

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

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

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, April 17, 2014**

*The House met at 10 a.m.*

**Mr. Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name, and for the welfare of all our people. Amen.

Good morning, colleagues. Please be seated.

**ORDERS OF THE DAY**

**PRIVATE MEMBERS' BUSINESS**

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Mr. Speaker, can you ask leave of the House to move directly to Bill 212, The Child and Family Services Amendment Act?

**Mr. Speaker:** Is there leave of the House to proceed directly to Bill 212? *[Agreed]*

**SECOND READINGS—PUBLIC BILLS**

**Bill 212—The Child and Family Services  
Amendment Act**

**Mr. Speaker:** We'll now call Bill 212, The Child and Family Services Amendment Act.

**Mr. Ian Wishart (Portage la Prairie):** Mr. Speaker, it is my pleasure to move second reading of The Child and Family Services Amendment Act.

I move, seconded by the member for River Heights—River East, sorry, Bill 212, The Child and Family Services Amendment Act, be introduced.

**Mr. Speaker:** It has been moved by the honourable member for Portage la Prairie, seconded by the honourable member for River East (Mrs. Mitchelson), that Bill 212, The Child and Family Services Amendment Act, be now read for a second time and be referred to a committee of this House.

**Mr. Wishart:** Given the events of the last week, I think this bill has a great deal of timeliness, though it was—when it was originally introduced some time ago, it was more focused on the issue of foster families, and that's still certainly a cause for concern out there. We know that foster families are a special

group that Child and Family Services does require a significant number of, and each of the agencies is responsible for recruiting their own foster families.

And foster families fill a very critical role. They certainly work very hard in terms of providing a service in the system of Child and Family Services, and they're emotionally put through the wringer in many cases, especially when they take a child into their household, work very hard to try and raise that child and then, at some point, without due explanation, the child is moved on and in many cases without any concern being given for the safety of the child. The child is simply moved on because someone in the CFS system believes it is better placed in another household or another situation. And they get little or no explanation as to what goes on in the whole process. And I think really all we're asking for here is that their concerns be addressed and that they get some semblance of an explanation as to what occurs in this process, whether it's a written response or at least a full verbal explanation. We certainly feel that they're getting very little.

We know that the numbers of children in care continues to climb here in Manitoba and, in fact, we are without a doubt the province with the most number of children in care per capita. And, in fact, according to Statistics Canada, 1.9 per cent of our children under the age of 14 are in care here in Manitoba, the highest proportion anywhere in Canada. And, certainly, that leaves us cause for concern.

We saw the other day that even in family situations, there isn't always a proper explanation being given to the family as to why a child has been seized by CFS. And even when they work very hard to try and meet whatever unknown cause of concern might be, it can be very, very difficult for them to get their child back. And not only did we see that the other day, and that led to a death, but we hear all the time from people that lose their children to CFS in the system despite their very best efforts to try and maintain a household for those children.

I think we'd be far better served here in Manitoba if more supports for the family were put in place and aggressively worked with the families to try and help deal with any issues that they have. But we have not seen a move in that direction, and so this

bill addresses one small portion of the problem, and I do hope that the members opposite will be very comfortable with supporting this bill. It is not the first time they have seen this bill. The member for River East (Mrs. Mitchelson) has introduced it before and up until now the government has not saw it fit to support this bill. But here's another opportunity to move forward in this situation and help families out, whether they be foster families or regular families, and to actually put some humanity back into the child and family services system, something that seems to be lacking in many cases, and certainly provide them with some explanation as to what's been going on in the system.

We would hope that there would be support for this. There's certainly a pressing need. We know that the number of foster families continues to rise, and it is very difficult—I've certainly heard comments from a number of agencies how difficult it is to recruit good foster families in many parts of the province, in fact, almost all parts of the province. And that would be something that might be resolved a little bit by offering foster families at least a solid explanation when children are moved from their household on to another situation.

We continually hear how difficult it is for children in the system to be shuffled from household to household, especially through their teenage years. And it breaks all ties that they might have had and certainly leaves them in a very vulnerable position. We know that they reach a crisis point when they age out of care at age 18 and they often do not have very strong roots, in fact, with any particular family or foster family or even their own family.

We certainly have heard from a number of not-for-profit agencies that there needs to be something in place, and I know that, for instance, Siloam Mission has initiated a special program to help those that age out of care at age 18 because they see such a pressing need and they know that when they age out of care they're often very vulnerable and there are people out there that might take advantage of the situation and take advantage of the children. And Siloam, I know, made the comment that very often they see them at 20 and 22 after they've been taken advantage of by others and they're trying to get their lives together again and they come back to them at that point in time. So they're trying to avoid having situations like that actually arise in the first place, and I think that that is a very important part of the system and we certainly need to do that.

\* (10:10)

I think the documentation was something—documentation of what goes on in this child and family services system was something that the Phoenix Sinclair inquiry and Justice Hughes emphasized time and time again in his report, that we simply need to focus a lot more on that and that we need to make sure that everything is in place and that there is actually a plan for these children and that that plan is followed, and when it's not followed, that an adequate explanation is given to foster families in this case, or in family in general, that—what—why there's been a deviation from this plan, and we are simply not yet seeing that.

And so adding this into legislation would be a real asset. It would be step one. We're actually wondering if there shouldn't be more steps in this process, to make sure that those that are in contact with the child and family services system are better looked after and have some plan through their period of time that they're in the child and family services system that would allow them to hope for some level of success and actually not end up at the end of process, when they age out of care, with very little in terms of a direction and greatly at risk. We certainly hear, all the time, from children that are in the system that they do not feel that the system is working in their best interest, and certainly that is sad to hear and cause for a great deal of concern, hopefully that we can resolve that.

But the families themselves are the ones that really would benefit the most from this, whether they be the foster family or their original birth family, because there would be a good direction and a plan for that child that certainly would, hopefully, carry them through to a positive result. We know that many of them actually end up in the corrections system and that is not a positive result, Mr. Speaker. I think we can do far better than that.

So, certainly, I would encourage the members opposite and the government to support this particular bill and join us in trying to make the Child and Family Services work even this little bit better than it has up until now. And this is something that would be relatively easy to do. It would become a part of practice, the standard practice with the social workers that are in contact with the children, and that would certainly make the recruiting of foster families a stronger and easier component.

I know that, as I mentioned earlier, that there's been a bit of a struggle in some of the agencies to

find good foster homes for many of the children, and part of it is they feel that they are not valued and that there's little explanation to them—as part of the big system, there's little explanation. They feel like they're a very small part of the whole system and not getting adequate recognition for the work that they've done and that they could maintain some level of linkage. We hear repeatedly from foster parents that still have, many years after the child has aged out of their care and into the system, still have some contact with those foster children, and that's a good sign, that they actually bonded well. They had some linkage; they have support; they have a rapport that certainly can carry people through life. I know for those of us that have families that are more traditional in nature, it's certainly always valuable to us to have some contact in the family we can go back to. You never know when that little bit of extra help can make the difference in a critical situation.

So I would certainly encourage the government and members opposite to support the implementation of this bill. Thank you, Mr. Speaker.

**Hon. Kerri Irvin-Ross (Minister of Family Services):** Mr. Speaker, I don't have to tell members of this House how the child protection system is extremely complex. Every day we are dealing with families, with their love and their interest, their best interests for their child, and the professionals in that system are having to make some very difficult situations. I know that personally, as a front-line worker myself in Saskatchewan, knocking on those doors, meeting those families, listening to their stories, their dreams and their vision for their family, and then, sometimes, having to face the harsh reality of the impact of their lifestyle on their child.

I had no doubt, when I met with families, no matter how chaotic their lives were, they loved their children and they wanted the best interest. And sometimes, when you're meeting with that family, having those conversations, what is in the child's best interest, in their safety, because safety is paramount within our child protection system.

As professionals and as families, a decision is made, sometimes together and sometimes in conflict. And when that decision is made and the worker takes the child, that child is grieving the loss of a family, grieving the loss of a parent, of a home that they once knew. It is our responsibility to ensure that there is a safe place, and one of those options that we have are the foster families.

The foster families are essential to providing a loving, caring and supportive environment. I've had the opportunity to meet many foster parents and hear about their dedication and commitment to ensuring that Manitobans' children are flourishing within their homes. It is not without their own personal expense that they take this on. It's really a passion that they have. I enjoy meeting with the foster parents and listening to how they have taken this child into their home and, after a very short time, they have built a bond. In some circumstances, the foster parent is integral to be working with reunification with the family and helps to support the whole family unit. That's not always possible, Mr. Speaker.

