using. So a \$20,000 geothermal program that they installed in a home is now taxable and will be taxable for now—property tax-wise, for the rest of the ownership of that house.

So, it's a great program but we—and we need to encourage it. So I'm going to encourage the minister to take a look at those initiatives. In fact, whenever we look at those amendments, in fact, the regulations, we want to try and make sure that we, in fact, encourage more geothermal as we move forward.

And I know that the licensing and standards protect groundwater and well owners is one that's really important, and we want to make sure that we continue to have safe water, of course, for all those within the province of Manitoba, and especially those that rely on wells for their source of water.

And I know in respect to the licensing and the proposed amendments that the well-drilling contractors will be licensed and, of course, that raises another red flag for me. And I want to put on the record that we don't want these fees to be so exorbitant that we're going to limit the number of well drillers because they have probably the best records that goes back in the history of this great province.

And I know that the last time this legislation was looked at was back in 1960, and there's been some minor changes but, certainly, we need to make sure

that we do keep the waters well protected, and the water well protected for those next generations to come.

And I know that we've had a great number of debates in regards to this in the House, and we're certainly supportive of this legislation. But we do want to make sure that the checks and balances are, in fact, in place. In fact, the other thing that I'm concerned about, and the legislation allows for this, is producers will be able to dig wells for their own agricultural operations provided they are not removing more than 25,000 litres of water per day.

My concern there is for those that would be retaining water for irrigation purposes to, in fact, make sure that that is not going to be put at any risk so that those that are storing water, because sometimes they will be taking out more than 25,000 litres of water per day.

The other one is the fish industry, and I know that from time to time whenever we clean those ponds or clean those holding tanks, we need to rely on that water to come out in a very timely manner. So sometimes that limit could exceed the 25,000, so I want to make sure that we do protect those as well.

And, in regards to the certification for the installers of the equipment, we do have to have the best minds when we come to put in these wells. And I know that in rural Manitoba—in fact, my well went just last year, and I know in past years we've had our water tables lowered because there wasn't enough groundwater for it to go back and re-establish those 'aquifers'. So I want to make sure that the next generation, in fact, does have the opportunity for good and safe drinking water. And by doing that, this legislation, I think, is going to go a long way.

But we do want to make sure that whenever these well drillers are consulted, and I know the minister did say they were, I would suggest, and I know the member from Portage did the same, these well drillers have so much knowledge when it comes to drilling wells. In fact, I know, talking to my own well drillers in my area—I happen to have three of them, so we're a bit blessed that way, but you go back in the records and ask them about a particular area, and I would—I'm always reluctant to put this in regulations, but the thing I'm really concerned about is these well drillers have so much information before a building site is established, we need to make sure that they can, in fact, have a building site there. Because I know the member from Portage talked about the Ouija stick going back. We found water,

but not necessarily the water that's palatable for drinking, water that's going to be there for us. And we just don't want a bunch of holes drilled around the province, because we do have a lot of information that's available from those well drillers. I want to, in fact, make sure that I encourage the minister to make sure that one of the well drillers, at least, will be on his committee that he talks about in regards to protecting the 'aquifer' for those that—on his committee that he's talking about. In fact, I believe it's something along the line of the new standards that's protecting wells in regards to the 'aquifers' that we move forward.

And the other thing that I want to put on the record in regard to flooding—for the flood protection level, we just know what we went through in 2011 in regards to the flood on Lake Manitoba. A number of those wells, in fact, I know a number of those wells, a lot of the wells had water from Lake Manitoba poured into them, through no fault of their own, and whenever we bring in legislation, we have to make sure we don't penalize those that already have wells, and if we do, we need to give them the compensation that's necessary in order to make them to come up to the standards that we need in regards to flood protection level. And so we need to make sure we cover that off as well.

In regards to the sealing of these wells which is also very important, and I know the member from Portage talked about it briefly as well. I know back in my area where it was homesteaded a number of years ago, there was a farm site on almost every quarter and a lot of those wells were abandoned, and I know, not that many years ago, the government brought in a program to help try and find those wells and have them sealed. So we'd want to make sure they're done right. We want to make sure they're done properly.

So we support the certification of those well drillers and those that are going to be sealing the wells that it be done in a way—this is going to be one that, in fact, will be there for the future generations to come.

Also in regards to the regulation for the geographic areas containing one or more 'aquifers' or portions of 'aquifers' as a 'aquifer' management zone and specify its boundaries. Now that, again, raises a red flag for me, because the first thing I can see in rural Manitoba, where we don't have access to rural water services, what can happen if we have a new subdivision that comes in, we want to be able to

make sure that, in fact, those people that are building on that site will have the opportunity to clean and palatable water, because if we drain that 'aquafier', we want to be able to make sure that it's going to be able to 'regenerate' itself in order to make sure that, in fact, there's water there for them and the next generation.

