

Fourth Session - Thirty-Eighth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
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CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
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DOER, Gary, Hon.	Concordia	N.D.P.
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DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
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STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
Vacant	Fort Whyte	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 17, 2005

The House met at 10 a.m.

PRAYER

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

**DEBATE ON SECOND READINGS—
PUBLIC BILLS**

**Bill 200—The Manitoba Public Insurance
Corporation Amendment Act**

Mr. Speaker: Bill 200, The Manitoba Public Insurance Corporation Amendment Act, standing in the name of the honourable Member for St. Norbert (Ms. Brick). What is the will of the House? To remain standing in the name of the honourable Member for St. Norbert?

Some Honourable Members: Stand.

Mr. Speaker: Stand? Agreed? [*Agreed*]

Okay. It will remain standing in the name of the honourable Member for St. Norbert.

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, it is my privilege to be able to stand and speak to The Manitoba Public Insurance Corporation Amendment Act, Bill 200, that has been put before the Legislature in this session.

Mr. Speaker, this bill was brought forward by the MLA for River East from our side of the House. It deals with a case-specific issue that has been brought to her attention by a constituent in River East, and it is one that I feel strongly about as well. This bill has been brought forward by the member from River East in past sessions as well. It is a bill that I think the government should unanimously be in support of. This is helping a person in a disabled position, through no fault of their own, in an accident that occurred.

So I just want to outline briefly what this amendment, this act, would do. Mr. Speaker, The Manitoba Public Insurance Corporation Amendment Act states very clearly that it is only an amendment to an existing act, and this amendment would allow an accident victim who receives an income replacement indemnity to keep any part of a disability benefit that is paid to the victim under the

Canada Pension Plan as a result of a division of pensionable earnings.

Currently, The Manitoba Public Insurance Corporation Act is required to reduce an income replacement indemnity paid to an accident victim by the amount of any disability benefit received under the Canada Pension Plan. This amendment allows the accident victim to retain rather than have clawed back any money received from CPP as a result of a division of pensionable earnings from the victim's spouse, former spouse, common-law partner or former common-law partner.

Mr. Speaker, the Member for River East (Mrs. Mitchelson) felt very strongly when approached about this particular bill and has, I would say, done very great due diligence in regard to hearing the concerns of this individual in this case and continues to bring this bill forward in a manner that hopefully will be accepted by the government to help persons in similar situations in the future but, certainly, to address the situation that she was faced with when she first was approached about this kind of a tragedy.

Mr. Speaker, the constituent had a sister who was severely injured by a car accident years ago, and this woman was married to a disabled person who was receiving Canada Pension Plan disability. After the accident, she was compensated through Manitoba Public Insurance corporation for her disability. Following the accident, she and her husband were separated in a divorce, and she applied for income-splitting with her former spouse. She applied and was granted about \$160 a month, so it was a very minimal amount that she was granted in this particular case, and certainly not enough to live on.

After the fact, this woman found that the money that was being taken from her husband, that \$160, was clawed back from her under no-fault insurance through the Manitoba Public Insurance Corporation. So, Mr. Speaker, when you are faced with that kind of a situation and you are in a disabled state, I guess, as I said, \$160 is not enough to live on, but, certainly, to have it taken away just adds to the tragedy even further.

Mr. Speaker, what adds even more problems to the whole situation is that this accident occurred through no fault, and our government was there

when we brought no-fault legislation in place in Manitoba. If this is a situation that falls through the cracks of that particular legislation, then that is a situation why we need to continue to look at legislative changes and legislation that can be brought forward. That is why the Member for River East (Mrs. Mitchelson) has brought this forward as an amendment to the existing Public Insurance Corporation Act that is there for automobile injuries in Manitoba.

Two disabled individuals, one who was injured through no fault of her own and a disabled husband, two individuals living in a very different circumstance who are being penalized here, and this amendment would address this issue and allow this woman to keep that \$160 a month. It is a very simple amendment and we have no indication from the minister that this is a widespread occurrence and that there would be significant implication or hurt to the Public Insurance corporation as a result.

Mr. Speaker, from time to time, we know, as I have mentioned earlier, of certain individual cases that need to be addressed in a particular manner, and surely as a society we would continue to care about these persons, the minority positions that happen when these accidents happen. So it is very important, I believe, that we address these individual circumstances. It is not often that we would have to make an amendment to legislation to deal with these kinds of accidents, but in this particular case it appears as if we do have to, I believe, pass legislation like this in an amendment form to deal with the circumstances of this particular individual.

* (10:10)

We have debated this bill twice, as I have said earlier in the House, and encouraged the government to move forward and support this legislation, as I said earlier. I would hope that some of the members of the opposite side would speak to this bill today and would support it and help us move this forward.

It is a good bill, Mr. Speaker, and it is good for Manitobans, especially those who need this support. That is why this legislation has come forward, to look at the changes in legislation that would allow this individual—and in this case, it was \$160, it may even be more in other cases, but I think when it is a situation of not being able to, perhaps, be in a position to make a wage that some of the rest of us with full capacities might have the opportunity to do, in a little easier manner at least, I think we need to

address these circumstances and look at these kinds of amendments.

I would encourage every member of the government side of the House to search their souls and think about what this amount of money means to the people who are just scraping by and who need this money to buy the very bare necessities for daily living. Mr. Speaker, if the opposite side of the House has any reason that they cannot support the bill, I would ask them to have the courage to stand and speak to it and bring it forward to our attention, because by indicating silence on this bill, it would leave us to believe that they are not supporting of this legislation.

Mr. Speaker, I think, as I have said, I will challenge the government from time to time in the critic roles that I have and responsibilities that I have for the citizens of Arthur-Virden. Through my critic roles as a critic for Transportation and Intergovernmental Affairs, I know that we have our differences from time to time on how issues are dealt with, like the debt of the Province, the health services that are waning in the province, the agriculture crisis that is presently going on, the infrastructure to our roads, but when it comes to individual circumstances that we are seeing put before us by a single injury that has been caused by these circumstances and exacerbated by a divorce, it is very much a particular and precise initiative that is needed to allow these persons these small amounts of dollars that would help this person and their disability position.

So, Mr. Speaker, I would like to close by saying that I would support this bill. I would ask the government of the day to see it in their hearts to support this type of legislation as well. Thank you.

Mrs. Mavis Taillieu (Morris): Mr. Speaker, it is with pleasure that I rise to put a few words on the record about The Manitoba Public Insurance Corporation Amendment Act, first introduced by the member from River East last year and brought back again this year.

This is a very important piece of legislation, I think. When we have any kind of legislation, it is brought forward with the best intentions in mind but as we go through time and as we see circumstances change, and individual circumstances and individual cases come forward, we have to look at the legislation and we have to look at what we can do to make that legislation better. If that requires an amendment to that legislation, then that is diligence

on the part of the member from River East and we would hope that the government would very seriously consider and support this amendment to The Manitoba Public Insurance Corporation Act.

The Manitoba Public Insurance Corporation Amendment Act allows an accident victim who receives an income replacement indemnity to keep any part of a disability benefit that is paid to the victim under the Canada Pension Plan as the result of a division of pensionable earnings. Now, currently, the MPI Corporation act is required to reduce an income replacement indemnity paid to an accident victim by the amount of any disability benefit received under the Canada Pension Plan. This amendment allows the accident victim to retain rather than have clawed back any money received from CPP as a result of division of pensionable earnings from the victim's spouse, former spouse, common-law partner or former common-law partner.

This bill was introduced by the MLA for River East to address a case-specific issue that was brought to her attention by a constituent. This is a member of the Legislature who listens to her constituents and who acts on their behalf. This is a very caring person who has talked to the family and is trying to bring something into legislation that will enable this person to just retain a little bit more money a month, not a lot, but it would be a lot for this person, Mr. Speaker.

The constituent who spoke with the MLA for River East had a sister who was disabled, severely injured in a car accident several years ago. This woman was married to a disabled person who was receiving a CPP disability, and after this accident she was compensated through the Manitoba Public Insurance corporation for her disability. Unfortunately, things do change in people's personal lives and we have no control over that, but following the accident she and her husband were divorced, and she then applied for income-splitting from her former spouse. She applied for and was granted about \$160 a month.

Mr. Speaker, \$160 a month, as I said, is not a great deal of money, but to a person who is disabled I think that \$160 a month would mean a lot for this person. But after the fact, this woman found that the money that was being taken from her husband, that \$160, was clawed back from her under the no-fault insurance through the Manitoba Public Insurance corporation. This hardly seems fair which is why the member from River East has proposed the amendment.

