

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

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(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 12, 2008

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

**Bill 46—The Community Revitalization Tax
Increment Financing Act**

Hon. Steve Ashton (Minister of Intergovernmental Affairs): I move, seconded by the Minister of Infrastructure and Transportation (Mr. Lemieux), that Bill 46, The Community Revitalization Tax Increment Financing Act; Loi sur le financement fiscal de la revitalisation urbaine, be now read for a first time.

Motion presented.

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

MINISTERIAL STATEMENTS

Apology to Residential School Survivors

Hon. Gary Doer (Premier): Yes, Mr. Speaker, I have a statement for the House.

Mr. Speaker, elders, survivors, Aboriginal people, members of this Chamber. Yesterday the Right Honourable Prime Minister of Canada, Prime Minister Stephen Harper, made a formal apology to the survivors of residential schools and to Aboriginal peoples of Canada.

He apologized for the great wrong that was done by forcibly removing children from their homes, placing them beyond the protection and guidance of their families and robbing them of their languages and culture. The simple words, "we are sorry," mark an important moment in our nation's history.

As National Chief Phil Fontaine said yesterday from the floor of the House of Commons, they opened the possibility of a new relationship with the first peoples of Canada, with the Aboriginal peoples of Canada and a common road of hope for our shared future.

With those words of apology and regret, an historic injustice has been acknowledged and the pain and suffering of thousands of Canadians who were placed in residential schools has been recognized from the very Chamber in which

generations ago the policy of forced assimilation of Aboriginal people was conceived and legislated.

Yesterday, that policy was formally repudiated. The words "never again" were spoken by our Prime Minister on behalf of all Canadians and echoed by Grand Chief Fontaine on behalf of Canada's First Nations; President Chartrand on behalf of the Métis people; President Mary Simon on behalf of Inuit people; President Beverley Jacobs on behalf of the Native Women's Association of Canada; Patrick Brazeau on behalf of the Congress of Aboriginal Peoples.

I commend the Prime Minister and the leaders of all parties in our national Parliament for joining in the apology yesterday. In particular, I wish to commend Grand Chief Fontaine for the dignity of his response and in the moving way he, as a survivor of our residential schools, continues to lead on the path to healing and reconciliation.

Mr. Speaker, there are many thousands of Manitobans, including members of this Chamber, who have experienced directly the pain of being separated from their families and placed in institutions that sought to change their identity, the very sense of who they are, where they came from and where they belonged.

As one who did not experience it, I simply cannot imagine the pain of children who were taken from their homes at the age of five and six years old. As a parent, I cannot imagine the pain that parents experienced to have their children taken away from them and to be powerless to stop it.

It is due to the resilience of survivors in residential schools and their communities that the goal of forced assimilation was not achieved. Indeed, it is a tribute to the strength of First Nations, Inuit and Métis people that they not only preserved their culture but assert it today with renewed spirit and a sense of pride.

But the damage done by the residential schools is beyond calculation. Some children did not survive the experience. Many suffered physical and sexual abuse. For all survivors, for whatever benefits they received from this schooling, they are as Grand Chief Fontaine said, scars on our soul, and they have a lot to carry in their entire lives.

In breaking the vital connection children had to their parents and traditions, the residential schools took away the ability of many survivors to feel secure in their own identity, to pass on their own traditions to their children and to connect again with families and communities. The impacts continue to be felt within Aboriginal communities and add to the enormity of this injustice. The residential schools have been a major and continuing cause of individual tragedies, of addictions, of suicides and family breakdown.

Like many Canadians, I became aware of this injustice only as I grew older. This was not part of the history we were taught in schools. It was missing from our history books, just like the story of Chief Peguis' rescue of the Selkirk Settlers and the tragic relocation of the Peguis First Nation community. It was missing from our history books just like the contributions of Louis Riel and the Métis people in founding our province and just like the adoption of Aboriginal children out of Manitoba in more recent decades, a sad chapter in our own province's history that bears many of the hallmarks of the residential school policy as articulated in the Aboriginal Justice Inquiry report.

As a boy growing up in Manitoba, I knew none of these things. I remember playing hockey against the boys who attended a residential school just a few blocks away in Winnipeg. To me, they were just another team of hockey players, of boys my own age. I thought they or their families must have made the choice to send their children to communities to attend school. I had no idea that they were forced to go to the residential school or the fact that everything they contributed to their own sense of family and security had been taken away from them. I took for granted returning to my home and my family and the security of my family, that that was the same situation for the boys I played hockey against.

It was with a growing sense of shame that I began to appreciate the wrong that was done and to reflect on the devaluation of Aboriginal culture that lay behind the policy of assimilation. Over the years, as I have listened to Aboriginal leaders and elders and visited Aboriginal communities throughout Manitoba, I have come to see more directly the devastating impact of the residential school system. I have also been humbled to witness the untiring work of elders and leaders to bring healing to the survivors, their families and their communities. As so often in history, it is not the actions of those who seek to dominate other people but the resistance of

domination which speaks to the strength of human spirit and gives us hope and inspiration for the future.

The apologies heard yesterday mark an important step that all Canadians must take in coming to terms with this chapter in our collective Canadian history. This is the moment of acknowledgement that begins a path towards reconciliation.

We know, however, that reconciliation is also a matter of action, not just words. Mr. Speaker, the establishment of the Truth and Reconciliation Committee is an important step to further the dialogue about residential schools and expand our citizens' awareness of what happened. Similarly, the building of the Canadian Museum for Human Rights will serve to promote historical understanding and point the way to a stronger recognition of human rights, including Aboriginal rights, throughout Canada.

* (13:40)

We, Mr. Speaker, must ensure that Aboriginal youth from northern communities and remote communities also have an opportunity to visit the human rights museum in Winnipeg.

At the same time, I want to say that the most effective way for historic reconciliation in Manitoba and our nation is to re-dedicate ourselves as elected leaders, as citizens, as an entire province, to closing the gap that exists between the well-being of Aboriginal people and the gap with non-Aboriginal citizens. We must resolve to address the serious health and housing needs in Aboriginal communities. We must expand educational opportunities for Aboriginal youth and commit to raise the level of school success and post-secondary education achievement. We must commit to increase the participation of Aboriginal citizens in our economy, and we must state that this is something that we will do in partnership with Aboriginal peoples in the spirit of respect and openness.

Action is the only way we can remain true to what was said and felt in the House of Commons and across Canada yesterday. Aboriginal communities and their leadership have sought and patiently waited for that pledge of partnership. For our elders in Manitoba, the residential schools are not part of the past. The 15 schools in our province shaped the lives of five generations of Aboriginal children and youth. The impact of that experience is something that

families and communities feel and deal with every day. But elders have also taught us to keep the faith in the spirit that endures in their people, in their communities and to look with hope to the future.

Yesterday, Manitoba Grand Chief Ron Evans gathered in Winnipeg with over a thousand people to watch this historic apology. A gathering was also hosted by President David Chartrand of the Manitoba Métis Federation, and similar events took place in band councils and community halls across Manitoba.

Today, Mr. Speaker, we are joined by the Grand Chief, by President Chartrand, by leaders, elders and residential school survivors from all across Manitoba. I want to say to all of you that are with us here today, we respect the dignity with which you have borne the impacts of residential experience. We pledge not just words, but actions to ensure the future of Aboriginal people of Manitoba is based on partnership, respect and a determination that the rich culture of all communities is allowed to survive and flourish.

Although the Province of Manitoba did not establish a residential school system, we must acknowledge that members of this Chamber sat silent while Manitoba children were taken from their homes and deprived of their culture and families. Child welfare agencies in Manitoba also sent Aboriginal children for adoption outside of their country and outside of their culture.

On behalf of present and past members of this Legislature from all parties, I want to offer a sincere apology for the pain inflicted on generations of our citizens, and for that I say I am deeply sorry.

Thank you, Mr. Speaker.

Mr. Hugh McFadyen (Leader of the Official Opposition): I would first like to thank the Premier for that statement and all of the thoughts and feelings that it contained, and, in particular, the apology that was contained within it in its conclusion.

I look forward to hearing statements by the Member for River Heights (Mr. Gerrard), as well as the Member for Rupertsland (Mr. Robinson), who, himself, has had his own personal experiences and much to share with all of us when it comes to this very tragic chapter in our province's and our country's history.

I want to acknowledge, as well, the elders and the leaders who are present with us today in the

gallery, as well as those who are survivors of residential schools in our country.

Yesterday's apology by Prime Minister Stephen Harper marks not the end of one era, but the beginning of a new and better chapter in relations between and among Canada's First Nations, Métis and Inuit people on the one hand, and non-Aboriginal Canadians on the other. An apology, of course, in and of itself will not erase the terrible stain on the honour of the Crown and this chapter in the history of our country, but it is a start.

We know that many, many people, including some members of this Chamber, were deeply and profoundly wounded by the residential schools' system. It separated children from their parents. It sought to separate children from their languages and their proud cultural traditions and, at its very worst, it inflicted the most terrible, emotional, physical and sexual abuse on the children it was entrusted to care for.

Yesterday's apology was long overdue, but entirely right. Regrettably it was too late for those who have passed away, but we hope that in some way it will serve to provide comfort of the spirit of those who are no longer with us.

I want to thank the Prime Minister, in particular, for making specific reference not only to the many, many First Nations people who suffered greatly in residential schools, but also to those who suffered who are Métis and Inuit. You, Mr. Speaker, have advised of the school at Churchill that was involved with children from the Inuit community. President David Chartrand has discussed schools, such as Bernier School at St. Ambrose and those schools at St. Laurent and Duck Bay. It was appropriate as part of the ceremonies yesterday in Ottawa, Mr. Speaker, that our very own Sierra Noble, as well as very many other outstandingly talented young First Nations Aboriginal and Inuit performers that were part of the ceremony.

I was fortunate, Mr. Speaker, to grow up in a family where it was mandatory, because of our own circumstances, to understand this chapter in our country's history. My father and my mother, in particular, who ensured that as we were growing up that we understood this chapter in our history. I recall very specifically the lessons that we were taught, that when we saw Aboriginal people in our community who were suffering that we needed to understand that there was a history to this suffering and to view it with mercy and with compassion.

And I was fortunate growing up to get to know people like the Reverend Stan McKay and his wonderful wife Dot, and the late Johnston Garrioch, and many other great leaders within the Aboriginal community who had so much to share with me as a young person.

In the words of Grand Chief Phil Fontaine, so eloquently spoken, he made reference to the decades in time, enumerable events and countless injuries to First Nations individuals and communities. So let yesterday's apology be a first step toward healing those countless injuries. Let it be a call to action to all of us to not just apologize, but begin to take the actions that are required to ensure the healing of First Nations, Métis and Inuit people who have suffered.

The late Reverend Martin Luther King, in his fight for civil rights in the United States, made an incredibly optimistic and hopeful prediction. He said that, in time the arc of history will tend toward justice, but he tempered that comment with a realistic call to action on the part of all people who had to stand up and push forward with actions, small steps in many cases, to bring about that prediction that the arc of history would, indeed, tend toward justice.

So all I would say in closing, Mr. Speaker, is, again, thank you to the Premier, and let us all do our part to vindicate the optimism of the late Dr. Martin Luther King. Thank you.

* (13:50)

Hon. Jon Gerrard (River Heights): Mr. Speaker, I ask leave to speak to the Premier's statement.

Mr. Speaker: Does the honourable member have leave? *[Agreed]*

Mr. Gerrard: Mr. Speaker, let me start by acknowledging the elders, the survivors and the descendants of the survivors who are here. And let me say you have been wronged and we, collectively, are sorry for what has happened.

Mr. Speaker, notwithstanding the fact that there were some who were dedicated teachers in residential schools who tried very hard to help children learn, and notwithstanding the fact that some Aboriginal children learned skills in residential schools that have helped them, all Manitobans and Canadians now know that there were many, many things that happened in residential schools and in the process that was part of the residential school process that were terribly, terribly wrong.

The forcible removal of children from their parents and their communities was wrong. You know, I could not believe when I first was told of the stories of mothers who were bound up in inch-thick rope so that they would be not able to protect their children. But now I believe them. I could not believe the stories of children who were handcuffed when they were taken away from their parents to go to residential schools. But now I believe them.

The legacy from these wrongs continues today, and these wrongs were not just what happened in taking people to the residential schools. There were many at the residential schools themselves, the physical, emotional and, let us say, even sexual abuse that occurred, it was wrong.

What happened in some schools where children lined up at noon and at four o'clock and strapped because they would continue to speak Cree and that was awful, terrible shame. We recognize that, and we look forward to the many stories that come as part of the Truth and Reconciliation Commission, because we know now that those stories must be heard and known.

There are continued struggles and we recognize those legacies; the legacy of too many suicides, too many people incarcerated, too many children taken into care, and we need to do something about these.