In fact, we went through this with one of our communities in my constituency, and we ended up putting in rural water, which is very expensive. I think we're going to see a trend to go to more and more of that. However, the cost to bring in rural water for a number of those small communities, and I know the boil water advisory has been out for a number of those with the heavy rainfalls we've had back in 2005, 2009, and, of course, in the early spring of 2011.

So we do want to make sure that, in fact, we have water for the next generation and, also, the last thing that I want to put on the record in regards to that is the consultation—and I know that when we talk about the well drillers and those that are going to be doing the work for the future in regards to this particular bill, Bill 25, that we do make sure we cover off. And we know the devil's going to be in the details, so we encourage the minister to work with those that are involved in the industry, and I know he's already had the legislation out and debated it with some of those, but when it comes to regulations, we have to make sure they're done in a way that's going to be sustainable for those future generations.

So, with that, Mr. Speaker, we look forward to seeing this bill to go to committee.

**Mr. Larry Maguire (Arthur-Virden):** It's my privilege, as well, to put some words on the record in regards to Bill 25, The Groundwater and Water Well and Related Amendments Act, as brought forward by the minister.

Mr. Speaker, I appreciate the opportunity of having been in on the briefing with the member from Portage la Prairie on this particular bill and to look at the improvements that we hope will accrue from this bill.

As indicated by the minister, this is a bill that affects thousands and thousands. In fact, I think there's 35,000 active wells in the province of Manitoba, Mr. Speaker. It's been said that 25 per cent of Manitobans rely on well water, and this is quite a proportion of our population that requires the use of well—of their sustenance and drinking water, and

water for other purposes from well sites. And I think it's particularly important to note that there's 1,500 new wells being drilled in Manitoba every year.

\* (16:10)

And I think it's also particularly important to point out that one of the comments, Mr. Speaker, is that this bill, I notice, does not apply to a well or test hole to which The Mines and Minerals Act applies, or a test hole—test or well that—to which The Oil and Gas Act applies. And that is, in speaking with those people, that it's because of the nature of the types of wells that they're drilling. And they're not water wells; they're not wells drilled for drinking or other purposes. They're wells drilled for diodes and to maintain the pipelines and used as grounds in the systems that they deal with.

Mr. Speaker, the groundwater act is certainly an important act that has been in place in Manitoba, as the minister said, from probably before he was born, I think—or maybe just before—maybe just after. And it's not uncommon to see improvements put into bills from time to time in these areas. This bill does, as been indicated by my colleagues, indicate that there's clearer certification processes put in place for those who are being certified to deal with well water drilling in the province of Manitoba, and for the area of geothermal as well for those areas. It provides a more uniform standard, and we applaud that particular part of the move to improve the certification process, so that we know that it's not just companies that are being certified, but the individuals—is the intent of this bill by the government. And we know that there is a more formal process here in dealing with water wells across Manitoba.

And, as has been mentioned by my colleague from Lakeside, when you're dealing with aquifers in regions of Manitoba—and I believe my colleague from Portage la Prairie raised the same concern, about management of the aquifers that we have in this province, Mr. Speaker—we know that there is a rejuvenation of those aquifers from Mother Nature, and it's very important to have rules in place that doesn't allow for the degradation of those particular sites. And, particularly, I'm thinking of the over usage of water out of those.

I know, when I live with the Dennis County [*phonetic*] people, in the area of the Oak Lake aquifer, that it's known—more commonly known, as it were—I come from, Mr. Speaker. We know that there

are other aquifer levels even below that in some other areas around the Pearson area. And I think that when we look at the 'waterfication' of our whole regions—I think that that 'waterfication' system and process is one of the most important that we can offer rural citizens as well as our urban neighbours, but particularly, in the long distances that it takes in some of our rural areas.

Water is a very important issue. And, having come from a farm myself, Mr. Speaker, and a farming background, I know how important that is, and I know how important of—having been a farm leader in Manitoba, in the prairies, in the past, before I got into the Legislature here, I know how important farmers deal with their land, how seriously they take the issues of care of their land, and care of their water, because they know that they are the stewards of that particular—those particular entities, and they do everything in their power to make sure that they aren't dealing with those in an inappropriate manner. And so we applaud the idea of this licensing and process.

*Mr. Tom Nevakshonoff, Deputy Speaker, in the Chair*

There are concerns that have been raised by my colleague from Lakeside—and I won't elaborate on those, Mr. Deputy Speaker—but I think it's important to say that the devil's always in the details. And, I encourage the minister to look carefully at a number of these areas before they proceed with it. But, when you're looking at the certification of the installers, or the installation of pumps and related equipment used to obtain water from wells or test holes, it's only good to have a clarification, and a clear indication, of a standard that will be put in place.