Here we have two disabled individuals, one who is injured through no fault of her own, no fault of her own, Mr. Speaker. She was involved in a car accident. She sustained brain injuries and this was through no fault of her own. She is now having to have the \$160 awarded to her clawed back. Two disabled people, one injured in a car accident and the other already disabled former husband, they live in very different circumstances but both are being penalized.

I just would like to say, Mr. Speaker, that on a personal experience when my son was involved in a car accident, he was injured and his car was completely totalled, but it is interesting that I had two people come to my home, that is two people from MPI, and spent the day. They came to my home to visit my son and they encouraged him to claim for clothing that he was wearing during the accident that were torn and bloodied from the accident. We had no intention of claiming for a pair of blue jeans and a T-shirt, but they kept insisting that we apply and claim for this clothing. They sent two people to our house to do this. We really could not understand this and really did not need to make this claim, but in the end we claimed for the blue jeans and the T-shirt, which to me sounds really quite strange.

On the one hand you have an organization that is sending two people out to encourage you to claim for some clothing that was torn and bloodied in an accident and that we really did not feel the need to claim for, but on the other hand you have a disabled person injured in an accident, sustained brain injuries through no fault of her own, and then unfortunate circumstances lead to a divorce from her husband, and then the income-splitting that she would get then is just clawed back and it is not a lot of money.

It has just made this person's life a little more difficult, Mr. Speaker, and it has to be difficult when you have had an accident, you have sustained a brain injury, you have gone through a divorce, and now you have to be clawed back \$160 a month. It really does not seem reasonable that on the one hand people are sent out to encourage people to claim for clothing lost in an accident; on the other hand there is no willingness to allow a disabled person to keep some money that would make their life a little bit easier.

*(10:20)

This amendment to The Manitoba Public Insurance Corporation Act would address the issue and allow this woman to keep the \$160 per month. It

is a very simple amendment, and we have no indication from the minister that this is a widespread occurrence and there would be significant application or hurt to MPI as a result.

There would not be a lot of cases like this, Mr. Speaker. First of all, you have two disabled people, or a person married to a disabled person who becomes disabled herself through an accident that is no fault of her own. Circumstances then create a divorce situation where then she was entitled to the income-splitting, but then MPI clawed it back. There would not be a lot of people who would be in this similar circumstance.

So this bill has been debated twice in this House, Mr. Speaker. I would encourage this government to move forward and support this legislation, and I hope members on the opposite side would stand today and support this bill. It is a good bill for Manitobans, especially Manitobans who need our support and who need this change to the legislation.

Just in closing, Mr. Speaker, there are many people, even in this room, who will be receiving rebates for their car insurance. If we could look at providing \$160 a month for a disabled person, I think that would be a fair thing to do. I urge the government to support this bill. Thank you.

Mr. Speaker: Any other speakers?

Some Honourable Members: No.

Mr. Speaker: When this matter is again before this House, it will remain standing in the name of the honourable Member for St. Norbert (Ms. Brick).

Bill 202—The Good Samaritan Act

Mr. Speaker: Bill 202, The Good Samaritan Act, standing in the name of the honourable Member for Rossmere (Mr. Schellenberg). What is the will of the House?

Some Honourable Members: Stand.

Mr. Speaker: Is it the will of the House to leave it remain standing? *[Agreed]*

Mr. Jack Reimer (Southdale): Mr. Speaker, I just wanted to say a few words in regard to the bill that was introduced by the honourable Member for River Heights (Mr. Gerrard), The Good Samaritan Act. It is just a very small bill, but it has tremendous implications and tremendous meaning.

It is appropriate, I think, that this bill be introduced at this time when you look at the season

that we are approaching, the season we are approaching, not only with the holiday festivities and everything, but the meaning behind it, and to a degree what has just happened in the last few days with a lot of the snow and the snowfall and the community effort and the community involvement and a lot of people involved with helping each other either digging out snow or pushing each other out of the snowbanks with their cars.

In essence, Mr. Speaker, what this bill is doing is it is taking the liability away from some person who voluntarily gives emergency aid or help to a victim in the scene of an accident or an emergency. I think a bill like this is apropos. It is something that has been addressed and passed in other jurisdictions here in Canada. In fact, if I look at the provinces that have this in effect already, British Columbia, Alberta, Saskatchewan, Ontario, Newfoundland, Nova Scotia, P.E.I., I believe that if Manitoba would look at this bill and seriously consider it, it is something that I think all people in Manitoba would recognize as good legislation and something that we should be embracing especially at this time of the year.

Mr. Speaker, this is a bit of a short session that we are in now. We will be proroguing just before Christmas time, and I think that, as a show of support for this piece of legislation, the government should be supporting this legislation. It can pass very fast. It does not have to go on and on with debate. You know, debates do not have to be that long. I think that there is a general agreement that people like to help each other, and the fact that it is during this time of year. But I think that it is something that should be looked at very seriously.

The Member for River Heights (Mr. Gerrard) has brought forth a bill that, in reading it over and looking at it, we see it is worthy of passage. We see that it has got the concerns that are expressed in the bill in regard to helping people. I think that where people are of the nature of wanting to be involved, they should have the ability to do it without fear of recrimination, as long as it is done in a lawful and a helping manner and that it is not something where someone could be put in jeopardy.

The bill, like I mentioned, is not a long bill but it certainly has a lot of implications. We look back at, a lot of times, some of our own personal experiences where we have run into difficulties, whether it is in the winter snow or involved with other places, you know, where you get up early in the morning and shovel snow, these things they all help. I witnessed

this just the other day in my neighbourhood where people were helping each other push cars down the back lane and who were out getting them going and everything.

It was something that I think we in Manitoba, especially here in Manitoba, our involvement with helping people to be volunteers is recognized as a very, very strong asset for being part of Manitoba. Every year, we have volunteer award ceremonies where we recognize some individuals and groups that have done outstanding service and commitment to the community, and that is all done through volunteerism and their wanting to help make this a better province.

We give volunteer awards to people that are individual acts of heroism. I happened to be at an event one time in my constituency where there was an award made to some firemen who had helped some people in a very, very difficult situation. It is that type of nature where people voluntarily get involved. We saw the other day where a homeless person was walking down the street and he noticed smoke coming out of a building and he stopped the police and they went in, and, fortunately, there was no loss of life because of his action. He just kept merrily along without looking for recognition until the press tracked him down and wanted to recognize him for his efforts, but he sort of just did it voluntarily as a way of his nature.

So I think that a lot of times, Mr. Speaker, there are acts, there are individuals, there are situations where people just spontaneously will help. It is that type of effort I do not think that we ever want to squash, or we want to quell with the fear of recrimination that they would be persecuted for wanting to help in a natural position, or a natural way.

So we believe this is good legislation. We are willing to move this on to committee. We believe that this is something that should be passed, like I say, before Christmas, in the spirit of the season, that the whole House will join me in wanting to have this passed. I am sure that the members, there may be a few more speakers, but I think that maybe even today there is a willingness to move this on and we can take it to committee and have it passed. Thank you.

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, we support the principle of the Good Samaritan legislation. We on this side of the House have been working on our own Good Samaritan protection act

and we will be introducing it shortly. Good Samaritan legislation is in the spirit of people helping people and it promotes a sense of responsibility toward fellow citizens.

We just heard the member from Southdale talk about volunteers, and I wanted to also mention the importance of volunteers and the fact that when people do volunteer they do so out of the goodness of their heart. It is really important that we have some protection for them that makes it evident, then, that if they do volunteer they would not then later be held accountable for some sort of action that may negatively interact with their future in terms of how they would, maybe, be help responsible monetarily for something that they unintentionally did.

Mr. Speaker, our government is very much in favour of assisting volunteers and making their life better. A lot of our organizations are fostered around volunteers. When you think about some of the boards that take place, CancerCare Manitoba, the United Way, people spend many, many hours volunteering. I think back to my past. I spent a lot of time volunteering. One of the things that I did was teach people how to be swimming instructors and also how to be CPR and first-aid friendly so that they would be able to deliver CPR and first aid.