We know that foster parents need support and encouragement themselves. That's why we have put in joint training programs for foster parents themselves. That's why we've increased funding for foster parents to value the work that they do and to ensure that they're able to provide the support that's necessary.

The member opposite spoke about his idea of needing to change the legislation. I think that we need to progress very carefully and have an analysis of what does that look like, what are the impacts for the foster family, for the child, for the parents and for the workers. We're going to have to examine this bill very closely, and we will commit to do that.

I also want to say that we need to believe in the professionals that are in our system. We need to believe in the social workers that are making the assessments and making the decisions. We need to support the family support workers but we also need to ensure that the foster families have the support that they need as well. And while we're doing that, we are ensuring that they have training, that they have advocates within the system in which they can speak to, they have their case co-ordinators in which they have relationships with. They have an advocate organization called the Manitoba family-Foster Family Network, called MFFN. And in MFFN they have an opportunity to come together and to share their stories of success, to lean on each other when they need support, and that is extremely valuable. And we support MFFN in the work that they do and look to build stronger bridges with them as we move forward.

There are 12,000 bed spaces for children across this province, and 2,000 are foster bed spaces that we have. And, as I've said, that we have increased funding by 21 per cent for foster families.

When assessments are being made for children that are with-in foster care and decisions are being made, I trust that professionals are doing that with the foster parents. That doesn't always happen, and, because of that, we have put in an appeal process for foster parents regarding the removal of a child. It's right in with-right within The Child and Family Services Act.

And when a child-when the CFS agency decides to remove a child from a foster home, whether protection concerns exist or not, the agency must, within two days, inform the foster parents of its decision to remove the child and give written reasons for the decision to the foster parent. As well, the agency must also inform the foster parents of their right to appeal. Also, the parents of the apprehended children are given an opportunity to have their wishes heard regarding guardianship.

\* (10:20)

We need to make sure that the process is thorough and very clear. Paramount in decision-making process is the first and foremost is the safety of the child or the children involved.

Our legislation provides foster parents with rights and we make sure that there is a process for them. We see them as a vital part of our child-welfare system, our protection system. We know that they open their minds and their hearts and their homes to the children, the most vulnerable children in our province. We need to celebrate their commitment but we also need to ensure that they have a voice within the system, that decisions are being made in a collaborative effort.

Mr. Speaker, we have heard through Commissioner Hughes' report, he recognizes the improvements that have happened to the child-welfare system. He speaks about the need for clear communication, a technology system that is shared throughout the province. He talks about the importance of prevention for all children. He talks about the need for family support. When a child needs to come into care because of child protection issues, we also need to have a safe, comforting place for them.

I had the opportunity one day as I was in my local Co-op and I was waiting, and a woman talked about that she needed to go and pick up her foster children. So I started to talk to her, and she said that it was an important role that her and her sister had done for many decades for the children of Manitoba.

She spoke very proudly of the dozens of children that have gone through her home and that she has seen progress and grow, some of them reunited with their families, very proudly.

She also spoke about the horror that a child feels when they're being apprehended, and one of the solutions that her and her sister came up with was making blankets and making sure that when children came into care within their homes and within other members of MFFN, that they had blankets to provide that security for them. I celebrated the accomplishments with that foster parent and congratulated her for her work and her commitment.

I think we, as we proceed with implementation of the Hughes inquiry's recommendations, we need to make sure that we speak to all of our stakeholders. We need to make sure that we're speaking with the authorities, with the agencies, with the foster parents that are an essential part and need to continue to walk this journey together of when a child is in need of protection and comes into care that we have a system that is supportive, that is caring and that helps to build the individual child and sometimes will help with the family reunification.

They, as I said earlier, they give of themselves. We need to thank all foster parents in the province of Manitoba for their commitment. We need to make sure that we work with them as we walk on this journey and make sure that they understand fully their rights and responsibilities.

### House Business

**Mr. Kelvin Goertzen (Official Opposition House Leader):** On House business, Mr. Speaker, in accordance with rule 31(9), I'd like to announce the private member's resolution that will be considered next Thursday is the resolution on Habitat for Humanity, brought forward by the honourable member for River East (Mrs. Mitchelson).

**Mr. Speaker:** It has been announced that, in accordance with rule 31(9), that the private member's resolution that will be considered next Thursday is the resolution on Habitat for Humanity, brought forward by the honourable member for River East.

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**Mr. Speaker:** Now, further debate.

**Mrs. Bonnie Mitchelson (River East):** It's my pleasure to rise and speak in support of this private member's bill, Bill 212, that has been brought

forward by my colleague the member for Portage la Prairie (Mr. Wishart).

And, Mr. Speaker, it's not the first time this bill has been introduced in the House. As a matter of fact, I think three successive ministers of Family Services, since the death of Gage Guimond, have stood in the House and debated this bill and shelved it. Shelved a critical recommendation, recommendation No. 47. It was as a result of the tragic death of Gage Guimond. And he died in 2007 as a result of being moved from a loving and safe foster home to family members that he didn't know, family members that didn't even express a desire to want to look after him, and he was tragically killed.

And, Mr. Speaker, there were many, many recommendations and many, many reviews that were done at the time, and those recommendations, obviously, have fallen on deaf ears by this government. And it's sad to think that children, very precious children in our province, are falling through the cracks and continue to fall through the cracks because of a lack of action by this NDP government.

And it is shameful. We do know that front-line workers want to do the best they can for the children that are within their care. But, Mr. Speaker, they need to have the tools, they need to have the laws and they need to have the recommendations from these reviews implemented.

Mr. Speaker, we're looking at seven years after a recommendation was made. How can this government stand up with any credibility and say that they're going to implement all the recommendations from the inquiry of poor little Phoenix Sinclair when we know that there were recommendations that were made seven years ago that haven't been implemented? Now, if that recommendation had been implemented we wouldn't need to be bringing forward legislation, asking this government, begging this government to protect vulnerable children within the system.

Mr. Speaker, and I notice with interest, from a newspaper article yesterday, that the Minister of Family Services (Ms. Irvin-Ross)—the current, new Minister of Family Services says, I want to tell Manitobans that we're going to learn from this tragedy, this tragedy that happened just last week where a baby died in care, and that it is important that when we get the recommendations from the Children's Advocate that we put them in place and that we continue to build a better child-welfare system that supports families—excuse me—and

protects children. Well, how can they have any credibility and stand in their places or make these kinds of comments when there are recommendations that are still outstanding from the first Phoenix Sinclair reviews, from the Gage Guimond reviews that were done?

Mr. Speaker, how can we have any confidence or believe anything that this government says? You know, time after time we see in this House members of this government stand up and say, trust us, read my lips what I say, my word is my bond. Well, we know for a fact and from experience that their word isn't their bond. They wring their hands, they talk about how tragic it has been that we've seen all these deaths, that we're going to review, we're going to look at the recommendations, we're going to implement those recommendations. And what happens? Some very basic recommendations that would and could protect children have not been implemented.

Mr. Speaker, again I say we've been waiting seven years—seven years—and I think five times we've introduced this legislation asking the government, begging the government to put children first, to put the safety of children first.

And how complicated is it, Mr. Speaker, to put down a regulation to send a mandate out to the agencies to say to all front-line workers, you must have a case plan in place and it must be articulated, it must be written down and it must be shared with the family that's looking after the children? How complicated is that? That appears to me to make common sense and appears to me to be good social work.

\* (10:30)

Mr. Speaker, why is the government dragging its feet? Why isn't the government moving on this recommendation and many, many other recommendations? You know, we've got more recommendations from Commissioner Hughes as a result of the Phoenix Sinclair inquiry. How many of those recommendations are recommendations that have been made before to this government? How many of them have been made before and have fallen on deaf ears because we don't have a government that has shown the kind of leadership that needs to be shown to protect children.

So, Mr. Speaker, I am asking that possibly, now that this is the third minister of Family Services that has seen this legislation come forward, that possibly

someone on the government side of the House might look seriously at what we're recommending here. And, you know, it's not anything frivolous. It's saying, let's ensure that a child that knows nothing more than a foster family, that they may have been living with for the first five or six years of their life, has the opportunity to stay with that family if there are no safety issues or concerns. Or they should have something in writing that says why that child should be removed and possibly those foster families should have the opportunity to be part of a forward-looking plan, should that child be moved.