Mr. Deputy Speaker, the—this also deals with—Bill 25 also deals with those who are in the business of sealing wells, and there are those all over Manitoba. We have some good programs in conservation districts to deal with—through conservation districts, that many of the conservation districts in Manitoba deal with the filling in of old wells and the sealing off of some of the ones that we have. And I think that there are areas where these can be a—well, they need to be done properly, and I guess that's the clearest way of putting it, and this provides a clear process to be able to carry that forward.

The Manitoba Water Well Association and the Canadian Ground Water Association, Mr. Deputy Speaker, have felt that there is a certification requirement in these areas, and we certainly believe

that they have done good due diligence in regards to dealing with some of these issues as well.

And, Mr. Deputy Speaker, section 30 indicates contamination should be suspected if the water is visibly discoloured. One might wonder if there could be instances where the groundwater is clear yet could potentially be contaminated. So I think that, you know, we need to make sure that that testing process of these sites and wells is also carried forward as well.

Mr. Deputy Speaker, I guess I wanted to say that, as we move forward, to have a public registry on these issues in these areas, I know that there's a registry the same as we're coming up on another bill that we'll be—I'll be speaking to later, but we need to have a registry of where these old wells, as I was speaking earlier about—contaminated sites and old wells that are sealed. And I know that there is a registry of those, and I encourage the registry to be made more public in regards to the opportunity for everyone to see where these sites are. And I think it's a—it's only pertinent to have that available, because others may come at future times and particularly when land changes hands, and others need to know where exactly these sites are. And they're not contaminated sites; they're just sealed wells that may not be used, or haven't been used for many, many years or, in some cases, decades.

And I think we need to keep in mind that drilling of water for water today is totally different than it was when the prairies was founded, Mr. Deputy Speaker, where they dug a lot of these wells by hand, and now they're drilled with equipment and technology and, you know, directional technology, and it's a tremendous opportunity to make sure that these wells are sealed, that they never can be opened to the opportunity for contamination.

And I think that, when you look at the opportunities that we've seen in some of the legislation that's been brought forward before around, you know, sewage systems and that sort of thing, Mr. Deputy Speaker, that we've seen rain events that have cause problems with our wells in Manitoba in the past, and to which I'll speak more later. I guess I would say that these new standards for protecting wells from flooding, as defined in The Water Resources Administration Act, designated flood areas—prime example of that might have been the year 2005 when it was particularly wet as well, and so I think that the—if this had've been in place

then, it might've helped put some of the concerns to rest. We're hoping that that will be the outcome.

Mr. Deputy Speaker, I guess I wanted to finish by saying that it's been a pleasure to be able to put some of these words on the record, to look at and encourage the government to deal with these contaminated—or with these groundwater regulations for the geothermal industry as well, for the certification of the processes, and for the aquifer management plans that we will require.

Mr. Deputy Speaker, when we're dealing with putting wells into these particular areas, I know it's created quite the consternation in and amongst a lot of my constituents in regards to sand points, because in some of the areas where there are aquifers, sand points are also considered wells, and there is a great deal of discrepancy there right now in regards to flood claims and the types of compensation that will be offered to some of these individuals, where the government is saying that there was insurance available, private insurance available, so therefore, because of the leakage in the sand point, you're not eligible for it because you were covered by private insurance.

\* (16:20)

And I'm—I don't know if this bill will clarify any of that, Mr. Deputy Speaker, but I guess I would encourage the government, while I have the opportunity to say so, to look more closely at that because there are hundreds, if not thousands of these types of basements across Manitoba that were impacted by the flood of 2011. And they are not in a position to be able to get any kind of compensation. And I'm told that the insurance companies that are—there's only a small handful that did offer any kind of insurance against sand points. So maybe it's an area of clarification that's required.

And so, Mr. Deputy Speaker, I know that the government has come forward with this. I know that they consulted somewhat with it. I know that the well drillers association, the Manitoba Geothermal Energy Alliance had spoken with them as well. But—and I noted, though, that they only received 19 written comments in response to the discussion document. I would have thought there might have been more than that, and I'm—so I'm just wondering if the government had spoken to more of the associations and groups, such as artesian wells and, as I said, the people with sand points, and those sorts of things, to look at it because in the areas where I

come from these are a common type of well that we have in rural Manitoba.