* (10:30)

As the member from Southdale mentioned, one of the things that happens at this time of year is that people go out and they shovel snow or they push cars, and they are not physically able to do that. They sometimes end up having a heart attack, and I want to be able to say to these people that if they do go and do CPR or do first aid on another individual, they do so full well knowing that if they do that to the best of their ability, they would not later be held accountable for having something happen.

Our government has been funding organizations like Healthy Child, and it is an excellent example of the kinds of programs that we have that have been developed to involve community members in the lives of children and in the lives of people in the community. The programs that we have include Healthy Baby; Families First, a home-visiting system where new parents are provided with support and parent education in their homes; positive parenting programs like Triple P which is a program that will provide parents of children of all ages with the tools to provide effective parenting and support to their children; and parent child centres, 26 of them

throughout the province that provide nutrition and literacy courses.

Mr. Speaker, there are just so many organizations that take place through volunteers. I think about a program that I am trying to get happening in my community, the Lighthouse program, and the number of people who are volunteering their time on the board to work with kids. We just recently did a survey with the kids in the community to take a look at what the things are that they feel are important for them in terms of having some positive mentoring influence, and they talk about things like drugs and alcohol. Programs like Lighthouses that have been put forward by our government are only able to happen because of the volunteer services that happen through community involvement.

I just wanted to say that our government is in favour of this type of legislation, and we will be bringing this type of legislation forward in the near future. Thank you, Mr. Speaker.

Mrs. Mavis Taillieu (Morris): I rise today to speak to The Good Samaritan Act, Bill 202, a private member's bill being introduced by the Leader of the Liberal Party, and I speak in support of this bill. I think that it is a very good bill. I think that when people do happen upon a circumstance where they would be required to assist, they should not fear reprisal for assisting a person in need.

Mr. Speaker, this bill is already in the provinces of Alberta, British Columbia, Saskatchewan, Ontario, Newfoundland, Prince Edward Island and Nova Scotia, so clearly we are a little bit behind. This government has been dragging its feet on this and has been a little bit behind, and I encourage the government to support this bill, the first bill that was brought forward.

This bill will provide legal protection to someone who helps the victim of an accident or other emergency. A person who voluntarily provides emergency assistance to an individual injured in an accident or emergency, is not liable for damages for injury to or death of the individual caused by any act or omission in providing emergency assistance unless that person is grossly negligent.

I have witnessed accidents where people who have arrived on the scene immediately following the accident have not really known what to do, because there is a fear, of course, of going in and providing assistance if that person is not trained and really does

not know what to do. For example, if you are going to remove an accident victim from a car, there could be all kinds of injuries that could be sustained by that person by moving that person, but, you know, you have to look at the circumstance. If the person is injured and needs some assistance to help breathe, for example, that would be primarily what would have to be taking place: get the person to breathe and then look at the other injuries later.

This proposed law is being applauded by the St. John's Ambulance, who believe people should not be afraid to help and should not have to consider whether or not they are going to be sued should they decide to help another person in distress.

Mr. Speaker, I can recall being at a barbecue in my community where a person was choking, and what happens when a person starts to choke is they will exhibit the classic signs with their hands going up to their throat and not being able to talk and eventually not being able to get their breath, and they will start to fall down to the floor.

Once a person is down, Mr. Speaker, it is very hard to administer the Heimlich maneuver. Myself and a first responder in the community were able—recognize I also have CPR and have taken St. John's Ambulance first aid training. When we saw this person start to go down, we knew immediately that it would be very hard to administer this Heimlich maneuver once she was down on the ground. We were fairly far away from her, so we yelled at the people around her, "Don't let her get down; hold her up." We were able to get there and hold her and administer the Heimlich maneuver. It is classic how that happens when you do it, and immediately the thing that was lodged in her throat came out. She was able to breathe, and she was fine after that.

But, had no one felt that they could go and assist her, if someone felt that if they did this maneuver on a person and perhaps did not do it correctly and perhaps injured them in some way and so that was the deterrent not to help a person or maybe the person, if in fact injured in another way, might sue them for helping them, Mr. Speaker, if there was this deterrent and people did not want to help, the person could be injured and possibly die.

I think it is important for everyone to be able to have no fear of reprisal to assist a person who would be in need. I just want to draw the attention to the House as well that the member from Tuxedo had drafted a version of The Good Samaritan Act on October 31. Her bill stated a person who provides

emergency medical services or first aid assistance to an ill, injured or unconscious person at the immediate scene of an accident or an emergency is not liable for damages for injury to or death of that person caused by the person's negligence in acting or failing to act while providing the medical services or first aid assistance unless the person is grossly negligent.

The member from Tuxedo's bill also included volunteer firefighter coverage for greater certainty. Section 1 applies to a volunteer firefighter who receives a payment in recognition of providing firefighting or other emergency services customarily provided by a volunteer fire department, provided that the payment is not made as a result of an employer-employee relationship.

Also, there was no liability re endangering property unless grossly negligent. A person who provides services or assistance to protect or preserve property in danger is not liable for damages resulting to the property caused by that person's negligence in acting or failing to act while providing services or assistance unless that person is grossly negligent.

So, Mr. Speaker, I think that this is a bill that has been brought forward by the Leader of the Liberal Party, and I know that the government supports this bill because they copied the bill and brought in their own bill. We had looked at this bill as well and bringing in a bill because, as I mentioned, many of the other provinces in Canada already have this bill.

So it would seem to me that there is wide support in this Chamber for this bill that has been brought forward because everybody agrees that this is a very good bill and it is very necessary. It has been done. It is right here in front of us, Bill 202. I do not see any reason why we should not support this bill and pass it on to committee, Mr. Speaker. It is a very good bill, and I would encourage everybody to support it. Thank you very much.

*(10:40)

Ms. Bonnie Korzeniowski (St. James): As is evident by our putting forth our own bill, we certainly do support the principle of the Good Samaritan legislation. I have been working on it for some time. I think because, as has been pointed out, it is a long time coming, that it is going to be coming and we want to do some pretty thorough research. I appreciate that the Member for Tuxedo (Mrs. Stefanson), obviously, had done that too. In our research, we discovered that the firefighters are

already covered. So we have been taking a good thorough look at it.

Good Samaritan legislation is in the spirit of people helping people, and it promotes a sense of responsibility toward fellow citizens. It is interesting that the member opposite talked about the snow, how what else would come to mind, and I had exactly the same assistance the other morning myself. I think the thing that differentiates is, sometimes there is a difference between people having to because if they do not help you they are not going to get out, versus the person who is going in the opposite direction and backs up and stops to help dig you out. I think that that is what Manitobans basically are all about. I think the legislation is more of a precaution to remove resistance that probably is not there in 99 percent of the cases. That is why we are called friendly Manitobans; we like to help each other.

In that same spirit, our government continues to work to improve circumstances for people and to promote communities helping one another, both in the rural and the urban areas, some communities, perhaps, more than others because there is more of a need. I would suggest that, perhaps, this is even more predominant in the rural areas where there is a lot more distance and, particularly, in the winter.

Mr. Speaker, 120 new ambulances have been funded for communities across Manitoba, and over 100 of them are dedicated to rural and northern regions. Again, as I say, I do believe you would probably find an equal opportunity to be a Good Samaritan in the rural and northern regions and it goes, basically, unacknowledged. It is just a way of life. We have doubled the number of ambulances in Winnipeg during peak demand hours.

Our government is also funding palliative care drugs, so Manitobans who wish to die at home have the same coverage as those in hospitals. I worked in the hospital setting for several years, way before palliative care ever came to the state it is now. I certainly know firsthand the need for that kind of help to allow our people to die in dignity. That sometimes takes above and beyond for workers helping those people. Every RHA in the province now has a palliative care co-ordinator. We believe it is integral to the continuum of care and of life and the end of life.

Cancer Advocacy Coalition of Canada reports that Manitoba has one of the shortest average waiting times in the country. The wait time for radiation therapy has been reduced to one week from six

weeks, six to seven weeks in '98. The Pan Am Clinic is now open seven days a week to give patients speedier treatment for non-life-threatening injuries. I sure can attest to that. I have been a patient there and very much appreciated the speedier treatment that I have gotten there than I have in previous years in ERs.

This move will relieve pressures on hospital emergency rooms by channelling more than 50 000 patients a year to the clinic. Not only is it relieving pressure on the hospital emergency rooms, anyone who has sat in those hospital emergency rooms can attest to the stress that one feels when they are looking around at people who are in probably more dire emergent needs and sometimes feel guilty about even being there taking up precious time for others.