Mr. Speaker, I join other political leaders in Canada and here in Manitoba in saying that I, as the Leader of the Manitoba Liberal Party, both for myself and on behalf of other Liberals in Manitoba, apologize very deeply for what has happened. This apology extends to and includes those like Sam McGillivray, who I think is here and the Lost Warriors, others who have been damaged in the child welfare system when it was operating almost as a continuation of the residential school system. And that apology extends to those who were involved, the Métis at the day schools, the residential day schools and suffered many of the same problems.

We cannot reverse history, but we can do everything possible to make amends and to do what we can now to build for the future and address the problems that have occurred, and act sympathetically and understanding to people who have struggled. We can and we must dramatically improve the health and well-being of Aboriginal people in Canada. We can and we must reduce the number of suicides. We can and we must reduce the number of high incarceration rates, the high rates of children in care, the poor housing conditions and the shortage of economic and

employment opportunities. We can and we must implement legislation in some fashion which will make sure that Jordan's Principle is recognized and implemented, a principle which will make a difference even today in improving the lives of children and adults in Aboriginal communities.

Mr. Speaker, for almost all of the nine years I've been in the Manitoba Legislature, I have called for provincial government to work with Aboriginal people to address these problems of high suicides, high incarceration rates, of high rates of children in care. For the last two and a half years, I have repeatedly called for the implementation, members know, of Jordan's Principle.

Mr. Speaker, under my leadership, Manitoba Liberals will keep on battling day by day, inside and outside of the Chamber, to achieve a better Manitoba. I will continue to be as active as I can in meeting and working day by day with all in our Aboriginal community to join together to correct the wrongs that have been perpetrated, to build a Manitoba and a Canada for which all of us can be proud.

I have deep respect for the elders, the survivors, descendants of the survivors and other Aboriginal people in the community. I can't start to name all of those with whom I have talked and met and interacted over the many years and from whom I have learned and from whom I have a great deal of understanding of the importance of traditional knowledge as well as of scientific knowledge.

I do want to mention briefly all those who have run in the Aboriginal community as Liberal candidates because from them, in particular, I have learned a great deal, and they have helped to form and shape Liberal Party policies as we move forward and try to build for all of us a better Manitoba and a better Canada. Thank you.

Hon. Eric Robinson (Minister of Culture, Heritage, Tourism and Sport): Mr. Speaker, I, too, have a statement for the House.

Mr. Speaker: Does the honourable minister have a separate statement or are you asking for leave to speak to this one? A separate statement?

Mr. Robinson: Separate.

Mr. Speaker: Okay.

Mr. Robinson: *Cree was spoken.*

Mr. Speaker, I thank you for the opportunity. As a survivor of a Canadian policy designed to strip my people of our collective identity, it is with mixed emotion that I rise today to respond to the apology delivered by the Prime Minister yesterday in the House of Commons.

I would like to, first of all, acknowledge our honoured guests in the gallery: Grand Chief Ron Evans, Treaty Commissioner Dennis Whitebird, Manitoba Métis Federation President David Chartrand, Keewatin Tribal Council Grand Chief Arnold Ouskan, respected elder and Order of Manitoba recipient Ed Wood and all First Nations chiefs in attendance.

Most importantly, I want to convey my deepest and heartfelt respect to the elders and survivors who have joined us in the public gallery here today and honour those who sadly never lived to see this day.

* (14:00)

Also I must acknowledge the children of survivors for their courage and commitment to a brighter future. I would like to also mention some old buddies whose friendship helped me survive my time at residential school: Elijah Joseph Harper, who is here today; also Robert Paynter and David Menow who still live in Norway House.

I am humbled to put these words on the record on behalf of all those affected by the devastating effects of residential schools in this province and across the country. I, like many of you joining us in the gallery today, was taken away from my family as a five-year-old boy entering the formative years of my life and placed in a world that taught me everything I knew was wrong. Of course, at that age it's not hard to believe.

It's difficult to remember many aspects of those early years, but I can still taste the lye soap placed in my mouth for speaking my language, Cree. As you can see, Mr. Speaker, it didn't work.

Other memories are more difficult to relive. Being molested at a young age by a priest has brought me a lifetime of pain and anguish. Being told it was my fault and later learning to blame everyone around me has taken a toll on my personal relationships. But I still consider myself to be one of the fortunate ones because at a young age I was able to leave that institution aimed at de-Indianizing me. But I could not escape the pain inside. Alcohol and drugs may have provided temporary relief but only accelerated my feelings of despair.

The same process had been inflicted on my parents a generation earlier. My mother's life was marred by dysfunction because of her upbringing at Cross Lake's residential school, entering residential school as an orphan at the age of three. It was the only life she knew until she finished school at the age of 18. She died alone in Winnipeg at the age of 31, after giving birth to four children, never having the ability to be a mother as my siblings and I were raised in different homes.

Meanwhile my father attended the Brandon residential school for seven years but never learned anything more than how to write his name. It's no wonder my generation and my parents' generation had a difficult time being good parents and living a life of dysfunction became the norm.

Because I was led to believe a warrior suffers in silence, I never learned how to express my emotions in a constructive way. I have now come to understand that at some point you have to begin healing your mind, your heart and your spirit, and I believe many people, including myself, will be doing that for the rest of our lives.

With the kindness, strength and wisdom of our elders, and the traditional ceremonies and teachings we hold sacred, I was able to escape that road of self-destruction. In the face of a systemic assault on my culture, I have come to understand that the one positive thing about my experience is a fire ignited within me that burns to this day. It's why I was able to find the strength to leave drugs and alcohol that harmed me in my early 20s, to fight for what I believe in with clarity of mind, body and spirit.

With the Prime Minister's apology, the most powerful political figure in Canada, it is my belief that we have crossed another obstacle in our trail of hurt. I'm proud to be a part of a government that respects and recognizes Aboriginal peoples inherent right to self governance, a government that respects the spirit and intent of our treaties, a government that works meaningfully with First Nations to build government-to-government relationships based on mutual respect and trust, and a government that recognizes the rights and unique contributions of Métis and Inuit Manitobans.

At the same time, I fully realize a lot of work remains to be done, but I do know we cannot allow our children to be taken away from us again. Our children will never again be allowed to be adopted from our reserves, our province, and even our country, nor to be placed in tuberculosis sanatoriums

and to be used as guinea pigs. That is why I support our devolution initiative that allows our people to run our own Child and Family Services.

Yesterday morning I heard a media personality here in Winnipeg question whether an apology was necessary. Excuse me, but it's the survivors who decide what's appropriate here and now, not those who believe they know what's best, because it's that kind of thinking that spawned the residential school system in the first place.

I would like to acknowledge the contribution of National Chief Phil Fontaine in making yesterday's apology a reality. The federal government's request for forgiveness proves our fight was not, and is not, in vain. Progress is being made, but there is a long way to go. I do believe that collectively as Canadians, we are at a crossroads. The goodwill displayed by our national government must be sustained if we are to take the necessary next steps in the healing process.

Mr. Speaker, despite the pain from the physical, psychological and sexual abuse, despite the attempts to destroy our spirit, we as Indian people have persevered. I believe in my heart that the apologies from the Prime Minister and leaders of the opposition parties were heartfelt and sincere, and for that I am proud to be a Canadian. But first and foremost, I am proud to be Cree, Mr. Speaker, a pride that no amount of brainwashing can ever erase.

Mr. Speaker, I would like to ask you, request of you, to canvass the House to see if there is leave for a 15-minute recess of question period to allow our honoured guests time to exit and all members, colleagues in this Assembly, to shake the hands of these brave women and men that are here in the gallery with us today.

Ekosani. *[Thank you.]*

[applause]

Mr. Speaker: Before I recess the House, I would like to take this opportunity to introduce some of the guests that we have. I'd like to introduce in the Speaker's Gallery Grand Chief Ron Evans, who is Grand Chief of the Assembly of Manitoba Chiefs; Treaty Commissioner Dennis Whitebird; Manitoba Métis Federation President David Chartrand; Keewatin Tribal Council Chief Arnold Ouskan; respected elder and Order of Manitoba recipient Ed Wood; Chief George Neepin, Fox Lake Cree Nation; residential school survivor Lyna Hart and AFN Regional Chief Katherine Whitecloud.

Also I'd like to introduce Ian McFadyen who is the brother of the Leader of the Official Opposition who is in the gallery.

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

* (14:10)

So I ask the House for leave to recess the House. Is there agreement? [*Agreed*]

So the House will recess and we'll reconvene in 15 minutes.

The House recessed at 2:10 p.m.

The House resumed at 2:38 p.m.

Mr. Speaker: Please be seated.

Introduction of Guests

Mr. Speaker: I'd like to draw the attention of honourable members to the public gallery where we have with us today Rossana De Luca and Suzie De Luca who are the guests of the honourable Member for Southdale (Ms. Selby).

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

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I wonder if you'd canvass the House to see if we have leave to return to tabling of reports.

Mr. Speaker: Do we have leave to revert to tabling of reports? [*Agreed*]

TABLING OF REPORTS

Hon. Greg Selinger (Minister of Finance): It hardly seems important, Mr. Speaker, but I'd like to table the Report Pursuant to Section 63(4) of The Financial Administration Act Relating to Supplementary Loan and Guarantee Authority for the fiscal year ending March 31, 2008.

Hon. Nancy Allan (Minister of Labour and Immigration): I am pleased to table the Manitoba Labour Management Review Committee reports for the years 2002 to 2006. Thank you.

Hon. Dave Chomiak (Minister of Justice and Attorney General): Je suis très heureux de présenter

aujourd'hui à la Chambre de l'Assemblée législative le rapport de la Société d'assurance publique du Manitoba de 2008.

Mr. Speaker, I am very pleased to present the 2008 Annual Report for The Manitoba Public Insurance Corporation. Thank you.

* (14:40)

ORAL QUESTIONS

1999 Election Campaign Expense Rebates

Mr. Hugh McFadyen (Leader of the Official Opposition): I, again, want to thank the Premier and others who made statements earlier on the very important topic of yesterday's apology, and the process that this will undertake. The subject matter of these statements is clearly not appropriate for question period, and we will therefore pose questions that require us to go from about zero to a hundred in two seconds on the level of partisanship. I hope that members opposite will indulge me as we begin that process. But if they agree to extend the session by a week, we'd certainly be prepared to hold off on today's questions. I know Vic Grant would certainly support that, Mr. Speaker, I know, if we extend it by a week.

But, given that we don't have a week, we do have an important issue, Mr. Speaker, that needs to be addressed with this last day of question period, an issue that relates to the fairness of elections here in Manitoba, a matter that is of significant concern to all Manitobans. It was reported today in the *Free Press* by Dan Lett that in 1999 the Member for Concordia, who is now Premier—I'm sorry. The report today was in reference to returns filed in the 1999 election campaign. We will recall that in 1999 the Member for Concordia, now Premier, promised to do politics differently. What Manitobans didn't know was that he intended to move politics to a higher and higher and more sophisticated level of deceit than ever before.

Mr. Speaker, in concert with 13 of his candidates, five of whom sit in the House today, his hand-picked campaign organizers improperly claimed more than \$76,000 worth of rebates from Manitoba taxpayers. The current NDP MLAs whose campaigns were part of this scheme are the Member for Burrows (Mr. Martindale) and the Member for St. James (Ms. Korzeniowski). Even more surprising is that the campaigns of three current ministers, the Minister of Aboriginal Affairs (Mr. Lathlin), the

Minister of Labour (Ms. Allan) and even the Minister of Finance (Mr. Selinger), the guardian of the public purse, were involved in this scheme to rip-off Manitoba taxpayers.

When it was discovered by Elections Manitoba after the 1999 election that they had filed returns containing false information, they secretly repaid the money, Mr. Speaker. Filing a false return is one of the most serious offences under The Elections Finances Act, yet the NDP were given a get-out-of-jail free pass by Elections Manitoba. Even more remarkable is Elections Manitoba didn't disclose this shady deal until after the 2003 election in a report that was highly misleading and not presented to the Speaker until December of 2004. All the while that this secret scheming was going on between the NDP and Elections Manitoba, the Premier was waving his arms and yelling about the transgressions of other political parties. Ever since he was elected, the Premier has focussed more of his time and energy on manipulating the election rules than almost any other file in government, including hallway medicine.

My question to the Premier is: Why has he been accusing other parties of transgressions when his own organizers, with his knowledge, orchestrated the biggest election finance fraud scheme in Manitoba history?

Hon. Gary Doer (Premier): Mr. Speaker, the member opposite can read the Elections Manitoba report that was tabled in this Legislature almost four years ago, a completely public document. It's just a little bit above other people that were charged in the '99 election.

Mr. Speaker, the matter was fully disclosed in the Elections Manitoba report. It was before two legislative committees subsequent to that. There is a choice when there is a disagreement with Elections Manitoba to either go to court or reach an accommodation. Certainly—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: The member opposite talks about 2004. It was 2000 when we found out that the 1995 filing of the Progressive Conservative Party had exceeded the cap. I know the member opposite would never exceed the cap here in Manitoba with the advertising costs and the GRP rating system. I'm sure that never happened in 2007.