I don't think there's any foster family that thinks that necessarily they're going to have a child in their care forever, but many of those foster families that open their hearts and their homes to children want to make sure that there's some continuity in the transfer of that child from their home and that they may be able to have some connection to that child down the road. And it's important, Mr. Speaker, for the child, not necessarily for the foster family, but for the child to know that a family that's cared for them and loved them for five years still cares about them and still loves them, that they're not ripped away from that home, never to have any contact with that loving, caring family.

And, Mr. Speaker, that has happened. I would invite the minister and, as a matter of fact, I will share with the minister some very thick files that I have from families who have experienced exactly what I am talking about and children who will suffer as a result of the lack of attention to the detail around protecting children.

Mr. Speaker, it's important that children have a good start to life. If they've had a good start to life and a loving foster family, why would we have a government that is so callous, that would stand in its place and say we don't need to implement these recommendations? We paid to have the reviews done but it doesn't really matter. We don't need to implement the recommendations that have been brought forward. We'll just sweep them under the rug. We'll just go along our merry way and have a situation where children continue to fall through the cracks.

I would ask—I would plead with this government to stand in its place, to support this legislation, which is based on a recommendation that was made to them seven years ago, and implement—pass this legislation on to committee and have members of the public

come forward and present their cases on why this should be a reality. Thank you, Mr. Speaker.

**Ms. Melanie Wight (Burrows):** Mr. Speaker, thank you for the opportunity to get up and speak in the House on this.

I'd like to thank the member from Portage for bringing this up and giving us the opportunity to speak to this. I think he's truly someone who cares about what happens to our foster kids and our kids in general. So I do appreciate that, and I know that the minister is going to be looking at it. Some of these things, of course, have already been done, but I'll get to that later.

I was a foster parent back in—1992, I began, actually. It was a different government then, you might remember, and I was emergency foster parent in the North End. I was brand new. I had no information or any knowledge in that field whatsoever, so I went to a few training courses and I became an emergency foster parent in the North End of Winnipeg, taking teenage boys into my home, seven days a week, 24 hours a day. We were on call and we tried very hard to make a go of it. You couldn't work; that was against the rules. You couldn't have another job to try and support yourself.

And so while I was licensed for four children—four young men—you never knew how many you would have, so sometimes you might have one, sometimes you might four, sometimes you might have two, sometimes you might have three, whatever it was, right? And that's what you were expected to live on; it was \$18 a day, and that was supposed to pay everything. So when the kids came to me back in those days, some of them had been in group homes and that sort of thing before they'd come to my emergency foster home and they would say, so what are the activities, where are we going, what movies are we going to see and what events are we going to go to? And I would say, we're going to go to the basement, honey, because we've got board games down there and I have a TV. I don't know that I even had cable, to be honest, because I couldn't afford it on the rates that we were being paid back then.

And you know what? It was interesting to me that I never had a kid complain about the fact that we didn't have activities and they were just kind of stuck with me and the home and the board games and that sort of thing. But they were happy to be somewhere where people cared about them and where they were safe.



So I really can't say enough how much I appreciate the work that is being done by our foster parents, the work that was being done then by our foster parents. It is an extremely difficult job and it is extremely difficult for those kids. I cannot stress enough how hard it is to go into somebody else's home and, you know, the fear. They'd been told all sorts of stories back in the early '90s about what it was like in some of those places to go. I remember one young man who after a month or so came to me and said, I don't understand, my mother told me, she used to threaten me all the time that they would send me to a place like this and the horrors that would go on there and I was terrified, I was terrified to come here, and nothing more wonderful in my life has happened to me than coming here. So people that are doing these jobs I just—by and large are incredible, amazing people.

But the kids that are coming now and probably always, they're very high-risk kids usually. Because the support for families has increased in spite of what the members opposite might say, a tremendous effort has gone into working with families whenever possible and to be able to try and keep those kids at home. Of course, more work needs to be done—believe me, I'm not suggesting otherwise—but the kids that do come into care are very, very troubled kids, and so the foster parents really need to be, you know, they really need some serious skills in—to be able to do that job, and so it is a very difficult job.

But it was also during that time—I was interested to hear actually the member from River East suggest that we weren't doing enough because she was in fact the minister at the time that I was a foster parent and she spoke of support and foster parents not getting enough support. And I was there when that association of ours was killed by the government of the day, the Conservative government of the day, and how devastating that was. You know, it wasn't a very well-funded association anyway. It wasn't like we were getting tons of support through that, but you had the little, tiny lifeline, you know, where you felt there was at least maybe someone you could phone, but they pulled that away and the rates were cut. As I had mentioned, it was \$18 a day; then it was cut to \$16 a day. And eventually I gave up and I went to work in actual, you know, somewhere where I could go to work and work eight hours a day and come back and know that I was going to be able to sort of feed myself. So it was a very difficult time.

\* (10:40)

So I do find it a little bit upsetting to hear from members opposite that, you know, that we don't care, because we have done a tremendous amount of changes. One of them, when I did move on into the other world of working with kids in—who were sexually aggressive kids in a treatment facility, I was often there when they did turn 18 and the member from Portage had mentioned that, you know, not getting enough help at 18. I couldn't agree more. That was the case. It's less the case, I'm happy to say now, because you can, in fact, get an extension of care, and I'm so grateful for that. I packed many a bag of crying children—crying young men at 18; they still can cry at 18—who would have to—were halfway through school, maybe they turned 18 in January, they'd finally caught up with their school. They were maybe in a position where in a year or so they might be able to graduate, something they had never dreamed of in their life before coming to us, and that was pulled away from them. Because, quite honestly, when you leave that care, whether it's a foster home or whether it's a treatment unit and you have to go, at 18, in January, to live on your own on—it's just very, very difficult without that added support of those people getting you up and helping you out. These are kids where—who never went to school for a lot of their life often, right? So they really need that. So I'm really grateful to our government who changed that so that we can get some of the kids at 18 more help.

And there's actually so many things that we've done that I can't possibly get to them all. The member from River East also mentioned that we haven't done—I don't know why she would put this on the record. I can only assume she's just not up to date, perhaps, but we have 295 recommendations came in 2006, and we are currently, I believe, 93 per cent complete. Now, the member from River East had suggested we had done nothing, so I don't know what that means. I don't know why she would have said that, but, as I said, no doubt just not up to date. So we are 93 per cent complete.

And everyone knows here the incredible difficulty of, you know, this work. I did want to also just comment that the member from Portage mentioned a lack of humanity in the people who work in this field, and I'm sure it was unintentional. I don't believe he believes that. But he did mention those words, it would be nice to bring some humanity back into this area. And I don't know what he meant by that. I assume he couldn't have meant what he said, because I have worked with a ton of social workers and youth-care workers and foster

parents and just sort of every group in the field from the top down to the front-line workers. And I spent 19 years of my life doing it, Mr. Speaker. And, honestly, in that entire 19 years, yes, I maybe met one or two people who should not have picked that field, but that—they are few and far between. And the level of humanity that I see in those workers, I believe many of them are going home at night carrying those loads with them, every night, into their homes, wondering how they can do better for those children. So I do think that was an unfortunate turn of phrase, and I'm sure the member didn't mean it.

So we are always looking at things that can make this world better, and I know we're going to continue to do that. Thank you, Mr. Speaker.

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** I want to say it's a tremendous honour and privilege to speak in this House at—on any occasion, but I'm particularly appreciative of the fact I have the opportunity to speak after the words of the member for Burrows (Ms. Wight), who I think spoke first-hand, spoke from her experience and really related the degree to which it's very difficult for some of us to sit here and listen to some of the comments coming from members opposite on an issue that is of such importance to so many families, to so many children.