So I wanted to say that the licensing and certification fees, I hope they're reasonable in regards to what the government brings in through regulation in this area. We're not trying to, at least from our side of the House, we're not trying to make this an onerous process. It's one of regulation and certification, Mr. Deputy Speaker, just to make sure that things are done properly. And I hope the government doesn't use this as an opportunity to put in exponentially large licensing and certification fees around these regulations. And we strongly encourage the minister and the department to continue to consult with these well drillers and the sealers, the geothermal industry and other stakeholders in the development of these regulations. So thank you very much for the opportunity to speak to this bill.

**Mr. Cliff Cullen (Spruce Woods):** Thank you very much, Mr. Deputy Speaker. I appreciate the opportunity to speak on Bill 25 today.

Obviously, water is very important to Manitobans and I think all Manitobans across our great province. And it looks like maybe it was time for some changes in terms of legislation in respect to groundwater and to water wells. So it's certainly timely and we'll be interested when we get this legislation into committee and see what the people around the province have to say about the legislation that's proposed by the government here today.

I hope that the—first of all, I hope that the government will be paying attention to the science community when they bring in this particular legislation. You know, we've had in the past—we've seen the government bring in rules, regulations and, in fact, legislation dealing with the environment and dealing with water protection. And it was pretty clear the—those pieces of legislation were pretty politically motivated and didn't listen to the science and the science community.

So we're hoping that this particular legislation the government will be listening to the science. It's quite ironic in the past legislation we've had dealing with the environment and water and wastewater, wherein the government proposes legislation and then the people that are actually doing the research on nutrients and nutrient management come in and bring their views to committee at the Legislature. And they don't agree with what's been proposed in legislation.

So we have on one hand the government here supplying funding to the science community to do some research on nutrient and nutrient management and how it impacts the environment and how it impacts water. So they go and they do their research, and after years and years of research trials, they reach their conclusions on those various studies and make a recommendation to the government and then the government decides not to listen to the science. So what we're indicating here, Mr. Deputy Speaker, is that hopefully under Bill 25 the government will listen to the science related to water issues.

I think the other issue that was raised by the member for Portage, and I think it's very important, is the idea of ongoing consultation and communication. You know, clearly, we have a lot of well drillers out in the province that have had, you know, quite a bit of history in terms of drilling for water wells. And certainly they understand, from a grassroots perspective, the water resource we have across the province. So I'm hopeful the government will take recommendations from those people who have years and years of experience and the hands-on knowledge in terms of that tremendous resource we have.

So we're hopeful that there will be ongoing dialogue with those involved directly in the industry, and certainly a lot of communities have individual well drillers that know their areas really well. I look back to the community of Clearwater where we have Watkins & Argue who have been in the well-drilling business for many years, many years and they've done a lot of drilling in southwestern Manitoba, and they're certainly familiar with that. So, you know, those types of resources can be very valuable to the province and certainly to the experts within the provincial government. So we will hope that they will take information from them as it comes forward.

Mr. Deputy Speaker, I think—you know, when we talk about water, the one thing that we are lacking in the province is a complete overall water management strategy. It's something that we've talked about on this side of the House for, you know, several years, that it's needed here across the province. The government has kind of a hodgepodge of regulations coming forward so—but we think there's an overall strategy going forward is what's required.

You know, we've had a number of severe floods over the last few years, and we go back to 2011 when, of course, we had that excess moisture on the

Souris and the Assiniboine rivers which caused a lot of damage, and certainly with the high-water issues we've had we should be doing a better job of managing the water that we do have. You know, clearly we have those situations where we have high-water issues, and then it can be very shortly down the road, a matter of several months, where we have the adverse conditions, such as drought. So we, you know, we can go from one extreme to the other in a very limited amount of time here in Manitoba.

So that's why I think it's incumbent upon us to, you know, work with our federal government, and in some cases we have to work with other jurisdictions, whether it be Saskatchewan or North Dakota, and develop a comprehensive strategy in terms of how we're going to manage this very valuable resource. And, if we manage it in the proper way where we take that excess water that we have at times of the years and we take the ability to store that water, then we can use it at subsequent times. For whether it be irrigation for crops or whether it be some kind of other industrial development, we have that resource available to us.

We're fairly fortunate in Manitoba and across most of Canada with a lot of fresh water, and we certainly don't want to waste that very valuable commodity. You know, we've seen and heard the horror stories out in Alberta where, you know, we would think that a province like Alberta might be blessed with a lot of good clean water, but they find themselves from time to time short of water as well.