But, Mr. Speaker, I would point out that we have full transparency and it's in the Elections Manitoba report. Some of the issues that the report raises, Mr. Speaker, is legislation that members opposite are opposing. The members are opposing the new election law, Bill 37. Bill 37 requires any compliance agreements to be made public. Bill 37 also includes the Chief Electoral Officer to have the ability to speak to the media and the public which was not in the 1998-99 legislation following the Monnin report. Bill 37 also provides for a requirement that no party can purchase an ad at a lower GRP point than another party because that, in fact, could be interpreted as a corporate donation. It provides for many areas of transparency that are needed in Manitoba, but this was in the 2004 report.

Mr. McFadyen: The 2004 so-called report that he's referred to has not been reviewed by any legislative committee, Mr. Speaker. That will be the next step in the process.

The report contains several factual inaccuracies, significant factual inaccuracies in the report, Mr. Speaker. It downplays the significance of what had transpired, which was an orchestrated scheme between the central NDP campaign and 13 constituency campaigns to defraud Manitoba taxpayers of over \$76,000. It makes reference in this report to concepts in the act that don't exist. It makes reference to normal practices which are, in fact, legislative requirements.

And on Bill 37, Mr. Speaker, we moved an amendment at committee that would allow Elections Manitoba to disclose investigations. His members voted against it at committee on Thursday night last week. We introduced that amendment. The Member for Kildonan (Mr. Chomiak), the Member for Minto (Mr. Swan) and the other members of the NDP who were present voted against transparency for Elections Manitoba, and now we know why.

So I want to ask the Premier: Why did he appoint three people to his Cabinet who he knows filed, through their campaigns, false election returns which are required to be accurate under the legislation? Why did he appoint three people to his Cabinet who filed false returns in 1999?

Mr. Doer: The returns were fully transparent and they were fully accurate, Mr. Speaker. There was an interpretation disagreement between Elections Manitoba—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Let's have some decorum, please. Order.

Mr. Doer: –and we complied with their interpretation.

There's a choice to go to court. You'll notice one federal party is taking on Elections Canada in a major, major court case. You have an option to agree or disagree with Elections Manitoba. We chose to agree with Elections Manitoba. We're not taking them to court. We're not challenging them in court. We believe the third party is the proper judge and referee of election financial issues.

I would also point out, Mr. Speaker, that one of the issues that arises out of this issue is the whole issue of union and corporate donations, and from our part, in 1999, we promised to get rid of union and corporate donations. In 2000, we brought in that legislation. There's no longer union and corporate donations in Manitoba. So, almost nine years later, and moving to potentially a fourth or third election campaign, we will have a prohibition on union and corporate donations.

There are some issues dealing with advertising and GRPs that we're still looking at. Members opposite voted against that. We'll wait and see what the results of that inquiry are, Mr. Speaker.

I would point out, Mr. Speaker, the 2004 report was at the committee. Members opposite did not want to discuss it, but they were fully able to discuss it. That was their choice.

So, certainly everything was disclosed. Disagreement was reached. Do you go to court; that's one option. We had legal advice that we should. I thought that would be disingenuous given the fact that we were *[inaudible]* banning union and corporate donations. So we acted in a consistent way with what we thought to be the spirit of the new law in terms of banning union and corporate donations in Manitoba, Mr. Speaker.

* (14:50)

Mr. McFadyen: Mr. Speaker, part of the story is misleadingly told in a report that was suppressed until after the 2003 election. The false returns that were filed violate some of the most serious provisions of The Elections Finances Act. It is an offence under sections 79, 81 and 82 to put false information into election returns. It is a Criminal Code offence under sections 380 and 397 to make false statements in declarations where forms contain

declarations that the person signing certifies the accuracy of those documents.

They engaged in a scheme to call things that were donations in-kind expenses in order to trigger improper rebates from Manitoba taxpayers totalling more than \$76,000. First, they tried to dupe taxpayers into giving them money they weren't entitled to because they couldn't raise it on their own. Now, in Bill 37, they are trying to pass a law that legislates that taxpayers give them money after they got caught trying to steal it from taxpayers.

I want to ask the Premier: Given the scheme engaged in by members of his campaign team in concert with 13 of his candidates, three of whom today sit in Cabinet, given the fact that it was not disclosed, it was covered up until after the 2003 election, given the fact that the disclosure, inaccurate and misleading and downplays the significance—no charges were laid; they were allowed to keep the money for three years, repay it without penalties, fines, disclosure or any other action at the same time as Elections Manitoba was aggressively and publicly pursuing other political parties, I want to ask the Premier if he could outline for the House the secret deal that he cut with Elections Manitoba to avoid charges and to avoid disclosure of this scheme until after the 2003 election.

Mr. Doer: The member is engaging in an attack on an independent office of this Legislature, a person who was appointed—

Mr. Speaker: Order. We have to hear the response, please.

Mr. Doer: –by the previous government and whose office we respect.

Now, Mr. Speaker, let's deal with some of the issues. The member opposite has said that the report came out on such and such a date. I would point out that the Elections Manitoba report, dealing with the '95 election campaign, in 2000—after the '99 election campaign—came out and said to the poor victims across the way that they had exceeded the election spending cap.

Now, this is after Jules Benson was caught ripping up cheques, and we don't even know how much money was not accounted for. This was after the whole Monnin inquiry. So not only—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Let's have some decorum here, please.

The honourable First Minister has the floor.

Mr. Doer: Thank you, Mr. Speaker. We didn't complain about it. It came out in 2000. It was after the statute of limitation; the Conservative Party couldn't be fined. We thought we were fighting two parties in the election campaign run by the Conservatives. We thought we were fighting the Aboriginal party that they had created. We thought we were fighting all kinds of other interesting issues in the '95 election. We didn't know they exceeded the election cap to 2000. That's not unusual because Elections Manitoba has to deal with these issues.

The report was presented to the committee two years ago. It wasn't adopted, but it was reported to the committee. It was there a couple of times. I would also point out that when everything was fully divulged—we didn't hide cheques; we didn't have a second Lombard account; everything was there—they said we don't agree with the way you've accounted for this rebate. We said, okay, we think the law is on our side. They said, no, we don't. Therefore we went and settled it. That is available to members opposite.

In my view, if there's a disagreement between the independent elections office and any political party, whether it's in Ottawa—you have a choice in Ottawa to take Elections Canada to court—diminish their office, attack their personality, attack their competence, attack their impartiality, or you have a choice to take a look at The Elections Act, and if there are restrictions, such as not being able to speak out to the public based on an act that was brought in by the former Conservative government, I would ask members to pass Bill 37 because Elections Manitoba will be able to speak to the media and the public more effectively than they can with the restricted law of today, Mr. Speaker.

1999 Election Campaign Expense Rebates

Mr. Speaker: The honourable Leader of the Official Opposition, on a new question.

Mr. Hugh McFadyen (Leader of the Official Opposition): Well, firstly, he's wrong. They will not be able to speak to the media under this Bill 37. We proposed an amendment at committee last Thursday night to allow them to speak to the media. His members voted it down.

The Member for Kildonan (Mr. Chomiak) is shaking his head. He and the Member for Minto (Mr. Swan) were looking back and forth at each other with red faces trying to decide what to do when the

amendment came up. They ultimately directed their members to vote against the amendment which would have opened up Elections Manitoba to disclosure on these investigations.

The facts are very clear, Mr. Speaker. They were never charged. It was never publicly disclosed except in a misleading way after the 2004 election. It took somebody from the NDP to come forward with information. Now we know, today, that 13 of his candidates, including three members of Cabinet, put false information into their election returns for the purpose of triggering \$76,000 in unwarranted—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. McFadyen: The Premier's indignation about the actions of other parties would be much more credible if it wasn't for the fact that he was involved, and his staff were involved, in this scheme at the same time as he was levelling charges at the party across the aisle.

I want to ask the Premier, since he's not disputing the fact that 13 of his candidates, including three current members of Cabinet, had campaigns that filed returns with false information in 1999 in order to trigger more than \$76,000 in unwarranted payments from Manitoba taxpayers, against the law, the most serious offence under The Elections Finances Act, a Criminal Code offence, how is it that the Premier now finds it in himself to point the finger of indignation when his—

An Honourable Member: That's wrong.

Mr. Speaker: Order.

Mr. McFadyen: I'll read the sections if you like. The Attorney General, the expert in law once, I'll refer him to section 380, which is the fraud section of the Criminal Code, and section 397 which deals with the falsification of books and documents, Mr. Speaker, which are both criminal offences.

There is nobody disputing that they filed returns with false information, but based on those false returns, they received over \$76,000 in taxpayers' money that they were not entitled to. When it was discovered by Elections Manitoba, they made a secret repayment three years later, without interest, without penalties, without charges being laid. Fast forward to the investigation into the Premier's chief of staff, no charges laid, no explanation. It went into a black hole, Mr. Speaker.

How can the Premier stand up in the House today and point the finger of indignation when three members of his own Cabinet filed statements with false information in them in order to trigger more than \$76,000 of unwarranted taxpayer *[inaudible]*

* (15:00)

Hon. Gary Doer (Premier): Mr. Speaker, the section the member opposite is referring to applies to people that, for example, rip up cheques. Unfortunately, they were not dealt with in terms of the statute of limitation. Everything was fully disclosed. That's why Elections Manitoba could have a disagreement because it was all disclosed.

I would point out, Mr. Speaker, that in the Elections Manitoba report, overwhelmingly—it applies to all parties—Elections Manitoba works with campaigns to rectify unintentional instances of non-compliance without serious consequences.

That is something, by the way, Mr. Speaker, we're strengthening. If you have a disagreement with Elections Manitoba, you have a choice. You can settle or you can go to court. The Conservative Party of Canada is going to court. We settled. It's fully disclosed in the 2004 report. It's fully disclosed in 2000, after the '99 election, about overexpenditures in the Conservative Party. Unfortunately, it wasn't caught in the statute of limitation. I believe—*[interjection]* Well, members opposite have had the report for four years.

So, Mr. Speaker, I believe that you can deal with the fact that we banned union and corporate donations. We believe very strongly in banning them. We were always very, very committed to doing that if we ever won office, and to take Elections Manitoba to court over an issue of dispute on how a union volunteer or staff would be treated would have, in our view, been the wrong course of action.

So we settled. It's fully disclosed. Again, I'm pleased that we have, again, more protection for the public with compliance agreements, more protection for the public dealing with the whole issue of full disclosure by Elections Manitoba, more protection to deal—the Chief Electoral Officer being able to talk to the media.

Mr. Speaker, I'm pleased that we have banned the essence of what happened by banning union and corporate donations.

Mr. McFadyen: Mr. Speaker, the Premier makes reference to a settlement. You can't have a settlement unless you're actually charged. They were never charged by Elections Manitoba in spite of the evidence of some of the most serious breaches under the act.

Now, Mr. Speaker, he talks about repaying the money three years later. The report that came out is riddled with inaccuracies, and if it wasn't for an insider from his party that came forward with information, we wouldn't know that this report was inaccurate.

I want to ask the Premier today: Will he commit to speaking to his House leader to recall the committee, so that members of this Legislature can question the Chief Electoral Officer of Manitoba about why it was that he cut a secret deal with his party on some of the most serious charges under this act? Will he agree today to instruct his House leader to call that committee, so the Chief Electoral Officer can come forward in public and respond to questions from a member of the Legislature?

Mr. Doer: Well, Mr. Speaker, we intend on calling the committee that is scheduled to be called, and we'll do that. The member opposite could have asked that question in 2004 when the report was tabled and before the committee. They had the option of doing that. They have other members of their caucus that had the option of doing that.

That report was before the committee after the 2004 report was tabled. In black and white, it was tabled in this Legislature in 2004. It was available to the committee. The members opposite—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: There are a lot of people that obviously don't read committee reports because it was ready and tabled in this House close to four years ago. You know, Mr. Speaker, this report was tabled in 2004. This is 2008. To pretend that this was not available is absolutely false.

1999 Election Campaign Expense Rebates

Mr. Leonard Derkach (Russell): Mr. Speaker, when I file my election returns or when my campaign files its election returns, the chief financial officer has to sign off, and then the report is audited by an auditor who has to sign off on it as well.

So, Mr. Speaker, I have a question for the Minister of Aboriginal and Northern Affairs (Mr. Lathlin). I want to ask him if he can explain to the House and to all Manitobans why his campaign falsified its 1999 campaign returns.

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, what the members are trying to do is—Elections Manitoba says, quote, in the handbook: Elections Manitoba works with campaigns to rectify unintentional instances of noncompliances without serious consequences.

Mr. Speaker, if you file your income taxes and you're off and you're inaccurate, you get sent a bill or you get sent a refund. On the member's interpretation, you should be taken to court for fraud and jailed, the way the member's interpreting the Criminal Code. That is such hokum.