And I want to put on the record Manitobans haven't forgotten the reality of what Conservatives do when they're in government, and I want to start with that. I was at an event recently. There was a reporter who came up to me afterwards, and after we talked about the announcement on infrastructure, she said, we've met before. And she looked somewhat familiar and I was trying to place where we had met. And I knew it wasn't to do with her current role as a reporter. She said, we met when I was a member of the executive of the Foster Parents Association in—I think it was 1993, 1994. And she said, I haven't forgotten what happened then. You have to remember, by the way, that the member's opposite were in government. The Leader of the Opposition was in Cabinet, the member for River East (Mrs. Mitchelson) was in Cabinet, and what they did to deal with—there was a recession, there was some budgetary challenges—they didn't just cut the association, they cut entire funding. And she said, I remember what it was like when our association was cut by the government, it's just that I remember what happened with rates. You know, it's interesting the member for River East didn't reference this. They cut

funding rates—this was the rates given to foster parents—by 20 per cent.

This is an era, by the way, when they cut many organizations. I remember when they cut the friendship association core funding, eliminated it. I remember one of the ministers at the time I asked him I said, well, how can you do this? He said, well, you know, they should be having membership fees. I said, friendship centres? I said, they're not golf clubs. But it was really a period of time where members opposite showed their true colours, and the first place they went and cut were in services affecting the vulnerable, services affecting children and some of the most vulnerable children those in foster care.

And I have to put on the record there have been proud moments that I've had being in government, that I was never more proud than when we reinstated funding for foster parents. We've increased it since, and when we, as a government, didn't cut funding for foster parents, we've increased it in our time in government because we recognized the role of foster parents.

I also want to put on the record, Mr. Speaker, that there's a significant element when members opposite speak about issues in Child and Family Services. Let me put it this way, I'll say they doth protest too much. Whenever there's an issue related to Child and Family Services, they stand up, they point blame almost indiscriminately. I do want to put on the record that when you're in politics you have a bit of a thick skin, but I've always felt that members opposite, I mentioned their lack of understanding with the role of foster parents, certainly I think have no sense of the dedication of many people in the system. The dedication of people, by the way, that have taken a system that was fundamentally broken—I mean let's not forget that much of what we're dealing with in terms of Child and Family Services in this province is the whole history of the way Aboriginal children have been dealt with.

Let's start with residential schools. Let's start with the '60s scoop. Let's start with the system that was failing fundamentally, and one of the things that the New Democratic Party government in the 1980s did was move towards devolution, the establishment of losses that understood that Aboriginal people themselves had to have the fundamental role in terms of our system, in terms of Child and Family Services, and we've continued that.

Now what was the role of members opposite when they were in government? We had the

Aboriginal Justice Inquiry, which, to my mind is one of the most historic documents in Manitoba history. It took a very terrible circumstance. Vic Schroeder was the attorney general at the time and put in place an inquiry with Justice Sinclair that established the fundamental underlying dynamics of many of the issues facing the Aboriginal people, including Aboriginal children. Now, what did members opposite do when they were government? They had 11 years in government. They completely ignored the Aboriginal Justice Inquiry, which did specifically reference Child and Family Services.

Again, there are many proud moments I have had of being a part of this government, but I've never been more proud than we—when year after year we have rolled out key elements of the Aboriginal Justice Inquiry dealing with many of the underlying causes of what we see in our society.

\* (10:50)

So I want to say that this debate, again, is blaming that members opposite do so well. I view it as, quite frankly, a rather flimsy smokescreen to distract from what their real position is and what they did when they were in government. I have never seen more heartless approaches in my time in politics than what I saw in '93, in '94. You know, it's ironic—I mentioned earlier about the foster parents, and in—the Child Advocate warned against cuts to resources for foster parents. Decision to cut funding to the Manitoba foster family association, '93, '94, is a critical loss to the system. What did—what was their response? You know, this is the members that like to talk about recommendations and reports. What did they do? The next year, they cut the rates. So even when they got—when they had clear evidence of the failure of their policies, they stuck to it.

So I—you know, I know that members opposite will say, oh, they're talking about the '90s again. I've got news for the members opposite. There are people that are still living the consequences of their policies in the '90s. And one of the reasons we talk about their policies in the '90s is because their leader and their party, they can change their spots, but they haven't changed, and the Leader of the Opposition hasn't changed one bit. One of the first things he did—you know, they like to talk about spending problems—I mean, not, of course, when they're lobbying for this or that or the other in their constituency; that's different. You know, they'll get up and ask questions about infrastructure, then they'll vote against the money for it. But he—got to give him

credit, he came out with their alternative, and their alternative essentially going to take \$550 million out of the provincial budget. Where would that come from? Where is this \$550 million going to come from? I'll put on the record, you don't have to look at it theoretically. *[interjection]* Yes, you even have Don Orchard now. I mean, my God, on the weekend, I saw Don Orchard, you know, back in print. I tell you, he's back; it's like Friday the 13th here all over again.

And, Mr. Speaker, I have to say, what would members opposite do? Where would they find the \$550 million? I'll tell you where they'd find it. They'd find it from Health, they'd find it from social services, and I wouldn't doubt they would take it out of the child and family services system. We've added \$303 million because we care about our kids. When they had the chance, they cut; we've added.

So I want to put on the record that the members opposite could protest all they want, but they have no moral authority. Quite frankly, they have no credibility when it comes to Child and Family Services. The 11 years wasn't just a lost 11 years with members opposite. It was a time when they put in place their cold-hearted approach to dealing with people. And I want to say to the member for River East (Mrs. Mitchelson) and the Leader of the Opposition we haven't forgotten on this side. Manitobans haven't forgotten. And if there's one thing we want to send as a clear message, we're going to fight our darndest to make sure they never have the chance again to have this kind—

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

**Mr. Ted Marcelino (Tyndall Park):** It's always a pleasure to speak about things that are close to your heart.

I was a foster child. Sixty-three years ago, I remember clearly, I was four years old when my mom and dad gave me up. But it was not to strangers, it was to an aunt and an uncle who were childless. It was a belief that they had that if a childless couple took care of an infant like me—I was adorable then—

**An Honourable Member:** Still are, Ted. Still are—still are.

**Mr. Marcelino:** Thank you. And it was a belief on their part that if somebody took care of a child, then

the maternal instincts kick in. And, true enough, in six months' time, my aunt became pregnant. And to cut the story short about my personal experience, when I was six years old, I remember playing with an infant who grew up to be a playmate and a friend.

So there's nothing wrong with children being taken from their families from time to time or being given up. Sometimes it's the circumstances that dictate why kids are taken or given up.

I know a lot of Filipino families who are playing the role of foster parents, and they are very active. The nurturing, the love, the caring that they give is almost a brand that when a child is assigned to a Filipino family who happen to be the ones taking care of as many as three, sometimes five, as temporary foster parents, it's almost a brand that says, well, the kids are secure. They are in a safe place. They are in a place of refuge where they'll be fed, where they'll be taken care of sufficiently.

The record of our government regarding foster care is a continuing process. It might be true that there are some problems, but those are problems that are never swept away. They were problems that were always in the open, investigated and seen as a way to learn more about the system and how to make it better.

It is amazing that sometimes, you know, in this Chamber, we politicize everything, and this matter should not—it should not be politicized. We all care for our children. We all are in the business of providing good and safe homes and environments for children who are in need.

It is not our purpose, if mistakes are made, to intentionally inflict harm to those vulnerable children. And for me to hear accusations of neglect or lack of credibility is something that really gets under my skin because I'm thick-skinned as it is, but it gets to me. It is shameful that those things are raised as if it were a political weapon to hurt the other. There are better ways of making your point or my point. There are better ways of debating things, and there are better ways of saying things because words hurt.

Our judgment in the way that we provide cures and treatments for the system when it is sick is not something that should be dealt with in the political realm. It should be done in the compassionate and caring way that we are trained as decent human beings in a very successful civil—

\* (11:00)

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

When this matter is again before the House, the honourable member for Tyndall Park (Mr. Marcelino) will have three minutes remaining.

## RESOLUTIONS

### Res. 11—Increased Flexibility in Application of Nutrients to Soil

**Mr. Speaker:** The hour being 11 a.m., it's time for private members' resolutions, and the resolution under consideration this morning entitled Increased Flexibility in Application of Nutrients to Soil, sponsored by the honourable member for Midland.

**Mr. Blaine Pedersen (Midland):** Mr. Speaker, I move, seconded by the member for Portage la Prairie (Mr. Wishart),

WHEREAS the agriculture sector is one of Manitoba's largest and most important sectors; and

WHEREAS nutrient application and usage is a critical part of Manitoba's grain and forage crop sectors; and

WHEREAS the current nutrient application cut-off dates of November 10 and the following April 10 are arbitrary, inflexible and do not take into account weather conditions or the needs of producers; and

WHEREAS there are years in which the weather during fall and early winter is favorable to the application of nutrients to fields; and

WHEREAS producers are among the best stewards of the land with a large portion of their income coming from growing crops in healthy soils.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to permit the application of nutrients based on science and climatic considerations, rather than the current practice of using an arbitrary date.