Our government has more than tripled the number of nurses graduating since 1999 from 210 to 669. There are 1200 more nurses practising in Manitoba than in 1999. Again, I worked in those days, and the pressure, the stress, that those nurses were feeling is part of the reason that I am here. So I can thank our previous government for having cut the nurses that caused the agitation that caused me to run because this is a life I am very honoured to be in a position to serve and to do something to make sure that this kind of thing does not happen again.

Diagnostic equipment has been increased, the times for using it within the city have been increased and proximity has improved. I have never felt so grateful to be able to tell a constituent of mine who was having to wait for six to eight weeks for a diagnostic treatment here in Winnipeg, and I said, you know, are you aware that if you have the means, if you are able to drive, Selkirk is just very, very close and they have the equipment there. No, he did not know that and within one week, he had his diagnostic results and was very happy about that. We do—

An Honourable Member: Point of order.

Point of Order

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

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I appreciate the fact that the Member for River Heights (Mr. Gerrard) has brought forward a bill on Good Samaritan legislation. I think it is important legislation. I am not sure that a dissertation about the health care system, however, is, in fact, relevant to the bill.

I know that many Manitobans would like to see the specific issue debated regarding the Good Samaritan legislation and I ask that you call the member to order in terms of relevance.

Mr. Speaker: The honourable Minister of Water Stewardship, on the same point of order.

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, I appreciate the member may feel that he is an expert on parliamentary procedure here but, certainly, I think everybody is entitled to see themselves as a potential House Leader, but I think the comments of the member who was speaking were well within the bounds of the matter before the House and well within the range of comments that are often put on in debate. I would point out that this is a wide-reaching bill that does impact on volunteerism, it deals with application of health care.

With all due respect for the Acting House Leader, I assume, Mr. Speaker, on the opposition side, I would suggest that the member who was speaking was most definitely in order and, in fact, I would ask you to call the member from Steinbach to order and allow the member to complete her comments.

Mr. Speaker: On the point of order raised by the honourable Member for Steinbach, we are debating Bill 202, The Good Samaritan Act, and I am sure the honourable member was going to tie in the relevancy of what she was saying to The Good Samaritan Act.

Ms. Korzeniowski: Mr. Speaker, I can assure the member opposite that I am well aware of the rules because I have erred myself in calling one of your members to account in relevancy and discovered that I was, indeed, wrong. I am very conscious of the need to keep relevant, but I do appreciate your diligence.

So now we have also expanded the safety aid program. I am talking about how our government cares about people and the principle of people helping people and communities helping communities and this does, indeed, tie in with my appreciation of the Good Samaritan bill.

*(10:50)

We have expanded the Safety Aid program that provides low-income seniors with free basic safety devices such as peepholes and deadbolts as well as forgivable loans for minor home security

improvements. The program now services Brandon and Portage la Prairie and has expanded the devices available to include fall prevention materials.

Healthy Child is an excellent example of the government, designed to promote involvement of community members in one another's lives. I realize that our member from St. Norbert has already spoken to this but I do not think anything that is this good can be harmed by repetition, so I am going to reinforce the programs of Healthy Child like Healthy Baby, the prenatal benefit and, again, prevention. Anybody of my era has heard that 10 ounces worth of prevention is worth a pound of cure.

Families First, a home-visiting system, now does that fit in, does that suit our—

An Honourable Member: I do not think so. No.

Ms. Korzeniowski: No. Well, you never know when you are visiting a home what kind of accidents can happen with children. So we want to teach the parents in that home good education and help them learn what to do to avoid, No. 1, and to treat if they run into trouble with the children. The Positive Parenting Program is a good follow-up that provides the parents of children of all ages with the tools, first aid tools I would hope, to provide effective parenting and support to their children.

It is nice to know what to do. That reminds me when one of my daughters was two years old, started choking, starting turning blue. I had no idea about the Heimlich manoeuvre back then. I held her up this way and stuck my fingers up her throat. I did get the invading object, but it is those kind of common sense things that one needs to be able to do without reprisal. Now, I do not know what that action might have done, if I could have harmed her. I am sure our member from—

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

Any other speakers?

Seeing none, when this matter is again before the House, it will remain standing in the name of the honourable Member for Rossmere (Mr. Schellenberg).

Bill 203—The Health Services Amendment and Health Services Insurance Amendment Act

Mr. Speaker: Bill 203, The Health Services Amendment and Health Services Insurance Amendment Act, standing in the name of the

honourable Member for Emerson (Mr. Penner), who has four minutes remaining.

What is the will of the House?

An Honourable Member: Stand.

Mr. Speaker: To remain standing in the name of the honourable Member for Emerson?

An Honourable Member: Stand.

Mr. Speaker: Agreed? [*Agreed*]

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

Any speakers?

Mr. Bidhu Jha (Radisson): Mr. Speaker, I would like to put some of my points on the record on this particular act.

The purpose of this act is based on five principles of the Canada Health Act in Manitoba legislation. Section 7.12 includes the five principles: public administration, comprehensiveness, universality, portability and accessibility. This bill emphasizes that the health services delivered under The Health Services Act and The Health Services Insurance Act must comply with the program criteria set out in the Canada Health Act. It also requires that services comply with the fundamental principles of accountability.

Now, Mr. Speaker, as far as accountability is concerned I would like to say that any system, be it private or public, accountability is a very, very important aspect of management. I understand from the Canada Health Act that we, Manitoba, definitely support that and I am glad to see the Manitoba Liberals are also supporting this. Unfortunately, their counterparts in Ottawa are not, as best as we would have expected them to do to protect the Canada Health Act.

This is very unique to us in Canada and I think that we have spoken about this several times, that Canadian values on health care are unique in the world, and we really do not want to see that vanish and go away with the kind of, I would call, conspiracy of Americanization of Canadian health. So it is very important to see how the Romanow report which emphasizes that CHA remains intact and not be destroyed by some of the things that are going now in this country on privatization. Today I saw in the paper, which is very sad, that a public system is being abused by a conspiracy by a private

clinic trying to challenge this particular act which is very unique to us in this country.

Mr. Speaker, the world is threatened today with all kinds of fights, able forces trying to destroy this civilized society, and Canadians have stood tall and very firm on trying to see how we can make universality which is treating all in the same platform, making everyone's access to health care and education as a fundamental value of our society. We become very philosophical to see that we look at things behind self-interest and try to see how such systems that we have developed in this country, we need to protect so that eventually we make a better world for ourselves and our future children.

I am very, very concerned at times when I look at things that are going on behind the scenes trying to really manipulate and make it look that the Canada Health Act is in danger. I have spoken to this in the past when my own children left Manitoba to practise elsewhere and I am, again, repeating this, that my daughter, who is a radiologist, practises in the U.S.A., and she compares both systems of American health care system versus what we have in Canada, and I can speak very openly that she believes that we are fortunate to live in Canada with the Canada Health Act that is so universal and so nice for all of us.

There have been several studies done on this particular aspect. I am not going to repeat that, to say that the private health care system for profit does not really reduce the wait list unless you have got a very small population and you have a lot of access and a lot of wealth available for use by a small, select group. So I think that having said all of this time and time again, I would repeat that we have opportunities to protect and enhance our own health care system, that this government goes on the record of doing this for the past several years.

We have more hips and knees surgery done. We have more doctors in our society. We are working hard to reduce waiting lists. We have a Healthy Living Minister and we have improved a tremendous amount the values of child health and women's health. Chronic disease management, we have the world-class centre here. We are training more health care professionals. We have done a lot of things in improving the emergency room services and we have been investing in health capital by the construction of the Health Sciences Centre and other health care facilities throughout Manitoba.

So, I would say, Mr. Speaker, that it is for me to talk about The Health Services Amendment Act and look at accountability as one of its important aspects. I would say that we should all work together to make sure that private for-profit health care does not creep into our society and destroy what has been built on the basic values of universality and, typically, the very unique Canadian value of maintaining health care throughout our society and throughout this country.

So I would say that my particular emphasis will be, again, repeating the purpose of this act, to say that it requires its services to comply with the fundamental principles of accountability. Manitoba does support the principles of the Canada Health Act and we are happy to see Manitoba Liberals also supporting this.

Mr. Speaker: When this matter is again before the House, the honourable member will have three minutes remaining.

The time being 11 a.m., we will move on to resolutions, and we will move to the resolution Appreciation for Manitoba Law Enforcement.