We file our returns. If there's a discrepancy or an accounting concern, Elections Manitoba raises it. You either dispute Elections Manitoba and repay it, or Elections Manitoba has grounds if there's intentions to take action. But, Mr. Speaker, if there are no grounds, if there's no intention, there's no action. That's what members opposite are trying to screw around with in this Chamber this afternoon.

Mr. Derkach: Mr. Speaker, the minister protesteth too much. It is curious that 13 members of that party filed returns that had exactly the same error.

Mr. Speaker, I want to ask the Minister of Aboriginal and Northern Affairs (Mr. Lathlin) why it is that his campaign filed in its 1999 campaign returns—why those returns were falsified.

Mr. Chomiak: Mr. Speaker, there was an interpretation that particular types of volunteer work that were provided to a campaign could be not claimed or claimed as expenses. That interpretation was reviewed by Elections Manitoba and they said, no, because of that, you have to repay \$70,000 because we interpret that provision as being not an accurate interpretation.

When we received that our legal advice said, you can take this to court. We said no, publicly. We'll repay the money. We'll accept Elections Manitoba's interpretation and repay the money. That's what happened. That's what's in the 2004 report. That's what members, on the last day of the House, are trying to blow up, Mr. Speaker, into the teapot scandal of 1921 in United States.

1999 Election Campaign Expense Rebates

Mrs. Bonnie Mitchelson (River East): It's curious or passing strange that there would be 13 unintentional falsifications of returns in the 1999 election. Mr. Speaker, my question—

Mr. Speaker: Order. Some members might not be interested in the question, but I need to be able to hear it. I'm asking the co-operation of honourable members to allow the honourable Member for River East to put her question so people can hear it and a proper minister to respond to it. I'm asking the co-operation of members, please.

Mrs. Mitchelson: Thank you very much, Mr. Speaker.

My question is for the Minister of Labour and Immigration (Ms. Allan). Mr. Speaker, can she tell the House why her campaign in 1999 filed falsified election returns?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Can I once again ask co-operation of members, please. We need to be able to hear the questions and the answers.

Mr. Chomiak: Mr. Speaker, since as long as I've been in electoral politics, which is three decades, in the old days we used to have people that volunteered, and we also had people that belonged to unions that would volunteer. There was an interpretation that that volunteer labour, as a result of the revised Election Act, should be not included as an expense or included as an expense.

We disagreed with that and we included it in 13 campaigns. Elections Manitoba said that was an inadvertent accounting error; you have to pay back that money. We could have fought it in court. We paid back the money. To raise it to the level of fraud, Mr. Speaker, is not only inaccurate but it's an insult to the independent, third party Elections Manitoba that interprets The Elections Act for all 57 members of the Legislature. No different than when you file your income tax and you get it wrong, they don't charge you and throw you in jail.

Mrs. Mitchelson: Again, how can Manitoba taxpayers believe that there were 13 inadvertent accounting issues in 13 different constituencies when the NDP ran their campaign in 1999?

Mr. Speaker, I will ask again if the Minister of Labour (Ms. Allan) would stand in the House today and indicate to taxpayers, to Manitobans, why her campaign falsified its election documents in 1999.

*(15:10)

Mr. Chomiak: In 1999, in the election, the NDP received invoices for unions for services provided by union employees. The party paid the costs listed in those invoices. A cheque was issued; it was received and it was cashed. A transaction was completed. Under the law and generally accepted accounting principles, this qualified as odd expense. That was the legal advice that the party had.

When the returns went into Elections Manitoba, they did not agree with that accounting. They did not agree with that legal interpretation. We did not take Elections Manitoba to court. We did not question Elections Manitoba's interpretation. We accepted Elections Manitoba's independent third-party interpretation and paid back the money, Mr. Speaker—and paid back the money. There was an accounting and legal interpretation. Just as the member, if she's filed an income tax return and got numbers wrong, would pay back the money and then if she didn't—

Mr. Speaker: Order.

1999 Election Campaign Expense Rebates

Mr. Kelvin Goertzen (Steinbach): The Minister of Justice may want to be careful if he has to refer this to the RCMP, Mr. Speaker.

The Minister of Finance (Mr. Selinger) was running as the NDP candidate in St. Boniface in 1999. After the election, even after he had taken the oath as the Minister of Finance, determined to take care of the public purse, his campaign filed a false return to wrongly claim thousands of dollars of taxpayers' money.

Can the Minister of Finance tell Manitobans why he allowed his campaign to file a false return to try to take, wrongly, thousands of dollars of taxpayers' money, Mr. Speaker?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, it's hard to believe that the members opposite would attack, in such strong terms, the integrity of a third-party independent agency of this Legislature, Elections Manitoba who interprets the election laws.

Now, we've got the Leader of the Opposition (Mr. McFadyen) playing Crown prosecutor, executing people for parking tickets, and judge and jury, and bringing in the Criminal Code when Elections Manitoba has the legal right to interpret The Elections Act, a provincial statute. We've got the Member for Steinbach talking about the RCMP, Mr. Speaker. It is more of an offence to do a speeding ticket than what the member's referring to. That is more of an offence.

It's an interpretation of a legal—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Chomiak: It's an interpretation of accounting and a legal term and, Mr. Speaker, it's signed off of. They disagreed with the interpretation and the money was refunded. I was before committee four years ago and they said nothing.

Mr. Goertzen: Mr. Speaker, I don't know how fast the Minister of Justice drives, but I've never seen a \$76,000-speeding ticket.

In the NDP caucus today, there are five members who filed false claims after the 1999 election. But, as the saying goes, one of these things is not like the other. According to the NDP whistle-blower, the Minister of Finance (Mr. Selinger) is the only one of those members who demanded and received from the NDP party a letter to ensure that if he was charged under the scheme, the NDP would take blame and not him.

Will the Minister of Finance table that letter today?

Mr. Chomiak: For years, the 30 years that I've been involved in NDP politics, there's lots of stuff that I saw go on, lots of companies that had employees that happened to work in Tory campaigns.

One of the reasons in '99 we banned corporate and union donations was to put a fair playing field in place.

Before '99, there was an interpretation of the provincial statute. We interpreted it in one way; Elections Manitoba interpreted it another way. The same situation's happening in Ottawa. Elections Canada has found problems with Conservative dealings. Now, what are the Conservatives doing? They're taking Elections Canada to court. Does that mean—*[interjection]*

Mr. Speaker: Order.

Mr. Chomiak: In this case, Mr. Speaker, we agreed with the recommendation of Elections Manitoba that we'd interpreted it inaccurately. We repaid the funds. To go any further by members opposite is very dangerous 'cause I have a long history in this House about people who worked for companies that worked in Tory campaigns— *[interjection]*

Mr. Speaker: Order.

Mr. Goertzen: Mr. Speaker, it's worth knowing whether the Minister of Finance (Mr. Selinger) was the only member of the NDP caucus involved in this scheme who was smart enough to look for a letter to cover himself or whether he was the only one that the NDP thought was worth saving.

In the end, however, what the Minister of Finance thought was going to be his life preserver was, in fact, his anchor because the letter proves that he knew that the scheme was illegal under The Elections Finances Act and that he had something to worry about and that's why he asked for the letter.

Will the Minister of Finance table that letter here today, Mr. Speaker?

Mr. Chomiak: Mr. Speaker, the fact that 13 returns from 13 campaigns were part of this reflects the fact that as a party, based on our interpretation of the accounting rules, we thought that was an accurate reflection of The Elections Act at the time.

When the returns were filed, there were 57 candidates. Thirteen—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Chomiak: When the returns were filed, Elections Manitoba disagreed. Now, Mr. Speaker, they said that they thought that that interpretation was inaccurate—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Chomiak: Thank you, Mr. Speaker. Our options were to take Elections Manitoba to court. Our options were to be charged by Elections Manitoba with a violation. Our options were to accept their interpretation—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Let's have some decorum, please.

1999 Election Tabling of Letter

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, if the Minister of Finance (Mr. Selinger) won't table the letter that he asked for and received, which he wanted because he knew that there was something wrong with the scheme and he didn't want to be blamed for it, will the Premier—whose staff and his senior campaign organizers issued that letter to the Minister of Finance—today table that letter?

Hon. Dave Chomiak (Minister of Justice and Attorney General): One of the reasons that parties and institutions hire lawyers and accountants is to interpret and to provide advice as to how to interpret accounting and legal principles. There's a difference of opinion on how one interprets. In this case, the party interpreted that those donations were an expense. The Chief Electoral Officer said not, Mr. Speaker, and as a consequence the party returned the funds.

For the Leader of the Opposition to stoop so low as to start charging people with fraud is not only inappropriate I think in this House, Mr. Speaker, because he's bringing it to a level that is not even close to intentional, and he knows that, but it's inappropriate. There was a disagreement on the interpretation and we accept—

Mr. Speaker: Order.

Mr. McFadyen: Mr. Speaker, you know, it would be easy to dismiss as an oversight if it wasn't for the fact that there were 13 that made the same error, that the error is not an easy one to make.

There is a huge difference between donations in-kind and campaign expenses, donations in-kind which are on one side of the ledger and expenses which trigger taxpayer payments on the other, completely different things, and yet somehow after the returns were filed by the campaigns they were then altered at the level of the central campaign and turned into expenses after the rebate was paid.

It was discovered by Elections Manitoba. They were asked then to alter the returns back again. The Auditor refused to sign off and instead resigned as those forms went back to Elections Manitoba, and they were allowed to get off by repaying the \$76,000.

I'm not sure how the Minister of Justice tries to dismiss that as just an honest good old-fashioned

accounting mistake when, in fact, it was clearly an orchestrated scheme. Will the Premier (Mr. Doer) just come clean with it today?

Mr. Chomiak: Mr. Speaker, ever since I can remember back to campaigns, back to 1974, we've had people that were involved with unions working with the party, working on campaigns, and they had corporations working in the party, working on campaigns. They had companies that owned lots of apartment buildings providing advice in campaigns, and election interpretation of volunteer labour and services, et cetera, has changed over the years.

In 1999, in 13 campaigns there were union organizers that submitted invoices, Mr. Speaker, that were not accepted by Elections Manitoba as valid. That money was repaid. That's an interpretation.

That's no different than filing, based on the advice you have, an income tax return with an accountant. If the accountant has it wrong, you don't throw the accountant in jail. Revenue Canada sits down with the accountant and they discuss the issue and resolve it. That's what you do.

Mr. Speaker: Time for oral questions has expired.

* (15:20)

Red River Floodway Funding Sources

Hon. Jon Gerrard (River Heights): I ask for leave to put my question and two supplementaries.

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

Mr. Gerrard: The Premier's told the Legislature on many occasions during this session that he's had to battle with the federal government to keep the solemn commitment made by Minister Toews that the remaining federal funding for the floodway—I believe its \$140 million—wouldn't come from the Building Canada Fund but will come from a separate source so that infrastructure projects around Manitoba won't be jeopardized.

Mr. Speaker, will the Premier tell the Legislature today whether he's been successful in his battle with the federal government? Will the remaining \$140 million for the floodway come from a separate source than the Building Canada Fund, so that funding for other critical infrastructure in Manitoba, like bridge and road construction in the city and rural areas, will not be jeopardized?

Hon. Gary Doer (Premier): We had discussed it at the last occasion the Prime Minister was in town making the announcement on the issue of organized crime and auto thefts. We haven't completely resolved it. So without a resolution, there's not a resolution. We have made some progress of where we potentially can resolve it.

I am happy and pleased that the federal government did go to the, I believe, it's 662 for the floodway. I actually think that we'll be slightly short of that in terms of expenditures, which will be useful.

We've had a disagreement about the initial announcement for Minister Toews and Minister Cannon. Since then, we've been working to try to find a solution that's acceptable obviously to the people of Manitoba and to the national government. I can't say we have a resolution. To us the resolution wasn't signing the document as recommended by members opposite a while ago, the lower document. We're still working and we're working as we speak.

Mr. Gerrard: It would seem to be rather important that we have the funding for the floodway not coming out of the Building Canada Fund so that the other critical infrastructure projects, roads, bridges and all sorts of other things, get proceeded with because people are waiting. We're in the middle of construction season, summer. Things should be moving forward.

Why is the Premier having trouble getting the federal government to agree to this very important matter? Does he need some help?

Mr. Doer: I always need help, Mr. Speaker, and as many people that can come to the table as possible, the better.

I would point out that we first of all had an announcement from former Prime Minister Chrétien. I could have used the members help then. He was out in Selkirk, Manitoba, opposing the floodway. He was out in Selkirk, Manitoba, opposing the floodway. When I looked for help from the Member for River Heights, he was standing in Selkirk saying we shouldn't build the floodway. I want retroactive help from the member opposite on the construction to the floodway.

Secondly, Mr. Speaker, it did take us awhile to get the floodway identified as a strategic project. It was eventually announced by Mr. Rock. We didn't get the third tranche announced by the former Liberal government. We got that announced by the

present Prime Minister, Prime Minister Harper, which I'm pleased that we had.