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

WHEREAS the agriculture sector is one of Manitoba's largest and most important—

**An Honourable Member:** Dispense.

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

The resolution is in order.

**Mr. Pedersen:** And it gives me great pleasure to bring this resolution to the Chamber today, and I would look for support from the government because this is a regulation that they passed in March—on March 18th, 2008, and it was implemented under The Water Protection Act, titled Nutrient Management Regulation.

And what they did when they did this regulation is, first of all, Mr. Speaker, they obviously did not consult with organizations such as keystone agriculture producers or Manitoba Pork, or any other agricultural organization or any—really have any back—knowledge of agriculture when they picked an arbitrary dates for fertilizer application.

Mr. Speaker, farmers are very conscious of the cost of fertilizer—and when I say fertilizer, I mean both commercial fertilizer and manure application as fertilizer—farmers are very cognizant of the cost of it, of making sure that they apply it in a manner so that it does not run off the field and into our water systems. Farmers are very conscious of the Lake Winnipeg issues and they do not want to be part of that problem that's facing Lake Winnipeg. And with that, they are very conscious of the effects of nutrient runoff.

But when you pick an arbitrary date of November 10th and April 10th, it does not take into consideration the climate conditions or the weather as of that day. If the soil—if your regulations say that you can apply nutrients—and I just use generally nutrients, in terms of either commercial fertilizer or application of manure for fertilizer—when they're applying these nutrients, Mr. Speaker, if according to the regulations it's good on November 10th and the weather hasn't changed and it continues to stay dry and warm, as it did this past November, then suddenly you can't apply them on November 11th, 12th and however long the weather manages to hold. And for the farm industry, every day counts.

And—but you've put an arbitrary date in here when you can't apply nutrients to your—in your farming operations and that's not taking into account the science of it, the climate of it. If the soil temperature is obviously above freezing and the ground is not frozen, you're going to be able to incorporate these fertilizers into nutrients into the soil and they'd, you know—to make sure that there is not nutrient runoff.

We need to have solid nutrient management practices, and producers do this all the time. Their

harvests of their grain and forage crops depend on this, their livelihoods depend on this and therefore they are the stewards of the land and we need to give them the tool—allow them to use the tools that they have to apply nutrients and take the arbitrary calendar dates out of this because that's what this regulation has done.

And, in fact, last evening I was speaking with a custom applicator and she told me that they're going to start next week, weather permitting, of course. But she told me that their operation could have continued for at least another week last fall after the November 10th cut-off. However, being a custom operator, they did not want to be outside the regulations. They phoned the department and the person that they spoke with there, all they could tell them is that November 10th was the law, that's the way it is. And the department didn't have a good understanding of nutrient application and that's frustrating for this particular operator. They have a very short timeframe to apply nutrients and every day counts.

But the government needs to go back and rework this regulation, and that's what this resolution is about, it's going back and realizing that a mistake has been made here. This will—changing this regulation will not put Lake Winnipeg in danger, its nutrients are far too expensive for the farm community to allow them to runoff. And it interferes with their ability to make a livelihood and to make good decisions for their farming operations.

This spring, obviously nobody was able to get out there and even think about applying nutrients prior to April 10th this year. So that—but we've had years when the ground is not frozen on April 1st and particularly nowadays with the expansion of winter wheat they want to get early application of fertilizers on their winter wheat. But this—now you have an arbitrary calendar date which is interfering with our operations.

And as—again, I just want to re-emphasize that applying nutrients is a very costly business and it's a very time-consuming business particularly when it's manure management in there. And in terms of manure management, they have to file a manure management plan, that is being done. It—but yet you can file a manure management plan, but if the regulations say that you have a calendar date, what part of science does that play in the application of these nutrients?

So, Mr. Speaker, I would really urge the government to have a look at this. This is—this would be a move on this government's part to show that they at least have some understanding of the agriculture industry, of the regulations that the ag industry is facing that's not based on science, it's based on an arbitrary date. And we—it—and it's really about empowering Manitoba agriculture producers to be able to be the better stewards of the land and it permits them to do real and practical solutions, not having to deal with arbitrary dates set by someone who obviously does not understand nutrient application.

\* (11:10)

And the farm community's very professional about this. I just constantly stress the cost of applying nutrients is not something that they're going to do recklessly and it's too expensive to put on there where it will runoff. And the agricultural community realizes that nutrient runoff is not something that they want to see, and it's definitely something that they work to not have happen because they realize the downside of that, both to themselves financially and also to our water system within Manitoba.

So, Mr. Speaker, I would just really encourage the government to do the right thing here, take us just one step in the right direction and adjust these regulations to base them on science and base them on soil temperatures, on the ability to be able to apply nutrients in a stewardship manner, rather than based on an arbitrary calendar date. And so with that, I certainly look forward to hearing from the government, and I hope that they would support this in—just in one small step of helping our agriculture community maintain its livelihood and help the agricultural community become even stronger in Manitoba today.

Thank you, Mr. Speaker.

**Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship):** The—this resolution is in no small way based on experiences that were brought to our attention last fall, and I'll comment on that and how we're responding, and then I'll respond the resolution itself.

I want to remind members opposite, last summer, when I alleged in this House that if they ever became a government we know that they would move quickly to repeal the rules and regulations when it comes to protecting Lake Winnipeg, and they spontaneously erupted in cheers—some stood

and provided a standing ovation, Mr. Speaker. And that was a clear message to members of this House about what their plans are when it comes to environmental protection. This resolution, of course, reflects that. It's certainly within the context of what their strategy would be. Sure enough, along comes a resolution that seeks to abolish Manitoba's regulatory regime for manure spreading. And this regime is one of about 50 efforts in place by our government to save Lake Winnipeg, and, indeed, not only Lake Winnipeg, but the waterways of the basin, whether that's over at Deloraine, whether that is south of Winnipeg or whether that's in the Whiteshell.

Mr. Speaker, I want to first of all commend the agricultural sector for becoming increasingly, as our understanding grows, great stewards of our waterways.

There has been a rapid change in the regulatory regime in Manitoba when it comes to farming practices. And we have seen a real responsiveness from the agricultural community and we've seen great leadership. And I participate in many organizational efforts where the agricultural producers play a vital role. I commend leaders like Doug Chorney; I commend leaders like Curtis McRae, who is an active member of the Lake Winnipeg—or the Lake Friendly Stewards Alliance and, in fact, chairs the agricultural committee. KAP, as well, has provided great leadership and are wholly engaged in efforts to better protect our waterways and to be lake friendly.

So, last November, KAP raised concerns about what was some, I think, rightly perceived inflexibility on the part of the rules in place to allow for manure application. And, Mr. Speaker, I share those concerns, and I expressed that to Mr. Chorney and that was publicly reported. And we undertook to work with KAP to tune-up our approach and to make sure that the deadlines were indeed flexible, as was originally contemplated in the regulatory system that accompanied, for example, The Save Lake Winnipeg Act. I think the importance of flexibility will become even more critical as we see the impacts of climate change and varying patterns that may result in significant fluctuations in soil temperatures in the years and decades ahead.

So, Mr. Speaker, I'm pleased to confirm to the House that we're now working with KAP in partnership to achieve a consensus on how best to strengthen the application of the rules. And, in fact, coincidentally, our department is meeting with



growers; they have different policies. And what I have seen in the historic record that we have in our particular company, we have records going back well over 50 years with soil samples and crop production, and the earlier that you can plant, the better your yields; almost 100 per cent, a one-to-one basis.

Now, there are other circumstances as weather, frost, gets in the way sometimes, and a late frost, an early frost—those types of things. But, invariably, the earlier you can plant, the better your yields are.

And then we have not only disparities amongst growers, Mr. Speaker, but amongst the land that that particular farmer and grower owns. Even within a particular field we sample on a grid basis so that we can do a—we can look at the field as a whole and plan a nutrient management program for that field for the grower, because we know there are high spots, low spots, there are areas that produce better, and you can change the whole nutrient package for that particular field.