* (11:00)

RESOLUTIONS—COMMITTEE SELECTION

Res. 2—Appreciation for Manitoba Law Enforcement

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I move, seconded by the Member for Turtle Mountain (Mr. Cullen), that:

WHEREAS each and every day in Manitoba, men and women in our national police force, the Royal Canadian Mounted Police, in the Winnipeg Police Service and in municipal police forces throughout Manitoba provide safety and protection to residents and visitors in our province; and

WHEREAS each and every day these brave men and women place their own personal safety at risk for the well-being of Manitobans; and

WHEREAS members of law enforcement work to promote good citizenship through a variety of education and community orientated initiatives; and

WHEREAS members of our various police forces are active volunteers and contributors in the community and the region in which they live and work; and

WHEREAS police officers are often the first people that Manitobans turn to when they are in need of help or assistance; and

WHEREAS members of law enforcement deal with an increasingly complex and difficult set of societal concerns; and

WHEREAS spouses and family members of law enforcement officers share in the increasing challenges and danger that police officers face in their work; and

WHEREAS some members of municipal, provincial and our national police force in Canada have made the ultimate sacrifice and lost their lives in the line of duty.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba, on behalf of all Manitobans, thank the men and women of the various police forces in Manitoba for their service and their dedication; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba, on behalf of all Manitobans, thank the spouses and family members of the men and women of the various police forces in Manitoba for the contributions they make to the safety of our province; and

BE IT FURTHER RESOLVED that this Assembly direct the Clerk to forward a copy of this resolution to the highest ranking officer in each of the police detachment offices in Manitoba.

Motion presented.

Mr. Goertzen: Mr. Speaker, it is a pleasure for me to rise and to move this important motion of recognition for the work that our law enforcement officers across the province, in our national police force, the municipal police forces do every day in our great province. I know I expect that there will be co-operation by all parties in the House on this particular resolution because I think, when we discuss issues of law enforcement, particularly the work that our officers do each and every day, it is not a political issue. It is something where we can put down the cloaks of political parties, and we do not have to discuss things in a politically charged way, that we would all agree that those men and women who do the work of law enforcement are doing it with valour, are doing it with bravery and are performing a tremendous service for all residents in the province.

Mr. Conrad Santos, Deputy Speaker, in the Chair

We are reminded, I think, tragically, from time to time, of the danger that law enforcement officers place themselves in each and every day, and those reminders come through occurrences where officers find themselves in the line of duty under dangerous circumstances, most recently the tragic events in Mayerthorpe in Alberta, where four brave officers lost their lives in the line of duty executing a search warrant. We know that, while that is, happily, not a common occurrence with the RCMP, it was the largest loss of life of officers at any given time with the RCMP. It is a sharp reminder that these are individuals who go into dangerous circumstances. When other law-abiding citizens are fleeing scenes and are trying to get away from a dangerous situation, our law enforcement go into those dangerous situations.

Here in Manitoba, we also know that, for example, most recently, Constable Dennis Strongquill lost his life near Russell in December of 2001 in the act of his duty. We remember the sacrifice that he made. That sacrifice is represented and it is reflected in every officer in Manitoba in a municipal force or in our national police force in the act of their duty. We know, again, Mr. Deputy Speaker, that it is not the kind of job that is suited to everyone, that it takes a particular kind of person to say that they are going to do that each and every day, that they are going to put themselves at risk.

I had the opportunity this past summer to visit the RCMP training Depot in Regina and met with a number of the recruits in that particular class of a variety of ages. It used to be that it tended to be a lot of younger people who were going into RCMP training. Here we saw in this year's class a real wide spectrum of ages of individuals who are training to be RCMP officers. So that set them apart in some ways, that their ages were different. But what brought them together and what made a commonality was their interest in making a difference in their communities, was the dedication that they had to ensuring people were safe because they believed in what they were doing and they believed that it was important.

I know that is not unique to the Royal Canadian Mounted Police, although those are the officers that I was able to meet with in Regina. I know that in the Winnipeg Police Service and other municipal forces as well throughout the province, that the individuals who join those forces do so because they believe that they are going to make a difference. They do make a difference in making our communities safer.

We understand that there are frustrations that are within their jobs, that they have challenges. I have talked to police officers across the province. But despite those challenges, Mr. Deputy Speaker, they go forward knowing that their job is important, knowing that what they are doing is making a difference each and every day.

So that is really why the resolution was brought forward, and I am hopeful and will be grateful for the support of all parties in this House in passing the resolution because I think we can all agree, in a bipartisan way, the way Manitobans would expect us in this particular issue, to agree that this is an important thing to do and not just today, but truly every day, to recognize the work that law enforcement does in the province of Manitoba and indeed across Canada.

I also, and the reason why it specifically is mentioned in the resolution, we want to pay tribute to those families who are also part of the law enforcement team, the spouses and the loved ones of members of the law enforcement, the national police force, the municipal police forces. They too make a sacrifice. They make a sacrifice by allowing their loved ones to work in this occupation with difficult hours and under difficult stresses.

I certainly know members of law enforcement, both in the RCMP and in the Winnipeg Police Service and in other areas of the province and municipal forces, and I know that those stresses sometimes come home, Mr. Deputy Speaker. That is an unfortunate reality, that it is difficult to separate the job from one's home life. I think if you would look at the statistics within those families, you would see that there are the specific challenges because of the job and the nature of the job and the pressure that it puts not only the individual law enforcement person under, but also the families. So it is truly a sacrifice that the entire family of a law enforcement individual makes, and we appreciate that sacrifice, we recognize that sacrifice, we applaud the work that all law enforcement are doing.

So I am very pleased to have brought forward the resolution. I look forward to it passing unanimously in this House. I think that would send a strong message to Manitobans that, regardless of political stripes, we all believe in the work that our law enforcement are doing. We are behind them 100 percent. We support them and we look forward to them continuing on in that service. Thank you very much, Mr. Deputy Speaker.

* (11:10)

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I am pleased that the House was able to give leave for the introduction of this resolution and to have it as one of our very few, one of our resolutions in this session of the Legislature.

Mr. Deputy Speaker, I certainly believe that it was important at every opportunity, when addressing police officials and peace officers generally, to express the gratitude of Manitobans to their choice of career and to acknowledge the selfless giving to public service that policing is.

Mr. Deputy Speaker, I have often said that policing is, indeed, the epitome of public service. It is really the ultimate sacrifice, when one puts a life on the line for the greater good and that is what policing is about. Let us not fool ourselves, because we are, most unfortunately, reminded of the tragedies that police face across this country way too often and, in particular, in this year, with the tragic events at Mayerthorpe, Alberta. We saw how Canadians rallied, how horrified and how angry they were at the killings that took place on that farm. I think the horror and the anger and the level of that clearly showed not just ourselves but anyone who was watching how Canadians value policing and abhor violence, particularly when it is directed against those who protect us.

There are places in the world, Mr. Deputy Speaker, where, in an event like that, the population would have just continued on and not recognized that loss because it, unfortunately, can be too common of a tragedy in some parts of this world. Here in Canada, we clearly have sent a strong signal and a hats-off to law enforcement officials in this great country. This resolution, in one way, speaks to the need to, at every opportunity that we have, recognize the role of police officers in protecting our loved ones in our communities.

The resolution and, indeed, when I have this opportunity face to face, it also directs an acknowledgement to the families and supporters of those who choose policing and who are often seeing police officers out the door every day as they go on to the streets and roads of this province to protect our safety and our property. They also are selfless. I know of the hard work and the effort that goes into the training of police officers and, indeed, in Manitoba we have accredited police forces like in Winnipeg and in Brandon. We have the excellence of the RCMP and the rigorous training is second to

none. So they have supported the cadets and they support the officers on the beat and I say hats-off as well to the loved ones and friends.

When we have a loss of a police officer in the course of duty, Mr. Deputy Speaker, it is an event that reminds us of everything I have just said and it is for that reason that we know we have to always be vigilant to ensure that the adequate resources are being deployed for policing. It is one thing to have a resolution and to thank the officers face to face, but we all have a responsibility to ensure both resources and tools for police. The House knows how this year, for example, we have increased the policing budget to the highest level of new resources that we know of in recent times. We have increased the resources by 13 percent.