Yes, if we need more help, I would like him to start by not opposing the floodway expansion in Selkirk. Actually, the federal Member of Parliament from that region quotes you, sir, in opposing floodway money down in Ottawa. So come on board, Mr. Speaker.

Mr. Gerrard: The Premier is trying to rewrite history. The point of the matter is that I've joined the Premier on more than one occasion when the Premier has asked for an all-party delegation of leaders going down to Ottawa, in force, to try and convince the federal government that they need to act on important matters.

We've got a whole series of issues, not only the floodway, inland port, Jordan's Principle, the cross-Canada hydro transmission line, rapid transit in Winnipeg. I'm ready to go to Ottawa with the Premier if he wants an all-party delegation of leaders. Does he want help or not?

Mr. Doer: Well, Mr. Speaker, I've always appreciated the support to go to Ottawa to stand up for Manitoba, but it's always important for us when we're talking about the floodway to go there with one position. Now, the Liberals may be able to have one position in Selkirk, don't build the floodway, and another position in Winnipeg, why aren't you getting it done fast enough, but you know what? Some people actually pay attention in Ottawa to two different positions.

The Member for Selkirk, the federal Member for Selkirk-Interlake in the Conservative caucus, is fully aware of the member's position. So when he has one position on the same file, it'll make it a lot easier to join together on behalf of Manitoba, and I welcome that.

Mr. Speaker: As previously agreed, question period now has expired.

We will now move on to members' statements.

MEMBERS' STATEMENTS

Residential Schools

Mrs. Leanne Rowat (Minnedosa): Yesterday the Prime Minister of Canada delivered an apology to survivors of Canada's residential school system. Yesterday's apology was addressed to the survivors of residential schools whose lives were irrevocably changed by the experiences they have had within

Canada's residential school system. Yesterday's apology offered us all a moment to reflect on this aspect of our history.

We recognize the pain that residential school survivors suffered. We must also take time to remember children who attended residential schools who are no longer with us today and could not witness this apology.

The apology recognized a dark aspect of Canadian history. The apology did not undo any of the harm that was done to generations of First Nations, Métis and Inuit people. However, it marks the start of a new beginning between the federal government and Aboriginal people. The apology did not erase our collective memory of the injustices that occurred within residential schools, but it did help us to increase our understanding and awareness of this part of our history.

Before we can move on from difficult aspects of our history, we must confront them head on. Yesterday's apology allowed us to look back at our history with greater clarity and honesty. While residential schools impacted our Aboriginal communities in immeasurable ways, today we are working towards a more hopeful future.

May yesterday's apology serve as a reminder of the strength of residential school survivors and also the invaluable and lasting contributions First Nations, Métis and Inuit people have made to our nation. We sincerely believe that our society can begin a new legacy of hope, of healing and positive change for generations to come.

Mr. Speaker, on behalf of the Progressive Conservative caucus, I would like to express our support for yesterday's apology. We recognize the pain that First Nations, Métis and Inuit people experienced within residential schools. May our look back at our troubled past help us to find the path to a better future for all First Nations, Métis and Inuit people in Manitoba, and in Canada. Thank you.

Hon. Dave Chomiak (Government House Leader): In the interests of time, I'm indicating that members on this side of the House are waiving their members' statements today.

Upgrading of Trans-Canada Highway

Mrs. Mavis Taillieu (Morris): Last fall, Mr. Speaker, three people were tragically killed in a horrific car accident on the Trans-Canada Highway in Headingley. I have been, repeatedly, in this

House, reading petitions to petition for upgrades to the highway and dividing of the Trans-Canada Highway to improve safety along that stretch. Seven years ago, in 2001, there was a memorandum of understanding with the R.M. of Headingley that there would be an upgrading of PTH 1 to a multi-lane, divided highway with a raised centre median. That still hasn't happened.

But I did want to just take this opportunity to table the rest of the petitions. I have 50 petitions here with over 700 names on them from all across Winnipeg, all across the province, Mr. Speaker, of people that feel the need to sign a petition to upgrade that highway, especially now that the tourist season will be upon us. So I want to make sure that these people are heard in their voice in the upgrading of the Trans-Canada Highway, which serves not just the people of Headingley, but the people of Manitoba and the people of Canada and any travellers along that highway.

Thank you, Mr. Speaker.

* (15:30)

Mr. Speaker: Okay, that takes care of members' statements.

Before we call orders of the day, I just want to, as the House will be adjourning today, I want to encourage all honourable members to remove the contents of their desks here in the Chamber and also encourage members to recycle as much of the material as possible. I would note that the blue bins here in the Chamber are designated for recycling of *Hansard* only. Any other material that you would like to recycle may be placed in the larger recycling containers in the message rooms located just outside of the Chamber. I ask all members for their co-operation.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I thank the House for their assistance in moving all these matters through today and the staff, again, for their outstanding work this session.

I'm calling for debate on second reading of Bill 45, followed by concurrence and third reading in the order as they appear on the Notice Paper, and, Mr. Speaker, Bill 20. *[interjection]* I just said in order.

Yes, I apologize to members of the House. There was an order that was agreed upon and I'll just perhaps read it back to the Chair to clarify, and that would be, of course, second reading of Bill 45, followed by third reading of Bills 2, 16, 19, 21, 22, 23, 25, 26, 29, 34, 15, 28, and then all the others in order, including Bill 20.

Mr. Speaker: So, orders of the day, we will start off with resumed debate on second reading of Bill 45 and then, when we conclude that, we'll go to third readings of Bills 2, 16, 19, 21, 22, 23, 25, 26, 29, 34, 15, 28, and then the rest in order as they're listed.

DEBATE ON SECOND READINGS

Bill 45—The Teachers' Pensions Amendment Act

Mr. Speaker: So I'm going to call resumed debate on second reading of Bill 45, The Teachers' Pensions Amendment Act, standing in the name of the honourable Member for Lac du Bonnet (Mr. Hawranik). What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Lac du Bonnet?

An Honourable Member: No.

Mr. Speaker: No, it's been denied.

Mr. Ron Schuler (Springfield): Mr. Speaker, I just want to put on the record that we as the Progressive Conservative caucus did give unprecedented leave to allow this bill to get to this point in time. We feel that it's important that the bill be tabled and be distributed, and that's why we gave the initial leave so that all of those that are affected have an opportunity to see the legislation.

Second of all, we felt that the referendum that went out was basically a hung jury. We wanted to see what was going to be in the legislation, what it would contain. We felt that a compromise would have been the best way to go rather than legislation, simply because it was basically a 50-50 split. We would like to see this bill not go to committee until late August, beginning of September to allow all those affected by this piece of legislation to have the time to work through it, to find out what's actually in the legislation.

Mr. Speaker, I just got my briefing on this particular piece of legislation 10 o'clock this morning and I thank the minister and his staff for that, but it does take some time to get through all the nuances, to understand what the legislation is supposed to do, what it's meant to do.

We will be consulting throughout Manitoba on this legislation. We think it's important for all Manitobans to have a look at it, certainly those most affected must have the opportunity to prepare themselves for committee because it is there that their voice is heard. Thus, we would like it to go forward and committee hearings to be held in late August and September and sit down and hear what Manitobans have to say in regard to Bill 45. Thank you.

Hon. Jon Gerrard (River Heights): Just very briefly on Bill 45, The Teachers' Pensions Amendment Act. I have already received many, many representations of grave concern about this legislation, that it doesn't do as good a job as it should do for all teachers. I know that there was a vote, but there were many thousands of teachers who voted against this. I think it's very important that we have the committee meetings so we can hear people. I look forward to the presentations, but, certainly, have some significant concerns that we could do better than in this legislation for all teachers in Manitoba.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is second reading of Bill 45.

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

CONCURRENCE AND THIRD READINGS

Bill 2—The Public Schools Amendment Act (Trans Fats and Nutrition)

Mr. Speaker: Okay, we'll move on to concurrence and third readings. We'll start off with Bill 2, The Public Schools Amendment Act (Trans Fats and Nutrition).

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Advanced Education and Literacy (Ms. McGifford), that Bill 2, The Public Schools Amendment Act (Trans Fats and Nutrition); Loi modifiant la Loi sur les écoles publiques (gras trans et nutrition), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Jon Gerrard (River Heights): Mr. Speaker, certainly support efforts to reduce the level of trans

fats in our diets and, in particular, that of our children. There are some concerns with this legislation which I would just put on the record. That is that, without broader legislation, many children will be going across the street to a corner grocery store to get foods with trans fat.

Really, what we should be doing is to try and broaden the ban on trans fats and make sure that we are not only affecting children in school, but in fact, we are having a broader impact on the health of all in Manitoba.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is concurrence, third reading of Bill 2, The Public Schools Amendment Act (Trans Fats and Nutrition).

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

Bill 16—The Child Care Safety Charter (Community Child Care Standards Act Amended)

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Advanced Education and Literacy (Ms. McGifford), that Bill 16, The Child Care Safety Charter (Community Child Care Standards Act Amended); Charte sur la sécurité des enfants en garderie (modification de la Loi sur la garde d'enfants), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

* (15:40)

Hon. Jon Gerrard (River Heights): We Liberals support this legislation, but just several words. First of all, I think it's time we moved beyond talking about a child-care system to an early childhood education system. Clearly, these are times when children are growing and developing and we would have hoped that maybe the government would have recognized this.

Second, Mr. Speaker, I would suggest to the government that there are some areas in this legislation where in the regulations there might be clarification on some of the real definitions that apply to bullying, harassment, et cetera, as they are in the work force, as they are in child-care spaces. I think that while this legislation will take into account

the developmental capabilities of children, one of the things that it doesn't adequately take into account is that we are also going to be dealing with parents who have a variety of health conditions—let me give you an example, Asperger syndrome, Tourette syndrome—where we need to make sure that in interpreting this legislation, in handling people, we allow for the fact that people have mental health issues which we must be able to be sensitive to as we interpret their interaction in the day-care setting.

Mr. Stuart Briese (Ste. Rose): I'm pleased to rise to speak to Bill 16, as soon as I find it here, The Child Care Safety Charter (Community Child Care Standards Act Amended).

This bill provides for—day care should have a code of conduct and safety plan that need to be reviewed regularly. There are some problems with it. I think the department does have to develop a template and send out to the day cares. We're not absolutely sure if the day cares that are four and under in numbers of children in care fall under this. There are a number of questions that still need to be answered, I think, on this particular bill. What are the time lines that child-care centres have to develop codes of conduct and the safety plans? Will the processes for having a code of conduct be approved by the director?

One of our concerns is that the day cares are struggling right now. They have major problems with retaining qualified staff. A third of the day cares in the province are operating under exemptions. They can't pay the staff well enough and they can't retain highly qualified staff. There's a waiting list that's huge. We have a shortage of spaces, and this is probably another Band-Aid approach to cover off, at least say we're doing something good in the day-care issue.

When does the government expect to have a full set of completed and approved codes of conduct and safety plans? When the bill goes into place, the day cares have to have some kind of a code, a guideline to follow, and I don't think that is in place yet. What are the consequences to the day cares that are unable to complete the code of conduct and safety plan within the prescribed time frame? Is the province going to go out and actually help them complete them?

I think there's a question probably arises on who in the day-care centre is responsible for the code. Is it the director? Is it the senior ECE worker? Who has the responsibility to put it in place? I don't think it

goes far enough on who it covers. I think it should cover anyone that has contact with children inside the centre, anyone who enters the centre. There's a whole number of things that I think the bill is somewhat vague on.

I'm not sure that there was a lot of research done into this, how much consultation was done with the child-care centres to have input into this bill, and I hope it's a bill that they will be open to some amendments at a future time as it develops, as it goes forward.

The minister had indicated that there would be some kind of a template provided, but we're not sure either if the child-care centres are confident that they have the resources to develop and review and monitor compliance for the code of conduct and safety plan.

We have heard stories of child-care workers and management being harassed offsite by parents at the facility. We feel that this possibility, however rare, should be addressed in the facility's codes of conduct and it's not.

Overall, this does probably provide some more safety in the day-care centres for the children. The codes go far enough to define a total safety plan both in serious situations like fire or other disasters, also on how people are vetted as they enter the day care, who has contact with the children, what the responsibilities are of the people that have contact with the children.

With those few words, I think I'll pass this on to some of the other members that want to speak to this. All things being said, there are some weaknesses in this bill, but we will be supporting it.

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I, too, want to just put a few words on the record in regard to Bill 16, The Child Care Safety Charter (Community Child Care Standards Act Amended).

When you look at this bill requiring every child centre and child-care home to have a code of conduct and a safety plan and to review both regularly, I think that that sounds like it's something that should have been there for a long time. I would question why we're having a charter now in 2008, when day cares have been operating for a long, long time. I'm wondering why this would have to come into effect now.

Codes of conduct and safety plans must be approved by the director of child-care services. I

guess I'm looking back to my days when I had children in child care and when I looked at day cares, when I took them there to be cared for, one of the things on my mind, of course, was what kinds of people are employed in the centre. What are the standards? What are the safety plans? How do the staff interact with my children and the other children? I took the opportunity to watch to see what occurred in a couple of day cares before I made my decision. So I think—I mean, this is a good thing, but it seems like it could have been there a lot sooner than it is now.