So not only is there a variety amongst year to year, but we see variety amongst the growers and variety amongst the particular land base that that grower has. And the difficulty with this government regulation is it's the same across the board for everybody in Manitoba. And everybody's different, Mr. Speaker. You have to look at the particular individual abilities and the particular plans of those growers on what they might do during the year.

So—but the government comes out and says, you know what? You can't apply prior to this date or after this date. It doesn't always work that way, Mr. Speaker. Things change, and you have to be flexible and you have to use sound science, as our growers do. There was a concern, at one time, in the flood of 2011, many of our producers were concerned about what happened to the nutrients that were in their soil because they had water on their land for extended periods. And this was something that they had not experienced before, but we had those records going back many, many years, and we sampled an inordinate amount of acres that particular year to make sure we knew what nutrients were on the land after the water had left.

And I've had this discussion with others in the community, and many of them were surprised, but we were not surprised. We found that the phosphate in the land was still there. What was applied in the fall still remained in the spring after the water had left the land, because phosphates, once you go

through the whole process of bonding with the soil, it does not move, contrary to what the government would have you believe. They would have you believe that when farmers apply product to the land, it runs directly off into the water supply, and that is the furthest thing from the truth.

So use sound science in this regard and make sure that you know what's in the land and in the soil when you plan your nutrient management program. That is what farmers do. But now they've—they're bound by this government's plans and the changes that they want to bring in and the changes that they have brought in to make sure that everybody's treated the same.

But that can't be the case, Mr. Speaker. Even if you were to drive from Brandon to Winnipeg or vice versa, you would see different soil types. If you look at a soil map for all of Manitoba, there are a variety. Some produce better than others. And, as I've said, in a particular field you will see a great variety of soil types and agronomic production.

*Mr. Mohinder Saran, Acting Speaker, in the Chair*

Manitoba's producers base their plans on sound agronomic decisions. They look at what they've done over the past years, what their land can produce in the best opportunity, and they make those plans based on soil samples and based on prices and based on what the land has done last year, and what they plan to do again this year.

But then when we see this government come in with across-the-board regulations that have no ability to change—and if you want to change, well, you might have to make an application, and then they'll think about it, and then what are they going to say? Probably no.

The government doesn't know the circumstances on your particular farm. Only the grower and their advisers have a good idea of what's happening on that farm, on what's happening in that crop, on what's happening on that particular field, whereas this government seems to think that they know they best for everybody. But it does need, as I said, to be based in sound science, and we see again and again that this government plays fast and loose with that. They seem to listen to junk science a lot. Somebody thinks this might happen, so then let's put in some regulations in place.

Well, how about we look at what has happened and what is indeed there, as opposed to the thoughts of somebody on Broadway, because it's the people



that are out in the field, that are actually working with the land that are the people that know best for that area. And growers go about on their fields on an individual basis, on a routine basis and each of their fields is unique as are each of those growers unique. Management strategies and plans of attack for that particular property, they have to be specific for each individual field, not only for that field but we can tailor that strategy for particular areas of that field.

And what this government is trying to do is take that ability away from producers. They know best how to manage their land. They are fine environmental stewards of their land, and this government wants to take that ability away and they will be the same from everybody, what someone in Broadway thinks this should happen in the rest of Manitoba, and I'm sure you know, Mr. Deputy Speaker, that weather's often different. If I look at what's happening in Brandon, if I look at what's happening in Swan River, if I look at what's happening in The Pas, those are all different climates than what's happening in Morden-Winkler or in Winnipeg, and we all have to deal with those particular individual climates. Yes, there's even agriculture in The Pas. There is some land up there that is productive and they have some interesting climates up there, but you have to manage that for those particular areas. We have different climates all over, and, again, we want to make sure that the individual producer does best for their field and their farm, they do the right thing, not necessarily what the government thinks is the right thing. The farmer knows best in this case, yes, indeed.

I know there are others that will wish to speak to this resolution. I am encouraged that the member from Midland brought it forward to bring perspective on this issue, that it is the farmer that's the environmental steward of the land, not the government.

Thank you, Mr. Deputy Speaker.

**Mr. Tom Nevakshonoff (Interlake):** It's my pleasure to rise to address this resolution this morning, and I'd like to begin my remarks by acknowledging the good work of our farmers across our province and, of course, across the region that I represent, the Interlake, which is a rural region which is based largely on farming.

So I want to say, to start off, without equivocation that I have the utmost respect for farmers and for the good works that they do to the degree that in the last couple of years, I, myself

became a farmer at the encouragement of my wife who was from a ranching family herself, and I did speak about this yesterday during—or a couple of days ago, and it's interesting, I was just looking back at the text of that speech and reading words of the member for Midland (Mr. Pedersen) who introduced this resolution today, and I want to get to what I see as the very crux of the issue, which is the difference between what we look at as the family farm and on the other side of the equation, the large industrial operations moving from family food production to the corporatization of agriculture and the industrialization of food production.

Those words must have provoked the member opposite and he used the words the Old MacDonald's attitude toward farms. The Old MacDonald's how—what a choice of words. I guess I must be one of those individuals because I'm a small farmer and a mixed farmer with various different components to my operation, as opposed to the big entities that are focused just on one thing, and I think that is the root of the problem, this industrialization of hog production.

\* (11:30)

Let's be frank—that's what this is about—and I know that there are good family hog producers in my constituency. And I look to the Hutterites as a prime example of that because they are grain producers and meat producers at the same time. Manure is excellent fertilizer. It returns organic matter to the soil. It recycles. It is the right thing to do, but it has to be handled correctly and properly, and Hutterites do a very good job of that. They are raising grain, they are also raising livestock, and that symbiotic relationship leads to the proper application of manure.

But when you're just in the business of producing meat, as many of these industrialized, corporatized hog farms or—operations are, manure suddenly becomes a disposal problem to them. It's not fertilizer. It's not manure that they're looking to incorporate into their grain fields. It's manure that they are, frankly, looking to get rid of.

And I know in the Interlake that there were abuses, and ultimately that led to ramping up of regulation and ultimately led to a moratorium on the expansion of the hog industry in my constituency until such time that we got a handle on how to manage manure properly.

And I think we've gone a long way down that road already and the Lake Winnipeg act—save Lake

Winnipeg act was a giant leap forward in that direction. An act, I might add, that members opposite supported. This act passed unanimously through the Legislature. So I'm a little puzzled why they want to now step back from that and move to—back to the bad old days when there was no regulation whatsoever and things were getting bad.

You know, and they took that step when the late Harry Enns, who I had the pleasure to serve with in the Legislature—and he was a very amiable fellow and entertaining—but he took a fundamental step in this province when they ended the single-desk selling of hogs in Manitoba. That was the beginning of the end for the family hog farm and the industrialization of this industry. All of the small operators over a short period of time were gone, and now it's these large entities that are in the business of meat production and are challenged with the disposal problem.

I have to look to the Interlake, and a lot of the argument focuses on runoff and lakes and so forth, but there's another component to this as well, and that's our aquifers.

The Interlake—and I would refer all members of the House to a very knowledgeable individual; his name is Bob Betcher. He's a hydrologist. He wrote the definitive report on aquifers in our province. And I read his report. It was highly technical, but I learned something—that where I live in Poplarfield is some of the best water in all of Canada because of the unique aquifers between Lakes Winnipeg, Manitoba, Winnipegosis—some of the very best water you could possibly imagine, but it is highly exposed.

This is land that was covered by Lake Agassiz for thousands of years. The glaciers passed over this land so that all of these limestone and dolomite formations, because of the pressures of the glaciers, were highly fractured, and because of Lake Agassiz—the remnant of the glaciers—all of that water over the centuries highly eroded those fractures so that these aquifers, good as they are, are highly exposed to the surface.

And, Mr. Acting Speaker, we have to be incredibly, incredibly careful when we start surface broadcasting manure, especially in marginal areas where, unfortunately, in the Interlake, a great number of these large industrial hog farms are located. We have to be very careful with the spreading of manure, and there is a need for regulation and for monitoring to see that our natural resources are preserved.

And that is the intent of this government, and it's quite obvious the resolution put forward by the member opposite that they want to walk this back. They want to step back regulations and go back to the bad old days when they were in power when there was no true environmental monitoring whatsoever.