Mr. Deputy Speaker, it is also important to recognize that we all have efforts in terms of other supports by way of provincial civil legislation that can be new tools in a toolbox and also prevention activities that are directed at the roots of crime, because I hear more from police officers than anywhere how important it is that people not just say that crime is up to the police to deal with, it is up to all of us. It is up to individuals. It is up to agencies and schools. It is up to all levels of government. It is up to communities in themselves. So whether it is initiatives like Neighbourhoods Alive!, whether it is Lighthouses, whether it is Turnabout, whether it is even investments in public education and investments in post-secondary education, those all have an impact on the well-being of a community and, therefore, on levels of crime.

So we see the need to approach crime reduction in a balanced way, by focussing on both suppression and prevention. It also involves citizen patrols, eyes and ears for police, that have worked so well and, indeed, I understand Manitoba leads in the country in terms of its organizational efforts around citizen patrols and the mobilization of that grassroots movement.

But, as well, Mr. Deputy Speaker, it is important that we continue to send a strong message that our national laws must be strengthened to protect police to a greater extent. Those who protect us must be better protected by us. There must be stronger sentences when offences are committed against police officers, and whether it is increasing the maximum penalty, in fact, we have asked for a doubling of the maximum penalty for assaulting or disarming a peace officer, we have asked for

mandatory minimums where an assault causes serious bodily harm or where a weapon is used. We have also asked the federal government to consider the elimination of parole when there is a murder of a police officer. I sincerely believe that this would send a stronger deterrent message from the Criminal Code, that this country will do what it can to protect those who are out there for our loved ones.

So I join with all members of this House in support of our officers and their families, and I am pleased that the Legislature is sending this message and, at the same time, recognizing that we in this House and, indeed, in other quarters must continue in real efforts, whether it is through cross-border policing efforts or other initiatives to support policing when it comes to their front-line duties. Thank you.

Mr. Stuart Murray (Leader of the Official Opposition): I rise today to speak to the resolution that has been put forward by the honourable Member for Steinbach (Mr. Goertzen), in appreciation of police officers. I do so because, as a very young person growing up in Saskatchewan, one of the things that we had, Punnichy, Saskatchewan, my honourable friend from Dauphin notes, we had a great opportunity to go to the Depot in Regina to watch the development of the RCMP. It was a tremendously honourable and awesome sight, frankly, to see what some of the men and women of Canada were doing in terms of training, to go out and represent and present, ensure that Canadians were kept safe in their communities.

But I always have been amazed at anybody, frankly, and I have said this many times as I have had the opportunity to attend the City of Winnipeg police cadets' graduation, that any man or woman who decides that they are going to fulfil their career, put their life on the line, if you will, in terms of their profession, to take a position to be a police officer, whether it is in the RCMP or whether it is the Winnipeg city police, Brandon city police or any of our municipal police forces, they have made a commitment that they are going to, basically, serve the community and protect the community.

I know that a lot of times that we look at some of the incidents, and I know that they were mentioned by my colleague from Steinbach, and I think that I also would like to just take a moment to remember some of those police officers who have fallen in the line of duty to protect citizens in Canada, in

provinces, in this case, Alberta with Mayerthorpe, and here in Manitoba.

* (11:20)

I would like to just read into the record that we do remember the loss of Constable Leo Johnston, Constable Peter Schiemann, Constable Brock Myrol and Constable Anthony Gordon. Of course, not only do we remember them but we remember the loved ones and the families that were left behind under such terrible, terrible circumstances.

In Manitoba, we know that Constable Mike Templeton was injured in the line of duty, shot in the face outside of Portage la Prairie. In Manitoba, of course, we know that there are 46 officers that have been recognized for giving their lives in the course of performing protection duties, which includes 20 RCMP officers, five federal, one provincial corrections officer, four provincial police officers, one town constable, six provincial conservation officers, one park police officer, and eight city police officers. And, of course, the most recent, when a number of us in this Legislature attended the funeral to honour Constable Dennis Strongquill who was killed in Russell in December in 2001.

Mr. Deputy Speaker, I think this resolution is important, and I do believe and I hope it is going to be unanimously passed by this House, because I think we need always to recognize and honour the women and men who do serve, and I said earlier in my remarks to protect the community but also to serve the community. I know that there are a lot of times that, when there is a turmoil and trouble in communities, the first people that we turn to are our police officers because we need them to be there to protect and ensure that safety and the law is being upheld.

I also know that, and I can speak from personal experience when I was chairman of the World Junior Hockey Championship, we needed the police to be involved to act in a community way, and they did that in such a tremendous way that it was so proud for all of us involved in that event to see the community side of policing. It was not so much on law enforcement, obviously, but it was more how do we ensure that the community is involved in this, how do we ensure that those teams that have come from all over the world understand that they are going to be looked after and they are going to be protected and have somebody from the community

policing services with them. I think those things are very, very important.

I know that when I do attend the Winnipeg police cadets graduation ceremony, and I have done that for the past number of years because I want to be there to support them, I always am amazed when you look at the cadets that are graduating, the young women and men that are graduating, just exactly how young they are. These are people, Mr. Deputy Speaker, that are now going to go out into the province of Manitoba into our communities, and they are going to be there not knowing every single day that their life may be put on the line. I do not mean to be macabre or I do not mean to be over the top in that because that is not on a daily basis what happens. But there is always that one opportunity that something may happen, that they may have to draw their revolver. That is not something—obviously they are very well trained for—not something they want to do, clearly. But I think that it is always impressive, and it is something that I just want to humbly say to them thank you very much for taking that profession, to putting your name forward as men and women who want to be a part of policing in Manitoba because we know without them how much trouble we would be in as a society.

I want to also just add comments that I believe I heard from Manitoba's Attorney General just a few minutes ago when he said, and I agree with him and I support him, and that is that the police are there to protect society, and they do a tremendous job. Indeed, that is what this resolution is for, to show our appreciation for what they do for protecting us. But I think as legislators it is also incumbent upon us to protect them, to make sure that, if they are violently targeted in society, those perpetrators also will suffer to the full extent of the law, that we are there standing shoulder to shoulder as legislators to know that we believe and we support the women and men in our police forces in the province of Manitoba.

I want to pay tribute to all of those families who are there to encourage their young women and men to enter into the police force. It is important that we in this province always have a full complement, that we in this province always understand that it is because of the police forces we have in our community that we have a sense that our communities are safe. I know that, as a father of two daughters, I respect and always rely on policing in communities to ensure that their safety is always

looked after. I know that a lot of us in the Legislature, Mr. Deputy Speaker, have had our own brushes with the law, and we also respect those brushes that we have had because I think, ultimately, it makes us better citizens.

I want to close my comments simply by saying that those women and men who put their careers and put their lives on the line, who make a difference in our communities, who make our communities safer, who are always the first ones to be there when there is trouble, who are always the first ones to ensure that they are there to earn the trust of the communities, and I tell you that our men and women that we have in the province of Manitoba do that.

I would hope that all of us in this House would unanimously support this very important resolution because I believe that, as Manitobans first, we are there to support the women and men of our policing forces throughout the province of Manitoba. Thank you very much, Mr. Deputy Speaker.

Mr. Andrew Swan (Minto): It is my privilege to stand today and to acknowledge, as the speakers before me have, the hard work and the sacrifices of Manitoba's police officers. The Member for Steinbach (Mr. Goertzen) made some comments about the fact that police officers cannot simply leave their job at the office, that they do certainly carry that with them as they go.

I can say that from personal experience, in my previous life, Mr. Deputy Speaker, as a lawyer at a downtown law firm. The firm does a fair amount of work for the police association. As a result of that, I had the opportunity to work professionally with a number of police officers who had obviously problems with their home life because of the shift work, because of the nature of the work that they do. Certainly they do put in a sacrifice in terms of their family life, and I did my best certainly to assist them through that time. I can tell you, they are good clients because they tend to follow orders, they tend to take notes, and I certainly enjoyed dealing with police officers in the course of my work before coming to this Legislature.

Certainly, Mr. Deputy Speaker, the face of policing in Manitoba has changed over the last years. We are a province which celebrates diversity, and I think we are now seeing the benefit of that in our municipal police forces and in our RCMP officers. Both the RCMP and municipal police services are now doing an improved job of attracting all members of our society, Aboriginal people, visible minorities,

to become police officers and help protect all of us in the province of Manitoba.

Mr. Speaker in the Chair

I certainly encourage anyone in this House to stop in at Division D headquarters and pick up a copy of their newest recruiting poster. I can say that by way of bragging, Mr. Speaker, because my brother-in-law, Dave Collins, is actually the smiling face on the new RCMP recruiting poster.