And we should learn from the experience that Alberta has gone through. Certainly, there's been a lot of heated discussions, lengthy discussions and quite heated discussions about water use out in Alberta and, you know, we do the same thing from time to time here in Manitoba. We have some heated discussions over water, whether it's too much water or lack of water, and quite often it gets to be neighbours fighting neighbours over water resources, and sometimes we have an issue or situations develop where we have landowners fighting with the government in terms of their ideas and how water should be managed in the province of Manitoba, and I think that speaks to the lack of a comprehensive strategy for the province where, you know, we have producers being treated one way in one area of the province, producers perhaps being treated differently in other areas of the province, so the producers and the landowners are getting real mixed messages from the province. So that really speaks to the need for a



comprehensive and a sound management strategy for water management here in Manitoba.

I know the member for Lakeside (Mr. Eichler) talked a little bit about boil water advisories in Manitoba, and certainly that list doesn't seem to be getting any smaller as we look at that list across the province. It's something we've been dealing with for a number of years now. So it's a pretty clear indication that we do have situations where our groundwater is contaminated, so it really does say that we have to do more in terms of protecting our groundwater in Manitoba.

\* (16:30)

The other issue arises when we see these boil water advisories in certain communities, and some of these boil water advisories go back 10, 15, 20 years. So it's a clear sign to me, Mr. Deputy Speaker, that the government of the day isn't taking these boil water advisories seriously. Why would a community have a boil water advisory going on for 20 years? You know, I asked the minister responsible for our Local Government just the other day, you know, where is his funding going to go for his water and sewer and waste water projects? I'm still waiting for that list from the minister in that regard as well.

And the point I was trying to make with the minister was we have all of these needs out there in terms of water projects and waste water projects because the government is going out telling municipalities that they have to upgrade their systems. On the other hand, the Province has, like, a pool of money, a relatively small pool of money, available for water and waste-water projects, and the municipalities are stuck in the middle on this, like, they're trying to move these projects forward, but they're hoping they're going to be able to get some financing from the Province as well, because to run these programs on a stand-alone basis, Mr. Deputy Speaker, is very, very, expensive. So that's why they're looking to the Province for assistance.

So, in terms of planning their infrastructure programs, whether it be water or waste water, they would like to make sure that the Province is on side with them, and if there's going to be funding provided for their infrastructure project, because these projects are very, very expensive, quite often, one or two or three or up to five million dollars for these projects, some of the larger water projects.

So that's why I've asked the minister if he would indicate in this year's budget where that money that

they have set aside for infrastructure projects, where that money is going to be allocated. Which communities are going to have access to that particular amount of fund to go ahead and move their infrastructure projects forward.

Mr. Deputy Speaker, I get calls from constituents who know—and I reference the Rural Municipality of Elton. They are currently involved in a water project. Now part of the community is served by a waterline, but part of the municipality is not served. And, obviously, the residents are wondering where are we in terms of being on the list to get our waterline to our community and to our farm or to our residence. And it's a very valid question.

So that's why I put the question to the Minister of Local Government (Mr. Lemieux). I said, Mr. Minister: Where is the Rural Municipality of Elton on your list? And that way, if we knew where they are on the list, whether it be this year or two years down the road, or three years down the road, the Municipality of Elton, in this case, could make their decisions whether to go ahead or whether to wait for funding, and then they could have that discussion with their ratepayers as well, so that everybody knows what page they're on. And that's the frustrating part. If the municipalities and the communities—people within those communities don't know where they're at, it's very frustrating. And that's why we ask the questions of the minister to—hopefully, he will provide that information so that we can pass it back onto the municipality and to the ratepayers.

Mr. Deputy Speaker, it's pretty clear a lot of communities still rely on water wells. Some communities in my area, in particular, rely on sand point wells. And a lot of people may not know what a sand point well is, but it's a—fairly unique to some of the areas where the high water tables and some of the sandy soils. In this case, people are able to just, in essence, put a pipe down into the ground with a point on it and a filter system that filters the water out from the sand and, basically, just suck the water out of the sand. And it's a very good system, a nice clean system usually, but it does come with challenges, too. Obviously, we've seen some communities where the groundwater has been contaminated from one source or another, and as a result the community has had to put up complete new infrastructure to supply water to those communities. And that infrastructure comes at a very significant cost.

So, obviously, we have to protect our groundwater where we can, or else municipalities and local residents and, potentially, the Province of Manitoba will be on the hook for a substantial amount of infrastructure there to develop new water infrastructure. So it is important that we protect as much as we can the groundwater from contamination.

We—in terms of the sand point well systems, we're currently having some interesting discussions with the Minister responsible for EMO and his department. As a result of the high-water issues we had last fall, we had a number of situations where the water actually came up around the sand point system and actually flooded the basement. In some cases, a lot of the water just came up through cracks in the floor and flooded the basements.