Now they're suggesting that regulation is too rigid, that it's carved in stone and that farmers' hands are tied and that's not the case. If you actually look at the regulation you can see that there is flexibility worked into it, that the Department of Conservation and Water Stewardship will work actively with the farming industry and environmentalists and all who are concerned about agriculture and the environment to see that the best use of the land is available.

There are variances in place. If you have a warm spring, for example, like we did in 2012 where the ground had thawed out and had to a large degree dried up, you know, I think almost a month before the spreading date of April the 10th. Mr. Acting Speaker, what happened? The government constituted a province-wide variation, and allowed for the application of nutrients under those circumstances, and I'm sure the same rule would apply in the fall, as long as the ground is not frozen it can accept those nutrients. And that is already in place, so I'm a little puzzled as to the need of this resolution at all given the fact that we're already open to the spreading of manure under the proper circumstances, and I think they refer to it as the four Rs of manure management, and I'm just looking for it. I think it's the right time, the right place and the right amount. I forget what the fourth R is. And the right source, obviously.

So, you know, if we plan accordingly, if we think holistically, we can effectively incorporate manure, which is a natural fertilizer, which is a very valuable fertilizer and a very valuable component. It can be used properly. That is the intent of this government. Our regulations flesh that out in very clear detail.

Members opposite obviously want to eliminate all of this. This resolution speaks volumes. The member opposite wanting to, I guess, do away with the Old MacDonald's farms out there, which they did when they eliminated the single desk, I would suggest that's not the right course for the people of Manitoba.

Thank you, Mr. Acting Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** I rise to speak briefly to this resolution. I first want to say that Liberals have for many years been very strong on ensuring the protection and the recovery of Lake Winnipeg and we have been critical of this government for being so slow in this area.

But we're also very strong on working with farmers to make sure that we have regulations which make sense and which are effective and which are practical. Farmers today are very sophisticated and it is important in terms of having regulations which work for farmers and for Lake Winnipeg, which recognize that we're in a period of climate change where the onset of spring and the onset of winter are more variable than they have been in the past, and in spite of this government's desire to want to switch on winter on November the 10th and switch on spring on April the 10th, it's not happening.

And we need to recognise that there needs to be the flexibility for farmers but also that flexibility can be optimum in terms of the protection of Lake Winnipeg if it's done right. I'm pleased to see that the minister is starting to talk about a little more flexibility. Certainly, this is a subject that I was bringing up just yesterday in question period that we don't want a province which is wrapped in orange tape, that we should have regulations which work and we should have regulations which are made in conjunction with farmers and the realities of how farmers work the land and produce crops. That being said, that those regulations should be based on science and evidence.

\* (11:40)

And it's important and I would recommend to the minister that he make sure that he recognizes the difference between nutrients injected into the soil—into the land versus nutrients which spread on the surface, because there's a huge difference in terms of what can happen in terms of runoff depending on the circumstance, whether there's rain, whether there's a big spring thaw which takes the nutrients off and so on.

It's also important to recognize that, you know, we have a big province and that there are different dates in different parts of the province that the land is ready in different areas of the province. And it's also important to recognize that the readiness of the land may vary with how that land is cared for. For example, Mr. Acting Speaker, people can often get on tile-drained land three or four days before they can on non-tile-drained land. And we've got

increasing amounts of tile-drained land which are being used, not just for growing potatoes but now, because crops have to be rotated, because—for a whole lot of other crops.

And this is why it is so important to be working with the Keystone Agricultural Producers making sure that these regulations are science-based, practical, as well as being very effective in terms of protecting Lake Winnipeg.

So, Mr. Speaker, those are the words that I wanted to put on the record. Thank you.

**Hon. Stan Struthers (Minister of Municipal Government):** I'm very pleased to stand and put a few words on the record concerning this resolution.

The first thing I will admit—the first thing that I will admit to our friends across the way is that when it comes to spreading manure, nobody beats a Conservative. The—and as—and, Mr. Speaker, as evidence of that—*[interjection]* I know they're touchy about this. The—as evidence of that, I would refer anyone who wants to to read the comments of the member for Brandon West (Mr. Helwer) just this morning. We see exactly where the Conservative Party position is in the comments that he put on the record.

The first thing he did was he assumed that he and his friends across the way know more than every farmer about environmental protection, Mr. Speaker. That's what he—that's the basis upon which the Conservatives make their decisions in terms of this—all of this environmental protection, farm protection, farm support, all of those discussions. That's the attitude of members opposite.

I remember it well from when I was Agriculture minister and members opposite assumed they knew more than me. Okay, that's fine. But when they assume they know more than farmers, Mr. Speaker, real farmers who are out there working every day, putting—getting the best product available for people, growing it in the land, growing it in their hog barns, growing it on the—out on the range in cattle country, when we have farmers that are working to diversify their operations, when we have companies like Maple Leaf and others that are working to provide jobs to process that good produce of farmers and then work with the trucking industry and others to get that to the market, it is absolutely the height of arrogance to see Conservatives in this House assuming that they know more than all those people. It is quite something to watch, I must say.

The other thing that I noted that the member for Brandon West said—you know, here they are. They get up, on one hand, and they say, oh, you got to be interested in science, and all this lip service from the Conservatives across. And then what does he say, Mr. Speaker? Then the member for Brandon West (Mr. Helwer) says that we only look at junk science.

You know, first they assume that they know more than the farmer, the very practical farmer out on—out scratching out a living in the soils of Manitoba. First they assume they know more than the farmer. Now they're assuming they know more than the scientists who put a lot of work into figuring out the impacts of phosphorus and other nutrients not only on our waterways but on our land itself, Mr. Speaker. Again, this is the absolute height of arrogance coming forward from the other side, led by none other than the Leader of the Official Opposition (Mr. Pallister).

I wonder if the member for Brandon West would contend that the information put forward by Professor Schindler at the time is junk science. If that's the case, I wonder why members opposite then cherry-pick the information that Professor Schindler puts forward. I remember it very clearly.

When I was Conservation Minister, that's what the Conservatives were doing. They were ignoring what Professor Schindler was saying on phosphorus, then trying to pin—trying to cherry-pick other points of Mr. Schindler's to try to make their antiregulation position justified. I don't think Professor Schindler appreciates being put into the category of junk science. I don't think Professor Schindler, and along with a whole host of others who have put a lot of work into this, a lot of their own time and effort and money, I don't suppose the people at the University of Manitoba and other universities appreciate being referred to as junk scientists.

I get a little offended when—you know, the Clean Environment Commission made some rulings in this area. The Clean Environment Commission employed some of these junk scientists, according to the Conservatives, to come forward with recommendations. That's science, Mr. Acting Speaker. That's—*[interjection]* Well, the former member for Swan River served this Legislature very proudly. The former member for Swan River, Rosann Wowchuk, did a fine job as Agriculture minister. And the accusations over those years levelled by some of the members opposite were quite shameful when it came to the member for Swan

River. So the member from Agassiz can chirp from his seat all he likes. I know Rosann Wowchuk, and he's no Rosann Wowchuk.

The other thing I do want to make sure is stated is that I was minister when the—when Bill 17 came forward. And I think I sat through almost every one of those presentations that came forward from Manitobans to give us advice on that bill. And there admittedly were a lot. And they had their say in developing the approach that we've taken. Then, when I was Agriculture minister, again we moved forward, and we had The Save Lake Winnipeg Act that came forward. And, again, Manitobans came to talk to us about that. There was a lot of consistency.

You know, there was a lot of consistency involved in that. There were farmers who came out and advised us that they did not like us to move forward with Bill 17. Fair enough. There were farmers that came forward and advised us that they did not want us to move forward with The Save Lake Winnipeg Act. That was consistent. There were environmental groups that came forward and said, go forward with Bill 17, go further with Bill 17. That's fine; that's fair. They also came out and said to us on The Save Lake Winnipeg Act, the environmental community came out and said, it's a good act, put it in place, go further. Okay, that's fine; that's fair. They're consistent.

Who wasn't consistent? Who was the one group that took one position the first time, and then another position the next time? Who was that, Mr. Speaker? Oh, it was the Conservative Party of Manitoba. I remember some of the over-the-top, crazy statements that were made by members opposite when they were talking about the world coming to an end because we were bringing forward some regulations in Bill 17. I'm sure others can remember that—right over the top, just like usual. Here we go now, leading up to the next election, and what are members opposite doing? All of a sudden, they're supporting the save Lake Winnipeg—I—you've got to excuse me for being just a little bit suspicious of the motives of members opposite when they take a one-hundred-and-eighty-degree turn like that. But to their credit, to the credit of members opposite, today they're coming clean. It's not the position leading up to The Save Lake Winnipeg Act that we are to believe; it's that very first position where you opposed any kind of regulations that protect any lake in Manitoba, including Lake Winnipeg.