Constable Collins, my brother-in-law, graduated from the Depot in Regina several years ago. He spent a number of years working in the beautiful town of Manitou and is now posted in the village of Oakbank. Police work has certainly been good for him. It has been a great career for him. Certainly it has provided some challenges on the home front. But I can assure this House that my brother-in-law loves his work, and we are very proud of him.

I know that the speakers before me talked about the risks and the challenges that police officers face and, certainly, having a police officer in the family, I know that to be true. My in-laws were actually travelling out of province when Constable Strongquill was shot and killed near Russell, and all they heard was that a Manitoba RCMP officer had been shot. Obviously, for them, even though they knew it was not their son, certainly that was a difficult time for them.

Now, I can also talk from personal experience, at least within my house, about my wife's experiences with the City of Winnipeg police officers. My wife was a social worker with Child and Family Services for a number of years. She dealt with police on a regular basis. Police would attend with the social workers in the event of an apprehension. She worked with police officers in the sexual abuse unit, and she found her work with the police to be very rewarding.

* (11:30)

There is one particular anecdote that she passed on to me. There was an apprehension that took place. Someone had called the police saying that there were unattended children in a home. Of course, Child and Family Services were then called in, but my wife and her co-worker arrived on the scene long after the police officers had arrived. In fact, the police officers had truly taken control of the situation. They had found the children unattended in the home. They had changed the children's diapers. In fact, when my wife got there, one of the police officers was in the

kitchen preparing lunch for the children. She said to one of the police officers, "I cannot believe you are doing this," and the police officer shrugged his shoulders and said, "Look I have kids." I think that was very telling that we had a police officer simply going in and stepping into a situation and looking after the smallest members of our community.

I am very pleased in the course of my work to be able to deal with police officers, whether they are inviting me out to some of their events and meetings or whether I am encouraging them to come along to some of the events that I hold in my community, or whether it is simply dealing with them on various issues. I am very pleased to work with members of the Winnipeg Police Service who are truly doing the best to work with our community to make this a safer place.

So, Mr. Speaker, I think we can all commend our Manitoba police officers who do a difficult job under difficult circumstances. I appreciate the efforts of the Member for Steinbach (Mr. Goertzen) for bringing this resolution forward and certainly I will urge that we adopt this resolution unanimously. Thank you.

Mr. Peter Dyck (Pembina): Mr. Speaker, I too would like to just thank the Member for Steinbach for putting this resolution in place and for the people within the Chamber here supporting this resolution.

I, too, have relatives, I have a nephew who is an RCMP officer, and I just know how committed he is to the job, the task that he has taken on for himself. As a child, it always was his dream to become a police officer and, in fact, he worked for the OPP, the Ontario police force, for a number of years, then moved towards becoming a customs officer and just lately completed the training to become an RCMP officer. So I have some feel for what he has gone through in the training that he has taken.

But, Mr. Speaker, I too just want to thank the local police officers that we have, the law enforcement agencies within my own constituency. I think of the city of Winkler, the town of Morden, and the people who are involved there. I think of people such as Trevor Marek in the town of Morden who is a police officer, or Rick Hiebert, a constable in the city of Winkler, and the work and the time and effort that they go through to make our communities safe.

Mr. Speaker, it is more than just making the communities safe. In reflection of the resolution that the Member for Steinbach brought forward, I think of the times when the officers are within the schools and the thought that just came to my mind was the fact that as they are standing in the hallway, it is so interesting and exciting to see how children gravitate toward them. There is that sense of awe that they have as they stand beside the, and in the cases where you have got small children standing beside the big officer, and so they like to have their pictures taken with them. In fact, I experienced this when we had the citizenship court in Winkler. We had some of the law enforcement officers there and the children had an opportunity to get a picture taken with them.

So this is something that the respect that we have for them, the work that they do that we want to continue and so I just want to thank them for the work that they continue to do for us. As they leave the homes, their own homes, whatever time of day it might be, and I know that they are on shift work, but their loved ones say goodbye and, as I have said a number of times as I have had opportunity to speak at official functions where they have recognized the work that the officers do within the community, I have indicated and said that their spouses do not know whether, in fact, they will return that day because they have no idea who they may be confronted with.

By and large, we live in safe communities within rural Manitoba. However, there are also cases, as the Member for Steinbach (Mr. Goertzen) has indicated, of people who are out there to try to hurt someone else and to break the law and so they are confronted with these people. So I just want to take this opportunity to thank those who are out there striving to and working very diligently at making our communities safe and keeping them safe.

So, Mr. Speaker, with those few words, again, I want to thank the police officers within my area, Winkler, Morden, Manitou, the RCMP officers for the work that they continue to do, the efforts that they put forward in keeping our communities safe. Thank you very much.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise in support of this resolution from the MLA for Steinbach, which lists the important reasons why we should be thankful for police officers and the incredibly important work they do all over Manitoba.

This is a resolution which is timely and it is a resolution which both myself and the MLA for Inkster support strongly. I would point out to the Chamber that we had not all that long ago a Liberal MLA, Gary Kowalski, who was sitting in this House, a police officer, and he has provided tremendous service as a police officer in Manitoba as well as a Liberal MLA. I think that it is important that we should make sure that Gary Kowalski and others like him are recognized and appreciated.

I would like to tell a story which I think illustrates the important role that police officers have to play today in Manitoba as a result of major problems in the NDP-run health care system in our province. The problem is this, as I have been raising in this Legislature for the last several weeks, that care for individuals with mental health is not being provided in a way that is needed urgently when people need attention and in an appropriate fashion so that individuals with mental health problems can get treated rapidly. One of the results of this is that the police are sometimes called in where there are situations where there is a mental health issue because the mental health issue is not being dealt with adequately by our health care system.

I will give an example. I will not provide any names, but I think that I can share this example with members here because it provides an illustration of just this sort of problem. This concerns an individual with a significant mental health issue which had been going on for some years and like, many mental health issues, he was going through cycles when he was better and he was worse and it depended in part on the treatment and how well it was being delivered.

I suspect that if you look carefully at the record, you would find that the inadequacies of the mental health system we have in Manitoba are one of the reasons why he was not doing better than he was. This individual, from all the evidence, was discharged from hospital too early, at a time when he was still psychotic. The mother of this man, after discharge, could not find him, so she called the police and said, "Look, my son has disappeared. He is missing." The police were able to locate this man and they said, "Well, it looks like he needs medical attention." The mother called to the program that she was involved with, the mental health program, and they said, "Well, there is not much we can do for you right now, maybe you had better take him to a hospital."

* (11:40)

So they took this man to the emergency room at the Health Sciences Centre. He had to wait about eight hours and finally got attention. Then, you know, the young man and his mother were told, "No, I am sorry, we cannot admit you. The situation that he is in, we will not admit you." But what was even more disturbing was that there was no change in treatment, even though, from what I can gather, it was clearly recognized that he was psychotic.

So the policeman and the mother—there were two policemen I gather—talked about this and they said, "Well, maybe we will try St. Boniface." So they went to St. Boniface and they waited for four hours in St. Boniface. From what I gather, again it appears to be recognized that he was psychotic, but they said, "No, no, we have orders. We cannot admit you."

So this young man was sent away without change or improvement in treatment. According to the reports I have had, he remained to be psychotic, and the health system would not offer help. But guess who was there? The police officers were there. Because the police officers were there, they were able to establish trust and a caring relationship with this man.

I do not think that I need to go on through the rest of the story at this point. But I think it points out that the police were there in this instance to help with a mental health problem, which they should not have had to deal with if the health system had been functioning properly.

I want to thank those two police officers and all the other police officers who have gone out of their way at one time or another to deal with health care issues even though this is not necessarily their real function, the health care system should be functioning well enough that people can be looked after, but sadly it is not under this NDP government. So we have to thank the police.

Here is an example where the police are praised by a mother and son for the work that they did, the effort and the care and the attention and there was trust built up. I want to say thank you by supporting this resolution. I want to recognize, not only these individuals for what they have done, but the many police officers who have themselves been injured or hurt or even died in the line of duty. We say thank you because you have done an extraordinary job and are trying to do the very best, sometimes under very difficult circumstance.

Mr. Leonard Derkach (Russell): I would just like to add a few comments to those that have already been made with regard to this resolution. I do so because, Mr. Speaker, I am moved to do that as a result of some of the incidents that have occurred over the past few years in my community as it related to police officers.