So we're having a situation now where some people are getting paid claims and some people are getting denied claims under the disaster financial assistance program. So it's very frustrating when one person gets paid, the neighbour is not getting paid, the next neighbour might get paid, the next one not being paid, and it's very frustrating. And I warned the minister and his department back in October that we had a potential situation developing here, and it was going to be important for his department to resolve that particular issue.

And just in the—some of the correspondence we've got in the last month or so, in fact, over the last couple of weeks, there is conflicting reports coming out of the minister's office in terms of insurability around the sand point water systems. So we're hoping that we can get some common sense to the Province on this particular issue, and move the issue forward and, hopefully, resolve it to the—what would be in the best interests of the constituents, certainly, of my area and, I think, many in southwestern Manitoba.

So, Mr. Deputy Speaker, I think it's important that we have a serious look at this particular legislation. I know the legislation also talks about aquifer management zones, and that's not a new concept to Manitoba. And I want to reference the Assiniboine Delta Aquifer, one of the largest aquifers in Manitoba. Certainly, the member for Agassiz (Mr. Briese) will be quite familiar with that particular aquifer; it extends just about to Neepawa and then south down to Glenboro. And it's a tremendous resource there. As a result of that, we've been able to develop an entire potato industry there

and, in fact, an entire potato processing industry in the region. And, as a result, it's really enhanced the economics of that particular region.

And, in speaking about the group themselves, the Delta Aquifer group, there's been a group in place for quite a number of years. And, obviously, they're quite concerned about proper management of that resource, because it is very important to the economy of the area.

So this is not a new premise for the province of Manitoba. It looks like what this legislation will do will probably set up additional zones such as the Assiniboine Delta Aquifer management group so that they do have some hands-on involvement in terms of management of aquifers around the province.

And these aquifers can be a very valuable resource for communities. I look at just close to home, and a project in Killarney, we're in the process of finalizing a new water infrastructure project with Killarney, that water's being shipped in from an aquifer a number of miles away. But, again, it's been a long time in the words but I think, at the end of the day, it will be a very successful project.

Obviously, pulling water out of our lakes gets to be a bit of a challenge at times with water quality issues that we're seeing in and around the province. And these aquifers, actually, provide a really good source of good, clean quality water for the most part. So I just did want to mention that.

The other point I did want to raise, and the minister—or, pardon me, the member for Portage la Prairie (Mr. Wishart) did raise, and it's in terms of the abandoned wells we have in the province. He certainly had a pretty good feel for the thousands of wells that are around the province. And I do want to mention the good work that the conservation districts around the province are doing in terms of trying to identify those particular wells, and the work they're doing in trying to fill in and look after those wells so that the groundwater isn't subject to contamination. It's both a groundwater contamination issue, and it's also, certainly, a public safety issue that has to be addressed. So I just wanted to acknowledge the good work that the conservation districts are doing on that work as well.

\* (16:40)

So just a few points I wanted to raise in respect to the—this particular legislation, obviously some important legislation going forward but I do want to reiterate of the point that we have to encourage the

government to have communication with those involved in the industry. We have to have the communication back and forth to make sure that we are headed in the right direction and that the rules and regulations are within what the industry feels comfortable with and that we're not doing anything excessive in terms of regulation to—in terms of the activities of the industry.

*Mr. Speaker in the Chair*

So, with that, I thank you for your time, Mr. Speaker, on that and I look forward to other speakers and we look forward to getting this bill to committee and to hear what Manitobans say on the important issue of our groundwater. Thank you.

**Mr. Gerrard:** On Bill 25, The Groundwater and Water Well and Related Amendments Act, this is an important piece of legislation. A considerable amount of effort has clearly gone into putting this together and at the same time, it's important to recognize that protecting our groundwater and are—making sure that we're looking after aquifers well is extraordinarily important.

There has been quite a bit of good work done in the past in this area and certainly we've got a lot of skilled individuals, companies who are involved in drilling wells and making sure that people have drinkable waters.

At the same time in this act, there's clearly a need to modernize the act to bring it up to date and to put in place some planning mechanisms making sure that we're doing this in a way that is effective as well as cost-effective.

I want to make a few comments on certain sections of this legislation and I'm going to start by talking about the aquifer management zones.

I think where we are at the moment, we have a certain amount of information on aquifers around the province. But at the same time there is still some considerable need for research to clarify the aquifers, the nature of the aquifers where the water moves but the extents of the aquifers are. And so that when we're looking at putting in place aquifer management zones, that we, you know, avoid problems of having, you know, bits of aquifer zone—bits of different aquifers in one zone that the aquifer management zones really deal with, to the extent that they can, individual aquifers or major aquifers. And that the planning can be around the whole aquifer, not around, you know, having a body which is looking at parts of different aquifers where you really have

much greater difficulty in managing the future of a whole aquifer region.