\* (11:50)

I remember when I was school principal back in Rorketon. And I had a group of kids, this Kids for Saving Earth club was born in—because they were psyched up about the Rio conference, and Maurice Strong from Manitoba was a key organizer, key person in that. The kids in that Kids for Saving Earth club were dealing with a very fundamental question. At that time, way back then, back in the Dark Ages, people thought that the environment and the economy could never work together. They believed you had to take—the kids didn't believe this, but the thinking of society at the time was that you had to take a choice between the environment or the economy. The kids in that Kids for Saving Earth club in little Rorketon, Manitoba, knew better; so did the people that went to Rio; so did the people of Manitoba, because we believe, as Manitobans, that you can have harmony between creating jobs and protecting the environment.

Again, the only people who don't see it that way, the only people think you have to have a job or the economy are the people across the aisle here in this House. The Conservative Party of Manitoba has gone back to their original position, their long-held philosophy, their absolute ideology that the economy trumps the environment. Mr. Speaker, this side of the House, we will support Manitoba farmers, we will support the companies that slaughter our animals and we will support the companies that get our product to market because we believe you can have a strong economy and protect Lake Winnipeg and the rest of the environment at the same time.

**Mr. Ralph Eichler (Lakeside):** It is interesting, the member from Dauphin was the minister of Conservation, the minister of Agriculture. I remember the first meeting that he came out as the minister of Agriculture and he stated very clearly to the dairy producers—and I happened to be at that meeting, and he said, you're going to have to help me—you're going to have to help me—I really don't know very much about agriculture. And he just exhibited that best as he could.

And I know he referred to—back to his dear old granddad, and we all have people that we can reach out to, and I had stories from my granddad, too, and—but I actually did grow up on a farm and I know an awful lot about farming and I can tell you that I am proud of my past history as a farmer and I take that with great pride. But I can tell you the best people in the world that understand land is that of a farmer. And that's something I think we all can agree on. I think that all sides of the House can relate to that.

But what we're asking for here—and the members opposite just love to trash the University of Manitoba. I don't understand why they do, why they hate the people out at the University of Manitoba. The university professors—Dr. Don Flaten, Dr. Karin Wittenberg, Dr. Michael Trevan—they came in to committee and they just trashed them. And then today they get up in the House and they trash them again. It's not once to trash them once, but trash them twice, throw them under the bus, they have no credibility, they have no science, they got nothing good to say about any science—any science—these people, they don't know what they're doing. They have no clue, according to the members opposite.

I beg to 'diffagree'—I beg to 'diffagree'. I can tell you I respect each and every one of those three people that they threw under the bus today. I don't understand why they want to continue to do that. I would want to reach out to those folks that know a little bit more than I do, like the minister pretended to do when he was the first minister of Agriculture, not knowing anything about agriculture. But there was a couple of others before him that didn't know much about it either.

But I can tell you what this resolution says is very clearly—

**An Honourable Member:** You shouldn't talk about Harry Enns like that.

**Mr. Eichler:** I can tell you, I can—Harry was a great farmer, by the way. He ran a number of cattle and did a good job, and I certainly respect the work that my predecessor had and I can tell you that the former minister of Agriculture was a great guy.

But I also wanted to come back—I remember last year when I was the critic for Infrastructure and Transportation, and they called it the modernization act. And that had to do with the weight restrictions on roads. And the minister made it very clear this was called modernizing time—modernizing the time so that the minister would be able to have the flexibility—have the flexibility—to be able to say that, yes, it's a early spring or it's a late spring, so they would not have to be tied in to certain dates and times. And that's what this resolution says very clearly—very clearly—that there is exceptions, and the member from Interlake said 2012 was one of those years. I can tell you that that's what this resolution is all about. It's about being accountable, making sure that the farmers are having the tools.

And I know the Minister of Conservation talked about KAP. Well, I can tell you, we meet with KAP

on a fairly regular basis and they are very concerned about what this government's history is and whether or not they even understand agriculture. I can tell you that I don't think they do. We'll put our record against this government's any day, any time and we will listen to those farmers, we'll listen to those producers, we'll listen to those folks that make the right decisions because they are the best stewards of the land.

And I just want also to say, because I know we want to be able to vote on this in just a couple of minutes so I'll wrap up here, but I can tell you that we are proud on this side of the House to represent rural Manitoba and, of course, the city of Winnipeg because they provide the safest, best food in the world—in the world.

And I can tell you, all they want is those tools to do a better job. They're not going to go out there and risk—risk—for one moment damaging any of their land. Members opposite, the government of the day, seems to have the attitude, we know best. And they've proved that time and time again with the PST. We'll manage your money. We'll take it off your kitchen table. We'll make it on our Cabinet table. We'll make those decisions. I suggest that they listen to those producers, those stewards to the land, and let's ask them if they'll support this resolution.

**Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection):** I'm pleased to rise and stand as a MLA from rural Manitoba, and I would certainly agree with the first whereas, and it's interesting there are a number of whereases where people may actually think they're quite reasonable: Whereas the agriculture sector is one of Manitoba's largest and most important.

Well, you know, you agree with a couple of things but then when you start to get to the therefore be it resolved, you know, that's exactly where as a government and where MLAs on this side from rural Manitoba totally disagree.

You know, the minister who spoke before me, the MLA for Dauphin, as being minister of Conservation and minister of Agriculture, has a great deal of knowledge. And what I heard throughout Manitoba when he carried those portfolios was that he was open and consultative with people in the agricultural community and throughout Manitoba. And it wasn't just one versus the other, he was trying to be quite balanced in his approach and that's the

balanced approach he takes today in the portfolio he has.

So members opposite can make, you know, personal attacks and make comments with regard to the minister and the MLA from Dauphin but that's certainly not productive. I think what's productive to note though is that we're really disappointed in the opposition backtracking on the 2011 support for the key component of saving Lake Winnipeg act. That is absolutely key. This proposal and the proposal that they're trying to shoot down in flames was a key component of The Save Lake Winnipeg Act and that is really disappointing.

And I know members opposite, to be fair, I don't think they want to see Lake Manitoba have algae blooms and to be polluted and the fishing be affected and the tourism be affected and—but I'm not sure where they're getting their guidance from, quite frankly, on this because I think it's—I don't think it's solid. I mean, I know our Minister of Agriculture and Minister of Conservation and Water Stewardship (Mr. Mackintosh) is more than willing to listen to some good ideas but, you know, is that the flip-flop on the 2'11 support for saving Lake Winnipeg is really troublesome because this was a key component of it. And I know clearly the opposition is returning to the past practice where it opposed any measure to protect the environment, and it's really disturbing, quite frankly.

And I know that as a government and since 2012, the Department of Conservation and Water Stewardship has developed a real consistent policy—

**An Honourable Member:** Point of order, Mr. Speaker.

#### Point of Order

**The Acting Speaker (Mohinder Saran):** Order, please.

Member for Lakeside, on a point of order.

\* (12:00)

**Mr. Eichler:** Mr. Speaker, if—I'd ask to canvass the House to see if there's will to continue debating this resolution and not see the clock in order that the members have a chance to finish their comments.

**The Acting Speaker (Mohinder Saran):** Order, please.

Is there leave not to see the clock?

**Hon. Dave Chomiak (Acting Government House Leader):** Mr. Speaker, I find it very interesting that the member's raised a point of order while the member's explaining his rationale for dealing with this resolution—

**The Acting Speaker (Mohinder Saran):** Order. Order, please. Order, please.

Say yes or no. This is not time for debate. Is there leave? Is there leave?

**Some Honourable Members:** Leave.

**Some Honourable Members:** No.

**The Acting Speaker (Mohinder Saran):** Okay, then, I say there is no leave.

\* \* \*

**The Acting Speaker (Mohinder Saran):** So, okay, now when this matter is again before the House, the honourable Minister for Tourism, Culture, Heritage and Sport will have seven minutes remaining.

The hour being 12 noon, this House is recessed and stands recessed until 1:30 p.m. this afternoon.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, April 17, 2014**

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