Mr. Speaker, police officers have always done their job. They have done it diligently and they have done it very thoroughly. Our legal system does let our police officers down. I say that because that happens not only with regard to the penalties that are handed out by our judicial system, which allow those who have committed crimes to go back on the streets, even though police officers will strongly advise against that because they know that these will be repeat offenders.

Of course, many times the law is written and interpreted in such a way where those who have committed crimes unfortunately go back on the street to recommit those crimes and, in most instances, recommit those crimes in a more violent way and end up behind bars at the end of the day anyway. But what it does is it taxes the resources of the police system. That is something that the MLA for Steinbach has repeatedly raised in this Chamber with regard to police officers, that they do need greater resources, they do need to have the resources to be able to fight the crimes that are committed in our province appropriately, and that is what is often not the case, Mr. Speaker.

So, although today's resolution is really meant to congratulate the police officers for doing their job, we have to look at the other side of the equation, and that is the penalty side. That is the side that is really the responsibility of people who make the laws, of people who interpret those laws, Mr. Speaker. Too many times, although police officers carry out their jobs, the shortfall is on, I guess, the implementation of the law by those who have the power to exercise penalties for those who have committed crimes.

Mr. Speaker, I go back to several years ago. I think it is about five years ago or four years ago now that Constable Strongquill was shot down in the community of Russell. Constable Strongquill was only doing his job. He was out there doing his work. A gunman decided to use his weapon on this constable and on his partner. What happened afterwards is a signal to us that our laws need to be changed in order to protect police officers more appropriately, because his partner, who is still living

today, became a victim. He became a victim of our legal system because he, today, still wears the scars of that night, but he wears other scars as well. Those are the scars of the system that he is wearing today because he was made to look like a guilty person in that whole incident because, apparently, the actions that he took while he was under gunfire, should have been different according to what some lawmakers, if you like, think. So he has suffered and his family has suffered. He has had to relocate. He has relocated his family. I am sure that he lives every day with that memory of that night when he had to draw his weapon and try to defend himself and his partner, but, indeed, they were outnumbered and outgunned.

Mr. Speaker, our police officers have to be held in high esteem, and I hold them in the highest esteem because I know that the work that they do is not selfish in any way. They give of themselves every time they are on duty. They face all kinds of dangerous situations. In this event of Constable Strongquill, it was a routine check of a vehicle. At no time would you expect gunfire to come at you when you approach a vehicle, when you stop it in a place like Russell, Manitoba, a place that is generally a quiet rural community.

But when that happened, as they are taught, the constables retreated, but they were pursued by the gunmen, the gunpersons. Unfortunately, when their car was rammed by the pursuing vehicle, they were immobilized, leaving Constable Strongquill in a very vulnerable position in the passenger seat of the car where he could not avoid the shots of the shotgun and the firearm that came at his chest.

* (11:50)

The constable who was driving the vehicle was able to get out of the vehicle and return fire, probably saving his life as a result. But what happened following that was that the blame for the incident was not put on the perpetrators of the crime but, indeed, some of that blame was shifted over to the constable who was driving that vehicle. This is so unfair because I happened to be in that community that night and lived through the ordeal after it had happened and I know that every constable on that police force did absolutely everything they could to avoid any hurt to anyone.

But, Mr. Speaker, we cannot continue in the way that we have been going in our society, where people who commit serious and violent crimes go before the courts, are given a slap on the wrist and then are turned out into the public again. If we have to

address anything in our criminal justice system, it is that part. Our judges have to be armed with legislation that allows them to impose penalties on people who commit violent crimes that are appropriate to the crime. So many times that does not happen.

You know, Mr. Speaker, too many times, we have people who commit a drunk driving offence, which is very serious, or who speed on our highways, which is very serious as well, but many times the penalties to those people are more severe than they are to people who commit crimes where people are shot, where people are killed, where people are gunned down. We have gang members walking the streets after they have committed crimes. That is where we have to address the issue. We have to allow our police personnel in this province to have greater resources, to be respected and to be armed, knowing that when they catch a criminal, when they catch a violent offender, that that violent offender will be dealt with in an appropriate way in the courts.

Having said that Mr. Speaker, I want to conclude my remarks by congratulating all of the police personnel in our province, all of the individuals who do so much to ensure that we live in as safe a society as they can possibly provide with the resources that they have.

So today, Mr. Speaker, I say congratulations and thank you to all of the members of all the police forces across our province and, indeed, across this nation, for doing a job well done, for doing a job that, indeed, puts them in danger and for making our communities as safe as they possibly can be.

Thank you, Mr. Speaker.

Hon. Scott Smith (Minister of Intergovernmental Affairs and Trade): Mr. Speaker, I would like to commend the member from Selkirk for putting forward—

An Honourable Member: Steinbach.

Mr. Smith: Steinbach, for putting forward this motion. I could mention him by name, Mr. Speaker, it is far easier than remembering municipalities or constituencies, but certainly I commend the member for putting forward this application for law enforcement.

Mr. Speaker, the member from Russell had mentioned you do not expect things to happen within communities, whether they be small or large neighbourhoods, in areas that we all live in that, at

times, can appear to be very quiet communities where you do not have that many problems. But, in fact, our law enforcements throughout the entire province of Manitoba can expect to have just about anything happen in their communities.

It could happen within the city of Winnipeg or the city of Brandon or any other areas. When you take into account what many members have mentioned here already, is some of the misgivings of humanity on crimes against humanity and so forth, but there are many other things that happen within communities. In fact, there are emergencies that our police officers respond to, and they respond to usually very soon after events happen. They are the first ones on scene at rollovers of chemical spills and trucks in communities, train derailments, they are there when the car accidents occur. They are out in weather and in situations where most other people with common sense are moving away from because they are a hazard.

Mr. Speaker, the expectation of the general public is that these officers will have a little bit of expertise in every single area that is out there, but I think what we have to remember is that these people are on the front line. These are the people who protect us each and every day in our communities. These are the people who see situations where once in a lifetime if you see bad serious car accidents or rollovers where there are injuries to the extreme that most people would have to turn away from, those officers are responding and dealing with the issue of not only the injured person or the people around them, but the safety of others within the vicinity in those instances.

Mr. Speaker, the toll that it takes on our police officers, certainly physically and mentally, I think we all have to appreciate and consider the expert training that they have, but also the wherewithal of human spirit and what they possess to go day after day and day after day in their occupation.

Mr. Speaker, when there are crimes against children and some violent crimes against children and horrendous crimes against children, mentally, it is extremely difficult for families to deal with, for neighbours to deal with and community to deal with. But those officers take that home each and every night, not flipping a switch and turning it off, but dealing with that and dealing with it in a professional way. I think we have to take off our hats, we have to commend those officers for the incredibly valuable work that they do each and every day on behalf of

citizens. Many of us think of shootings and stabbings and those types of crimes. But there are mental crimes against humanity that police officers have to deal with, with child molestation and many other horrendous crimes that those officers deal with each and every day, and they go back to work the next day.

Mr. Speaker, we have to remember those officers are there to protect us. Those officers are there to protect the community, and they do it through many, many ways, certainly through education in our schools where some youth become disenfranchised with policing services. In fact, in some countries where we have immigrants come into our communities, officers are looked at in a different light. Quite often what we will find in schools, certainly in our community school work that the police do, those children and those youth realize that the officers are there to assist them, to help them, to be part of their community and to protect them. They do a wonderful job in that, in the policing in schools we have here in Winnipeg and many other areas.

So, Mr. Speaker, I could go on at some length. I know other members had wanted to put some comments on record. I would again like to commend the member for putting this forward. It is something we all value in this House. It is something that our police officers should have recognition in a positive way on. I can say that the member is quite thoughtful

in the appreciation for Manitoba law enforcement that he has put forward in this. His WHEREASes are bang on in every area.

I know as a government we all commend putting more money and more resources toward our police services, which we have done, Mr. Speaker. But, again, just to wrap up, I commend the member for putting this forward. It is a very, very good bill. I fully support it, and I think we all should in this House.

Thank you, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the resolution Appreciation for Manitoba Law Enforcement.

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

Resolution agreed to.

An Honourable Member: Unanimous.

Mr. Speaker: Unanimous? Agreed to make it unanimous? *[Agreed]*

The hour being 12 p.m., this House will recess and reconvene at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 17, 2005

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