I think it's a—this research and the work to establish where the aquifers needs to be done as expeditiously as possible and it may be, that in the long run, there needs to be some flexibility because there may be new information coming forward on what are the boundaries of the aquifers. And so certainly it should have been, I think, in the legislation that the intent is not to put these zones willy-nilly all over the place but really to try and have each zone encompassing a major aquifer so that proper planning for the whole aquifer can be done.

It's also, of course, vital to have people who are involved with surface water management connected in to the development of aquifer management zones and where the surface watershed is contiguous with the aquifer underground, that will be logical that you've got the same people involved in planning for both because these two are not entirely disconnected, clearly.

But where you've got different aquifers which are underground, running in different directions and surface water, as certainly happens in some places of the province, that you're able to plan for that and make sure that the aquifer is managed as a unit so that it can be managed well rather than be managed in bits and pieces. I think that till we have the aquifers fully delineated, that there will need to be some flexibility in how we moving forward so we don't end up with a situation where you can't make any decisions because you've not fully established where the aquifers are, or you've not fully got the aquifer planning. That there needs to be an ability, on an ongoing fashion, to make decisions even as the plans are put in place, recognizing that it's important to put these plans in place expeditiously.

I might have expected that there be some sort of a timeline for doing the research, for establishing the management zones, for doing the planning, rather than leaving this as it would appear to be rather open-ended in this respect, because, you know, in my experience in the past, it's very often that unless you've got a finite timeline, that things tend to drag on and on and on and on. And, if you're not careful, you end up with situations where planning doesn't get done which needs to get done. And I can think of, under this government, I think there was a planning in some fisheries which was supposed to have been done years ago and is still not done. And so I think we want to avoid a situation where the government

says that it wants to do something and then 20 years later, we still don't have it done. So having finite timelines in the legislation would have been a smart move so that we can in fact ensure that things are moving forward and are not being unduly held up.

I think the legislation could have prescribed a little more in terms of some of the detail in terms of aqua—what would be in the aquifer management plans, and you know, hopefully, that will come, or maybe the government will talk more about this, or others will bring forward details when this is discussed at the committee stage.

One of the positive developments that I do want to mention is the development of a public registry. I think that this is extraordinarily important. It's important that it be done well, that it be kept up to date, and that the information be current, but I also think, we live in a digital world, that it would be very smart to have this material online. It seems that the way this act is written, that this information may only be available in certain working hours and surely, in today's world, it would be reasonably possible to have this information readily searchable online. Certainly, it would be a lot more convenient for many people. For example, somebody in Melita, rather than having to come into Winnipeg, and we're dealing with a lot of rural issues and rural areas, that having all the material on the registry online, which should be very possible these days.

Indeed, you know, when we're looking at the material which is going to be online—[interjection] Yes, and the material which is going to be online, we're looking at the terms and conditions of licences. Well, I mean, before you hire somebody to do work on a well, whether it's to build it or seal it or to—help you with a project, you'd like to be able to check, you know, what are the terms and conditions of that individual's licence.

And if you've—that information which is part of the public registry, is well organized, easily searchable online, then it's very easy for somebody who is working in, oh, you know, whether it's Melita, as I was talking about, or up near Swan River or down in Sprague, different parts of the province, if you can go online and you can see who you want to talk to about doing the work, you can see what they're like, that they have the appropriate licence that meets the terms and conditions and so on that you need, that this will make it a lot easier to get work done effectively and efficiently and with people who you know are qualified to do the work.

\* (16:50)

I think the good thing is that we have a lot of qualified people in Manitoba, and this really is a way of making sure that those who have got the qualifications and licences and the terms and conditions are—that that information is readily available and we don't have people who are coming forward and pretending to be licensed and trying to get work when, in fact, they don't have the background or experience or the terms and conditions are not there.

I ran into recently some people who came to me because of the terms and conditions of people's licence in terms of selling securities. Was not on the web, was not easily searchable, and, you know, we need to make sure that that doesn't happen with this particular legislation, that it's done in a way that is effective but easily available to people, particularly in rural areas because the reality is that a lot of what we're talking about, we're talking about people in rural areas. But it also applies, in a number of circumstances, people in the city wanting to put in geothermal, for example, where this kind of information may be very handy and may be very useful.

The next area I want to talk a little bit about deals with flooded areas. It's absolutely vital, as indeed the MLA for Portage has already talked about, that this information on flooded areas is there and is updated.