*(15:50)

Mr. Speaker, it says that the code of conduct must deal with respectful behaviour, unacceptable actions and appropriate use of e-mail electronic devices on the Internet. I do see that in today's world we do have unacceptable behaviours when people use computers, electronics and the Internet for unacceptable practices. We do know that there have been instances in child-care facilities where the safety of children may have been compromised because of photographs or what-not taken and posted on the Internet. So, certainly, that's something that has to be taken into consideration, and I think that this bill probably addresses that.

A safety plan must include procedures to control visitor access. Certainly, again, when you're talking about the safety and security of children in a day care, it would seem reasonable—not just reasonable, it would seem very much common sense and necessary—that these things just be part of the day-to-day operations of the day care without having to, now, in 2008, bring this into legislation.

But it certainly includes policies and procedures to meet the needs of children with anaphylaxis. I'm really, really, quite amazed to find the number of children that are affected by allergies. That certainly causes a problem, when, you know, I heard a story on the radio the other day about bullying by peanut butter sandwiches. It sounds crazy, but a child was taking a peanut butter sandwich to school and going to open it in front of a child that he didn't like, scaring that child, because this child was so severely allergic to peanut butter that even being around the sandwich could have created a problem for this child.

So there are all these kinds of things that can happen that you just don't imagine. But, Mr. Speaker, I know that the Member for Ste. Rose (Mr. Briese) has also raised some issues and concerns that we have that probably need to be addressed. I'm not sure

that this bill would apply to foster homes where you have children that are living in the home and it's not really called a day care, a home day care and it's not a not-for-profit, publicly funded day care, but it is a situation where children are being cared for in a group setting. So I'm not sure if this is included. It doesn't specifically say that.

But just, overall, in thinking of the whole broader picture of day care and the issues related to child care in our province, one of the biggest problems in child care today is recruitment and retention of early childhood educators into the system. The government can fund all the child-care spaces they want. They can re-announce that, they can re-announce more spaces, but that does not put children into child-care facilities. What you need to have children in the facilities is staff to care for these children. If you don't have the staff, it doesn't matter how many day-care buildings you have, how many spaces you have, how much funding you have, you've got to have the people to look after the children. That is a problem. We don't have enough people that work in early childhood education because they can go into early childhood education as a first-step stepping stone into something else and, quite often, I'm told, that's what happens. They go on to become teachers' assistants in the education system.

I also know, just from the child-care centres that I'm associated with in my constituency, that many operate under exemptions continually because they don't have the staff and the staff cannot meet the requirements, the professional requirements that are required to staff the facilities. I've also been told by some of the facilities that I'm aware of in my constituency that they've had to close the centres or turn some children away on days because they have not been able to have the staff there.

So I think that that in the broader issue, when you're talking of child care, is a problem. But I do think that this bill does—the bill will—The Child Care Safety Charter, we'll support the bill. I don't believe that anybody would not support such a bill when you're talking about safety and care of children.

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 concurrence and third reading of Bill 16, The Child

Care Safety Charter (Community Child Care Standards Act Amended).

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

Bill 19—The Liquor Control Amendment Act

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 19, The Liquor Control Amendment Act; Loi modifiant la Loi sur la réglementation des alcools, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Jon Gerrard (River Heights): Mr. Speaker, we will support this bill, but we have some significant concerns.

I note that this is the first bill brought forward by the MLA for Minto (Mr. Swan) as the Minister of Competitiveness. I think it's interesting that he chose to choose alcohol as his first initiative. Mr. Speaker, it's also a little curious that he's chosen alcohol, given that it's an area where there's not quite as much competitiveness.

But I'm very, very upset that there was no mention of FASD in this bill. I'm quite concerned about the sections which make it much easier for people underage to consume liquor if they go in with a friend. Certainly, the section which makes it possible for somebody to claim a friend as a common-law partner and get served a drink when they're underage, I think, has potential for some abuse and misuse. Certainly, it's going to be much more difficult in these establishments, private clubs, sports bars, sports facilities, spectator activities, and so on, for those who are owning these facilities to keep track of who should not be getting any liquor.

Mr. Doug Martindale, Acting Speaker, in the Chair

I would think that the minister, in his first bill, could have done a lot better than he did. Certainly, he should have put some information, amendments, changes in here, some clauses in here, which make it absolutely mandatory for there to be signage, very prominently, anywhere where liquor is sold in any of these establishments. I'm quite disappointed that the minister didn't even include some labelling requirement for all alcoholic beverages with respect to the risks of FASD, but that was the minister's

choice and so we reluctantly will support this, but with some significant concerns.

* (16:00)

Mr. Cliff Graydon (Emerson): This bill has come about, I think—and I congratulate the new minister for bringing this bill forward as his first step out into political life as a minister. However, the bill came about because of quite a bit of a problem at a local cabaret; there were stabbings and shootings. I guess I'm surprised that the controls weren't there before. Whenever there is a problem, such as there was in this particular cabaret, where there were no controls that could have been put into place immediately, why they would—when the place was shut down then, they offered someone a licence without doing an investigation. That's been a very big concern for myself and to my colleagues, Mr. Acting Speaker, but the fact that it was brought forward makes us feel a lot better.

I think, overall, we'll support the bill, but there are some issues that we felt concerned about. Of course, the Member for River Heights (Mr. Gerrard) raised one of those issues, I would suggest. The rules to the entitlement of a permit to purchase, sell or use liquor are clarified, and I think it was brought to the minister's attention that the rules in the city and the rules in rural Manitoba, of course, are the same, but I think the circumstances are quite different. The clientele in the communities in rural Manitoba don't all live in the small communities. As you know, through your travels throughout our wonderful province, many of the small communities have a local hotel. It's a difficult business to run today since there's been no smoking in there, the different regulations that have been put in place, also, because of the driving and drinking laws.

You have to appreciate they're there for a purpose. We don't have an argument with that, Mr. Acting Speaker. However, I think this bill could have addressed some of the issues that do arise and that would help keep some of the people off the road that have had alcohol.

The other issue, I suppose, is that we would like—not that I suppose, I know that we would like to have facilities in rural Manitoba where there is controlled drinking. We want to support these places that they have some control over the amount of alcohol that's been consumed. I'll go back to the first point that I was bringing up. The people that made a presentation to the minister suggested that perhaps the vendors in the local beer halls, or the beer

parlours, could sell after the local MLCC outlet in town had closed. Some of them close at 6 o'clock. If it happens to be in a lumber yard, at 6 o'clock you can't buy a bottle of rye or a bottle of Baileys, which probably is better for you anyway than a bottle of rye. *[interjection]* Just for morning coffee.

However, it's not possible to purchase that in your community, and you could be in town and it's after six, and so then what do you do? The proposition was made to the minister that perhaps, because the beer parlours are there, or the local hotels are there with their vendors, they would possibly be able to sell whiskey or Baileys, as I pointed out, after the other ones had closed, but they would have to buy from the local MLCC store and there would be a markup for that.

The minister chose not to pay any attention to that, and it's unfortunate that he didn't put that in his bill. I think that would have been an asset to a lot of our small communities because those hotels are having a difficult time trying to stay viable. Some of them change hands as many as two or three times a year, and they're basically the meeting point in many of our communities. That's where the restaurant is. Saying that, Mr. Acting Speaker, we would have really liked to see that part in there.

The distillers and the brewers and wine manufacturers are permitted to donate products for charitable auctions, and we don't disagree with that at all. However, some of those that are donated, I would hope, aren't donated to political auctions, Mr. Acting Speaker. I don't know that they would be, but there has to be some control about this.

The use of beverage rooms is expanded to allow for family-oriented events, and in the rural area, which I represent, I think that's a very important issue. I commend the minister for putting that in there. However, in the city, it's may be not quite as necessary or warranted, and a lot of people that have paid for a licence in the city, again, don't appreciate that. They have their own licensed facilities, licensed restaurants that you can rent and whatever, but in the country, we don't have that. We don't have that luxury where we have choices within a very, very short distance from where you live. So, in the country we appreciate it. In the city there has been a bit of a push-back on that, and I'm sure that the minister has had that. He would have a big challenge to deal with it. I understand that. But he's a big individual and I think he could do that.

The licensing board isn't authorized to impose monetary penalties on licences and permit holders, and we agree with that. We certainly agree, although I think there needs to be a sliding scale and it needs to be monitored fairly efficiently. I believe we brought forward an amendment that didn't pass on this, and I thought it was a pretty well-thought-out amendment, Mr. Acting Speaker, that this here would be done in a timely fashion so that the staff that work at these particular facilities would not be inconvenienced for any length of time, or any time longer than what was terribly necessary. And 30 days, I think then the staff is going to move on.

If the penalty is too harsh for whatever the situation is—it needs to have an impartial monitor, I think, and I have to say that at some times, personalities, personalities between inspectors and proprietors, they clash from time to time. There's nothing that can be done about that; that's human nature. However, I think it's important that you have an impartial body that reviews this in a timely fashion so that staff are still retained, because it's difficult to have or to get staff on a moment's notice. It's difficult to retrain staff, and so, for that purpose or that reason, I think that there should have been an impartial body.

The licensees are prohibited from allowing an excessive consumption of alcohol in their licensed premises, and we support that. We don't think that anybody should overindulge. Two Baileys is enough. However, one never knows what one has had in consumption before he comes into an establishment. So I think if an establishment is punished for over-serving someone that really had happened before they came in—he had no idea, they haven't been sitting there for two, three, four hours. They could have well been in Steinbach and they could well be making their own wine. You would never know when they came into the establishment that they had drunk two or three bottles of Steinbach wine. However, the proprietor of that establishment could be fined, and we don't agree with that. We don't agree that that proprietor should be fined if, in fact, the individual that was inebriated had indulged in three or four bottles of Steinbach wine.

The penalties for offences have been increased. I think the penalties have to be at a substantial amount that they'll act as a deterrent. However, we really don't have a scale on, is it a first offence, a second offence, or was it the third bottle of Steinbach wine that caused that offence? We really don't have a scale on that.

Mr. Acting Speaker, I know that I have some colleagues that want to stand up and say a few words, and so I would be more than happy to let them stand up and do that. I thank you for giving me the opportunity to put a few words on the record.

Mr. Rick Borotsik (Brandon West): I'm not going to jump into the argument about Steinbach wine. I don't know whether it's a quality beverage or not, but the sitting Member for Steinbach (Mr. Goertzen) certainly can fill us in, I'm sure—

An Honourable Member: Communion.

Mr. Borotsik: —at a later date. A union-made Steinbach—

An Honourable Member: Communion.

Mr. Borotsik: Oh, Communion. I thought it was union-made Steinbach wine. Okay, then I can understand. Then I can understand why they would want to have it on the shelves of the monopolistic Manitoba Liquor Control Commission. I would imagine they would all like to see union-made.

* (16:10)

But I do want to put a couple of words on the record with respect to this bill. I do congratulate the Minister of Competitiveness, Training and Trade (Mr. Swan) for bringing forward the legislation, the amendments to The Manitoba Liquor Control Commission Act. It was mentioned earlier that it's rather ironic that this is a monopoly with literally no competition, but the Minister for Competitiveness, Training and Trade is put into a very difficult position, because, Mr. Acting Speaker, we recognize right now that in his portfolio he's going to have some difficulty generating economic activities in the province of Manitoba over the next numbers of years. We have already seen certain declines in certain areas. I know the minister is going to be put under a lot of pressure to try to grow the economy, which is going to be somewhat difficult.

Mr. Speaker in the Chair

I guess the way he likes to grow the economy, Mr. Speaker, is to generate more revenues from the monopolies that are under his control. This is one monopoly that does generate a substantial amount of revenue for the Province of Manitoba. So, if you're going to have to generate revenues, because the Finance Minister's going to be finding himself, if he hasn't already, in some serious financial problems, we know that equalization cannot keep growing the

way it's growing, I guess we have to look at different revenue sources.

The revenue source that they have total control of is the Manitoba Liquor Control Commission. They have control of a couple of other monopolies. They have control over the Manitoba Lotteries Corporation, which I'm sure they're going to try to generate as much revenue out of that organization so they can go and spend it on their pet projects. Then they can have the Autopac monopoly. I'm sure that they're going to try to make sure that they can generate enough revenue on Autopac so that on the balance sheet, the summary balance sheet, the Minister of Finance (Mr. Selinger) can look at it and say, with all these Crown corporations, including Manitoba Liquor Control Commission, with all these, with Crown corporations we're now going to be able to balance the summary budget. But they're going to be able to go out and borrow money.

Now this Minister of Competitiveness, Training and Trade would like to borrow, I'm sure, less money. Although he did say, I believe, at one time, they can borrow money simply because they can. Well, that's not a good business philosophy. I know Manitoba Liquor Control Commission doesn't run under that business philosophy.

But there are some other issues within these amendments that I think the minister should have dealt with. Certainly, we talked about the penalties are going to be increased. So that's going to generate more revenue for them. He's going to have to make sure that they sell more product, whether it be spirits or whether it be wine.

Now let's talk about wine just for a couple of moments, if we could. You see, this minister, even unbeknownst to him, and enabling him to generate the revenue that was so necessary to keep this government spending the way they've been spending, decided that they would invest in a new liquor control store, a Liquor Mart in my community. Now, isn't that wonderful? They did that and I'm very pleased of it, but they're going to expend an awful lot of capital. They are going to have three stores instead of two stores. I'm told by the minister that we're now going to have more liquor stores per capita than the city of Winnipeg. Well, I can't say that I'm terribly proud of that fact because that's not really what we needed. We didn't need another liquor store. But, then again, that will generate revenue. There's no question about it, I'm sure. Even though it may steal

a bit from the other two stores, I'm sure that it's going to generate revenue.

Now the minister walks on a very fine line. He has to make sure that the government, having this monopoly, is also concerned with consumption and use within the province of Manitoba. So it's a very fine line. We have to, in some way, shape or form, the minister has to generate additional revenue. So he has to not only put in new stores but new product, and raise prices probably, because that's how they're going to generate revenue. They're going to raise prices on Autopac and Hydro and WCB and all the rest of them. So MLCC is not out of the loop on this one. They have to generate revenues. So they've got more stores. They're going to raise their prices. They have to get the revenue.

They've also got, Mr. Speaker, penalties that are going to be increased. If you're going to get caught with not having the proper permit, we're going to raise your penalties. Hopefully, they're going to be able to raise more money through that particular option.

Let's talk about three stores in my community. Which I'm very thankful to the minister. Thank you. It's a growing area. There's no question the area that the new store is going in is a very vibrant retail area. Certainly, the north end of Brandon is being developed, and this is another service that could be there, but there's a service that's missing. Nowhere in the legislation did I see anything. Although they do have the right under the current act to allow private wine stores. They have that ability. As a matter of fact, that ability was put into place by a previous government, where they would then take a private wine store as opposed to a monopoly that they have currently, because we find that the monopoly doesn't have the ability to adjust to the markets quite as quickly as what a private-sector developer can do.

A private-sector developer, a private-sector wine store can deal with the market. The individuals in that market can make requests, and those requests can be dealt with almost immediately, whereas in a slow-moving bureaucracy like the MLCC, that just doesn't happen. It just can't happen.

By the way, when I was going through the numbers on the MLCC, I found that there's been a huge increase in wine consumption. We've seen that actually on a national basis where wine is actually overtaking alcohol, beer and spirits, as the No. 1 seller, wine, Mr. Speaker. The reason wine is doing that is because Canadians got a better taste for it, but

not only that, in a lot of jurisdictions, except Brandon, in a lot of jurisdictions they have the ability to have private wine stores that, as I say, cater to the tastes of the consumer. Therefore, if you can do that, you are going to generate more volume, more sales.

Now, the minister is walking a fine line. I know that he has to generate more revenue, so the Finance Minister can spend like a drunken sailor. Drunken is probably the wrong term to use when dealing with MLCC. But there's a fine line. I still think the minister should logically sit down competitively and look at the options of a private wine store in my community, the reason being the wine operator still has to buy the product from MLCC.

That's the monopoly, still has to buy the product from MLCC, doesn't have the ability to go to the open market and buy what they want to buy. They still have to bring it through the distributor. They still get their margins of probably a keystone margin, 100 percent or probably more on a bottle of wine. Then they can give it to the private wine operator, and he can market it or she can market it to the marketplace and do a much better job and generate more revenue and taxes. Isn't that wonderful? But, no, we don't want to do that. We just want to make sure that it's held as a monopoly, and we'll be able to control it in amendments to legislation and, hopefully, increase volumes and increase revenue.

But we do know that there's a bit of a recession sort of just around the corner, so one of the first things that usually goes is those consumables that aren't necessary. It just may be that the Minister of Competitiveness, Training and Trade (Mr. Swan) may not be able to comply with the wishes of the Finance Minister and generate all the revenue he wants.

But in this particular legislation, there are two things missing. One, as was mentioned by my colleague from River East—[interjection] River Heights. She's the colleague from River East, but he's the colleague from—well, a distant colleague, a distant colleague from River Heights. He made a very good point, an excellent point, Mr. Speaker, that had the Minister of Competitiveness, Training and Trade really wanted to do something that was important for Manitobans, he would have identified perhaps in this legislation or in other legislation the fact that there should well and could well be labelling on alcohol.

The labelling would be there in order to make sure that individuals recognized the dangers of

alcohol, particularly with FASD. Mr. Speaker, we know that there is an issue out there with FASD. We know that there has to be a better educational program associated with it. We know that the young individuals—this minister, in order to generate his revenue, is trying to attract the younger audience which is not necessarily the right thing to do in my opinion. I have two young sons and they generated some revenue for the minister at an early age. Whether that was right or wrong, the fact of the matter is they had a home in which we explained to them that there were rights and wrongs with respect to abuse of alcohol.

That doesn't always happen, and I think perhaps it's the minister's responsibility to put forward some educational programs with respect to FASD, and it could have been done here. Labelling is one way to do it. It could have been done here, but the minister decided not to do it because money is probably more important right now than is the educational process of making sure that when you drink, you drink within reason. The minister obviously didn't see fit to do that.

* (16:20)

The legislation is really a non-issue. It is a monopoly and the minister can do whatever he wishes, certainly, with the MLCC. We wish him luck, actually, with generating the revenues that are going to be required over the not-too-distant future.

So, Mr. Speaker, private wine stores are a concern of mine. Certainly, FASD is a concern of all of ours, as is labelling, which I'm sure will come eventually on alcohol containers, alcohol bottles in the not-too-distant future. I'm sure the minister will be looking at that very closely when he tables other legislation in his department.

So thank you, Mr. Speaker, for allowing me to put—is Larry going to speak to this? *[interjection]* Okay. Thank you very much.

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, it is a privilege for me to stand in the House and enter into third reading debate of Bill 19, The Liquor Control Amendment Act, as introduced by the Minister of Competitiveness (Mr. Swan).

I look to the Minister of Competitiveness, and I hope that he had opportunity to listen to the on-line discussion regarding Bill 19 that was hosted by CJOB. If he did not have that opportunity, I would hope that perhaps he would ask his office to requisition transcripts from that on-line discussion

because, indeed, it was very, very interesting. I had a chance to listen to it in its entirety as I travelled down the Trans-Canada Highway coming into Winnipeg.

Now, Mr. Speaker, this bill, although there were not many presenters to the bill, I think, is indicative that the bill is widely supported. I compliment the minister for the bill being introduced into the House, although I will say I share the same feelings as my honourable colleague for Brandon West in that there is a great deal of room for modification as to how we make available to Manitobans the beer, wine and spirits.

I did speak on second reading and I tried to get the minister's attention to speak with his counterpart in Alberta. It was for that reason I stand again today to emphasize to the Minister of Competitiveness that if he hasn't had that opportunity, to please do so.

I'm hoping the Minister of Finance (Mr. Selinger) is also listening because when Alberta changed the way they did business regarding beer, wine and spirits in the province of Alberta, they made the commitment that they were not looking to add additional monies to the treasury because we all are aware that, indeed, Alberta is awash with cash as the daily price for crude oil increases and Alberta is certainly a beneficiary of that. So the commitment was made that they were not looking for additional revenues. But what happened to the revenues from the sale of beer, wine and spirits in Alberta when they incorporated private enterprise?

I know it's almost a four-letter word to the members on the New Democratic Party side of the House to talk about private enterprise, but, Mr. Speaker, in Alberta, they put together a system that melded government involvement as the government of Alberta continued to maintain the central distribution. It also was able through that central distribution to co-ordinate and compile orders for the most efficient and economical way of receiving the products and distributing them as well, but it was the private enterprise on the sale side of things. It wasn't volume, and I know members opposite say that they've got to sell more volume in order to raise more revenues, but what happened in Alberta was that individuals were then allowed to sell beer, wine and spirits in the province of Alberta and what they did, they appointed persons that were customers of theirs toward more quality products, and everyone recognized that if products are of higher quality, generally, they are priced a little higher.

Well, Mr. Speaker, we all know that the taxes are collected on a percentage basis, so, obviously, a bottle of wine that sells instead for \$15 rather sells for \$35, there's a greater margin for revenue afforded government. So what happened in Alberta was not that there was a greater volume of sales, but there was a greater volume of sales of higher quality spirits. What the government in Alberta had to do was, on not one but two occasions to my knowledge—and there perhaps have been more since I studied the Alberta model when I was critic for Manitoba Liquor Control Commission—they were required to reduce the percentage of tax on beer, wine and spirits in the province of Alberta in order to keep their promise to maintain revenues from the sale of beer, wine and spirits in Alberta at a level amount.

So I look to the minister across the way, and he should not be scared of private enterprise for fear that perhaps if private enterprise gets involved it may deplete the amount of monies coming toward the provincial government's Treasury. That's not the case and it has been proven out by the example that I've just used in the province of Alberta. I hope that the minister—and I'm looking for an acknowledgment as to whether or not he's been listening. I know I should not make note there of presence or absence of honourable members, but I'm looking to the Member for Minto (Mr. Swan), who is responsible for the Manitoba Liquor Control Commission, to go and explore the Alberta model and to contact his counterpart in Alberta.

So I thank you ever so much for the opportunity to speak on Bill 19. Thank you.

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I'd just like to put a couple of words on the record in regard to Bill 19 as well. I just want to welcome the new Minister of Competitiveness, Training and Trade (Mr. Swan)—[*interjection*] Oh, I'll just make this really short.

I just wanted to note that, as I look through the explanatory notes, the first thing this minister did was pass a bill that the only way you can sell liquor in Manitoba privately is if you're dead. You have to die and then they can sell the liquor from your estate. I assume that he means the people that are left in the family.

Thank you very much, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is third reading, Bill 19, The Liquor Control Amendment Act.

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

Bill 21—The Advisory Council on Workforce Development Act

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Intergovernmental Affairs (Mr. Ashton), that Bill 21, The Advisory Council on Workforce Development Act; Loi sur le Conseil consultatif du développement de la main-d'œuvre, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to speak on Bill 21, The Advisory Council on Workforce Development Act. We're opposed to this bill. We feel that this is, you know, another effort by the NDP to spend money and develop an extra council, which is redundant. The fact is that the Premier's Economic Advisory Council should have set up a subcommittee eight years ago to be dealing with this effectively and that the minister responsible should have been attending those meetings.

* (16:30)

This is an unnecessary effort, and it duplicates what this government is already doing. It's just a passion for the NDP for creating councils that they can appoint their own supporters to and without really getting anything effective done.

What has to be done or what should have been done was to have the Premier's Economic Advisory Council, eight and a half years ago, have a subcommittee which deals with this effectively. That's where the responsibility is. I put the minister as an ex-officio member of that subcommittee; there's no problem in doing that.

The problem with this legislation is that there's no proper accountability. As John Doyle himself pointed out, many of the sector councils don't even have representation from workers and that there needs to be some more work done here. There's no process for accountability here—no reports, no nothing public coming out of this. This is not a good effort by the government; they should go back and rewrite this bill from the start.

Mr. Larry Maguire (Arthur-Virden): This Bill 21, The Advisory Council on Workforce Development Act, certainly is in my opening comments. In second reading, I questioned whether this bill was needed or not.

It is, as the minister indicated, an opportunity for all of the 16 sector councils that he has out there today, which already report to him. I understand that he's a new minister and that he may need advice. I certainly don't have any problem with getting advice, but the sector councils that are already there are still going to keep giving advice.

An Honourable Member: Mr. Smith will give him advice.

Mr. Maguire: Yes. The former minister, Mr. Smith from Brandon—pointed out by one of my colleagues—could give him advice.

An Honourable Member: When he gets appointed.

Mr. Maguire: But he hasn't got his appointment yet.

I think that the open-endedness of this bill is a concern to everyone. I understand that there are urban, rural and northern sector councils. I've spoken to many of them who feel that there may be a role for them to play. They're all hoping that they can get on the council. I think he set it up so that there are somewhere between seven and 10 and a plethora of deputy ministers, including his own, of course. But then, just about any other deputy minister that wants to get on board can get on board, including, of course, Aboriginal and Northern Affairs.

We have no problem with the deputy ministers being involved in this process, but I always thought that deputy ministers already meet on a regular basis to set up issues with themselves across the province of Manitoba, talk about what their ministers are doing and try to provide guidance for each other, so they know what's going on. Here we are—they just got another meeting to go to with this bill.

I think there's a lot of clarity needed on this bill. We have definitely got concerns with it. I guess if you're looking at a number of volunteers that might be needed—the role of this advisory council is to consult with sector councils and provide information, provide advice to the minister about work force trends and, thirdly, about initiatives, policies and strategies for developing Manitoba's work force.