We've had areas which are protected from flooding now and don't have to be included in the same way in flood-designated areas as they were before, but we've also had, as we saw so clearly in this last year, areas where people didn't believe that they were at risk of flooding and found themselves having a lot of water on their property and being flooded, whether it was around Shoal Lake or Lake St. Martin or Lake Manitoba or parts of southwestern Manitoba, around Whitewater Lake, around some areas where there are now or were, at least up to a couple of months ago, some quite big new areas of water, which hadn't been there historically and that it's very important that these maps be up to date so that we don't get into trouble with people who are drilling wells and putting in wells in flood-sensitive areas without making sure that the appropriate flood protection is there or without knowing it so that things are done well and people are, you know, protected and helped in not making bad decisions.

I think that the—this sort of information could be particularly useful, Mr. Speaker, in areas like Lake St. Martin. The people in Lake St. Martin are looking at where would be a good place to have their community, and if you have clear designation of which are flood zones, which are areas which may be flooded up to the area where—I think Lake St. Martin was 806 feet above sea level or higher this year—that when you're looking or when people there are looking for their community that they have that accurate information in terms of relocating the community, and this also, of course, would be very important in terms of people, you know, building home sites and other things in various places in rural Manitoba.

I think that the sealing of wells, we've been talking a little bit about various aspects of well drilling and where it's located with respect to floods, but the sealing of wells clearly and how one approaches that depends very much on the geomorphology of the area that's being considered. In areas where there are limestone, which is more porous, then you have to proceed quite differently in areas where, in fact, you have different clay soils or sandy soils and so on.

And so making sure that the appropriate information and the appropriate approaches are used in different areas is actually pretty important.

I'd also want to make a comment about one of the sections in this act, which is a typical NDP section. *[interjection]* Yes: No action or proceeding may be brought against the minister, a director, a well-drilling officer or any other person acting under the authority of this act for anything done or omitted to be done, in good faith, in the exercise or intended exercise of a power or duty under this act.

This is the NDP trying to protect themselves and trying to, you know, make—give themselves immunity from any bad decisions that they make.

And, you know, I think that the problem that I have here is that, you know, there are people who make decisions which may be made in good faith, but which are nevertheless grossly negligent or involve gross mismanagement of the situation.

And you need to have some level of accountability for ministers. I see the Minister of Local Government (Mr. Lemieux) is, you know, is listening very carefully, but it's important that there be some level of accountability and that there is not what is essentially a blanket immunity for ministers.

In this case, you know, not only exercising some authority, but intending to exercise—so they may be, right? They may, you know, be doing something which is not even covered in the act, but they say, oh, I thought I was doing something in the act. But, in fact, they're doing something which was never intended to be the act and which was grossly wrong or harmful to people. And then this—

**Mr. Speaker:** The honourable Minister of Justice.

### House Business

**Mr. Swan:** On House business. I wonder if you could canvass the House to see if there's consent not to see the clock and to allow the member for River Heights (Mr. Gerrard) to finish his comments and see whether there is leave to call the question and send this bill to committee.

**Mr. Speaker:** I understand what the Minister of Justice is attempting to do, but it would be preferable if the Minister of Justice was rising on a point of order versus some other method.

### Point of Order

**Mr. Swan:** Point of order, Mr. Speaker.

**Mr. Speaker:** Point of order.

**Mr. Swan:** I wonder, Mr. Speaker, if you could canvass the House to see if there's leave to allow the member for River Heights to finish his comments and then see if the House is ready for the question to send this bill to committee.

**Mr. Speaker:** Is there leave of the House to not see the clock until the member for River Heights has had a chance to complete his comments and there's been an opportunity for referral of this bill to committee?

Is there leave? *[Agreed]*

\* \* \*

**Mr. Speaker:** The honourable member for River Heights, to continue with his remarks.

**Mr. Gerrard:** Mr. Speaker, thank you, and, you know, making sure that the Minister of Justice (Mr. Swan) got his comments straight is important.

Anyway, I think I pretty much completed the issues that I wanted to cover, and, Mr. Speaker, with that, you know, I look forward to this bill going to committee.

**Mr. Speaker:** Is there any further debate on Bill 25?

Seeing none. The question's been called.

Bill 25, The groundwater and well water well and related amendments act.

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

**Mr. Mackintosh:** I move, seconded by the Minister of Justice (Mr. Swan), that Bill 29, The Contaminated Sites Remediation Amendment Act, be now read a second time and be referred to a committee of this House.

**Mr. Speaker:** I'm sorry for that, Minister of Conservation. That wasn't the agreement of the House, being that the hour is 5 p.m.

We're not to see the clock until we've had a chance to refer the bill that was just passed, which was Bill 25, a referral to the committee. And so I look to the direction of the acting government House leader on the intent with respect to referral.

**Mr. Swan:** It's 5 o'clock, Mr. Speaker.

**Mr. Speaker:** Then is there will of—well, the hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, June 5, 2012

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