Heaven's sakes, one of my comments was earlier—set a good tax plan in place for Manitoba; get the rules and regulations down pat, so that everyone

knows what they are; provide incentives for people through a competitive tax system with our other neighbouring provinces, and you don't need a bill like this, because the businesses will establish and they will find the workers that they need. They will; whether they're non-unionized or unionized is not the issue. We want to attract businesses to Manitoba, so that they can provide workers on the front lines to feed their families and provide homes for themselves.

Therefore, I'd end my comments with just those few brief comments and look forward to other members making presentation. Thank you.

Mr. David Faurshou (Portage la Prairie): I do appreciate the opportunity to rise in the third reading debate of Bill 21, The Advisory Council on Workforce Development Act.

I really look to government and smile this day because, once again, this government has listened to the polls and is providing an act of this Manitoba Legislative Assembly that is a feel-good—gives employers and industry officials the warm and fuzzy feeling that the government is setting aside resources and creating a body that will allow for dialogue to take place.

Indeed, the act does provide for that, but what one is left wondering is, why do you need an act of the Manitoba Legislative Assembly and the public awareness and media spin that goes along with an act of the Legislature to do something that is based upon common sense? I mean, ask yourselves whether or not it is incumbent upon government to reach out to Manitobans and to hear what they have to say. Why do you need an act of the Manitoba Legislative Assembly to do that? Are you so reaching that you need legislation in order to make you do what you should be doing in the very first place? It really is baffling to myself that you need to create organizations and bodies of groupings that will provide to you what already exists out there.

There are numerous organizations that have made presentation over and over to government that are direct. There are committee structures here, as well as already existing offices of the various ministries that are stated to be wide open to the general public to walk through and to make presentation, and now we see that that maybe is not the case.

This legislation says that we need something stronger to make sure that the members of the

Cabinet indeed have that open door policy, because we are now creating an advisory council that they're going to have to listen to because it is an act of the Legislative Assembly. So it leaves you wondering whether or not the government is as open to input and gathering of ideas from Manitobans as they profess to be, because otherwise, if they were, in fact, that way, then we would not need an act of the Legislative Assembly in order to have the conduit of communication necessary. It's also an admission by government that they are clueless as to how to really put together a strategy of the work force.

Honest to goodness, they, after nine years, are reaching out and saying, we don't have any ideas left; we are devoid of thoughts as to how to promote Manitoba and to make Manitoba a better place in which to work and raise a family. But now we have an act before the Legislative Assembly that's going to create an advisory council to do just that. So it is an open admission that the government really does not know how to go about creating a climate and an atmosphere for business that will bring greater prosperity to Manitoba, and I say, ditto, to the comments of the honourable Member for Arthur-Virden (Mr. Maguire) that there is a long way to go to bring, indeed, the prosperity that Manitobans want, the services from government that they want, and I think the only way to achieve that, obviously, because the government is currently wanting for ideas, it may be time for a change in government, and I would suggest that members on this side of the House are eager and willing and able to provide that prosperity for all Manitobans if given the chance. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 21, third reading, The Advisory Council on Workforce Development Act.

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

* (16:40)

Bill 22—The Worker Recruitment and Protection Act

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): I move, seconded by the Minister of Water Stewardship (Ms. Melnick), that Bill 22, The Worker Recruitment and Protection Act; Loi sur le recrutement et la protection des

travailleurs, reporting from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Jon Gerrard (River Heights): Mr. Speaker, you know, we support this legislation. We believe, however, that it will need to be followed carefully and reviewed a year or so after it's implemented in order to make sure that it's working well and as intended.

Mrs. Mavis Taillieu (Morris): I just want to put a few comments on the record about Bill 22. Usually, after a bill goes to committee and then comes back to the House for third reading, that's the standard procedure, and when you have presenters at committee, you listen to what the presenters say and take that under advisement and make your decisions on that afterward. We did hear a couple of presenters on this bill, and these presenters were in favour of the bill. There was nobody opposed to the bill, although I have spoken to people that have some concerns with it, but they weren't presenters at committee.

I just would like to say that the process that's usually followed is when you have people come to committee, you listen to what the people have to say at committee and then you make your decisions accordingly. I would just like to remind the government that perhaps they should keep that in mind as they listen to the ongoing presentations at committee on Bill 17, and listen to what the people have to say.

But, in regard to Bill 22, it's really like two bills rolled into one. One is to protection of child workers and the other is requiring that foreign recruiters now be licensed for their safeguard against unscrupulous people that would charge them, overly charge them for employment in Canada when there was no such employment. Certainly, the intent of the bill is a good bill; we support the bill and we know that it is triggered by an incident where an RCMP officer actually was using young girls and photographing them and using that in a sexually exploitative nature. Certainly, there's a need to protect young people from that type of exploitation.

I wonder, though, if they couldn't have been separated into two bills because they are really two different issues. However, when you have recruiters that are unscrupulous and they go and they promise people jobs, if they pay them money and then they

get over to Canada and then there is no job for them, or if there is a job, it's not exactly the job that they thought they were going to. We did hear about those kinds of things when we—there was an incident at Maple Leaf Foods where people were actually charged a lot of money to get jobs there. Then, when they came, they found there were no jobs there, and actually there was a concerted effort then to get these people reimbursed.

But, when you have recruiters required to be licensed, then you are able to actually track what they're doing and actually investigate should they not adhere to the legislation and to what they should be doing with the workers. This actually prohibits anybody from charging employees any money to secure them a job here in Canada. There are a couple of people, a couple of very reputable organizations in the province that do this, and I think sometimes we throw the baby out with the bath water instead of looking at the people that aren't doing things correctly, and make a blanket statement about everybody. Then the ones that are doing it correctly, they suffer at the same point.

But these people will—they're very resilient and they will move on, they'll probably go and take their business to Saskatchewan, but, in doing that, they probably will take some of the people they're recruiting with them, and I think that we all are competing for workers in a variety of industries in the province, Mr. Speaker.

There are certain things within the bill I think that may be detrimental. I know that the Member for River Heights (Mr. Gerrard) said, let's have a close look at this bill and review it in a year's time just to see if it has the desired effect and it does what it's intended to do.

With those few words, Mr. Speaker, I would just like to say that we will support this bill. Thank you very much.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 22, The Worker Recruitment and Protection Act.

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

Bill 23—The International Labour Cooperation Agreements Implementation Act

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): I move, seconded by the Minister of Water Stewardship (Ms. Melnick), that Bill 23, The International Labour Cooperation Agreements Implementation Act; Loi sur la mise en œuvre des accords internationaux de coopération dans le domaine du travail, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Mrs. Mavis Taillieu (Morris): I'd just like to say a few words about Bill 23, The International Labour Cooperation Agreements Implementation Act. The bill allows the Lieutenant-Governor-in-Council to make regulations approving some labour cooperative agreements which, basically, are supported by the federal government. The lead, I think, is the federal government. The federal government supports it, and we did hear some representation at committee all in support and these agreements help to avoid unfair competition from labour laws such as the use of child labour.

Certainly, we'll be looking to see what this bill does again and should have a look at it in a year, review it and see if it actually lives up to the intentions of the act.

With those few words, we support this bill, Mr. Speaker. Thank you very much.

Hon. Jon Gerrard (River Heights): Mr. Speaker, the Manitoba Liberal Party will also support this legislation. I believe that there should be a clear procedure for ensuring that international labour co-operation agreements, which are under this act and supported by the Province of Manitoba under this act, that there be a registry somewhere that this information is readily accessible, and hopefully the government will put that into place.

Aside from that, we have no problems with it.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 23, The International Labour Cooperation Agreements Implementation Act.

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

Bill 25—The Embalmers and Funeral Directors Amendment Act

Mr. Speaker: Bill 25, The Embalmers and Funeral Directors Amendment Act, as amended.

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): I move, seconded by the Minister of Water Stewardship (Ms. Melnick), that Bill 25, The Embalmers and Funeral Directors Amendment Act; Loi modifiant la Loi sur les embaumeurs et les entrepreneurs de pompes funèbres, as amended, and reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Mr. Speaker: It's been moved by the honourable Minister of Competitiveness, Training and Trade, seconded by the honourable Minister of Water Stewardship, that Bill 25, The Embalmers and Funeral Directors Amendment Act, as amended, and reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Hon. Jon Gerrard (River Heights): Mr. Speaker, we Liberals support this legislation. However, we note and would have liked to have seen clarification in terms of a number of matters in this legislation as a result of amendments which we moved but the government didn't support. I'm pleased that the minister is going to make sure that the effort to put together the code of ethics reflects what was in our amendments, but it would have been nice to have seen it more rigorously applied in the legislation.

* (16:50)

Certainly, we've had a lot of representation on this legislation, people concerned with what's happening at the moment in the funeral industry. I believe that the government is going to have to look as well at the prearranged funeral act because some of the concerns that we had would be people would be able to bypass elements of The Embalmers and Funeral Directors Act by using the prearranged funeral act, and it's time to bring this effort together so that we don't have acts competing with one another and people being able to bypass one act by using the other act.

Nevertheless, that being said, this is an act that needed to be changed and updated. It's well recognized for some time. The government has been rather slow in bringing this forward, but now that it's here, we would move this forward but recognize that

there will need to be further changes in the not-too-distant future.

Mr. David Faurichou (Portage la Prairie): It is, once again, a privilege to rise in third reading debate of Bill 25, The Embalmers and Funeral Directors Amendment Act. Mr. Speaker, I do want to take this opportunity to thank the Minister of Finance, also responsible for Consumer and Corporate Affairs, and the acknowledgment that the two amendments that were put forward were actually passed, and want to thank the minister for that. We'll say, though, that the minister acknowledged that there were a number of areas to which the act needed to be amended. I think, too, that the minister recognized that this area within his portfolio is indeed still wanting.

There are other pieces of legislation to update, The Cemeteries Act, as well as to recognize the need to look at legislation that pertains to pre-purchased funeral arrangements. Indeed, the minister did acknowledge that these areas need to be looked at, and looked at in the very near term.

I do support the legislation that is before us, and, once again, appreciate the opportunity to put forward amendments that improve this bill. However, we're looking very much forward to further improvements made in other areas pertaining to this area of legislation. Thank you ever so much.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is third reading of Bill 25, The Embalmers and Funeral Directors Amendment Act.

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

Bill 26—The Legal Profession Amendment Act

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): I move, seconded by the Minister of Water Stewardship (Ms. Melnick), that Bill 26, The Legal Profession Amendment Act; Loi modifiant la Loi sur la profession d'avocat, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Gerald Hawranik (Lac du Bonnet): I'd like to put a few brief words on the record with respect to Bill 26. I note that, when it came through second reading, we put words on the record that we were in

favour of it. I know that the Law Society of Manitoba was in favour of this bill. In fact, the presentations by the Law Society of Manitoba to the Minister of Justice (Mr. Chomiak) basically reflect what's in this amendment, and we would support that.

Anything that helps in terms of transparency to the public and anything that helps in terms of protection of the public is important. I know that the Law Society is there basically for the protection of the public to ensure that everything is done fairly and honestly and openly with clients.

The Law Society itself is an organization that's clearly independent and self-governing. Therefore, it's important, I think, that they have some say in terms of what kind of amendments they would propose to The Legal Profession Act. I'm glad to see that the Minister of Justice took what they had and put it into legislation, and it's there, as I say, for the protection of the public.

Certainly, on this side of the House, and I'm certain the Minister of Justice would agree, on his side of the House, that they would be obviously in favour of this amendment. Thank you.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is Bill 26, The Legal Profession Amendment Act.

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

**Bill 29—The Business Practices Amendment Act
(Disclosing Motor Vehicle Information)**

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): Mr. Speaker, I move, seconded by the Minister of Water Stewardship (Ms. Melnick), that Bill 29, The Business Practices Amendment Act (Disclosing Motor Vehicle Information); Loi modifiant la Loi sur les pratiques commerciales (communication de renseignements concernant les véhicules automobiles), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. David Faurichou (Portage la Prairie): Again, it is a privilege to rise in third reading debate regarding Bill 29, The Business Practices

Amendment Act (Disclosing Motor Vehicle Information).

Now, Mr. Speaker, I want to say that the minister was not as co-operative on this bill when I made the presentation of amendment. I was rather disappointed insofar as I quoted the minister in regard to his statement at committee insofar as he made a pledge to the Manitoba Used Car Dealers Association that they would be engaged in consultation regarding the regulation. When it came to the passage of the amendment, stating exactly what the minister had made clear, he defeated it and told his members on his side of the House that this was not necessary. He can be trusted to keeping his word. Well, indeed, I will look very much forward to the minister keeping his word. Thank you very much.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 29, The Business Practices Amendment Act (Disclosing Motor Vehicle Information).

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

**Bill 34—The Child and Family Services
Amendment and Child and Family Services
Authorities Amendment Act (Safety of Children)**

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): I move, seconded by the Minister of Education (Mr. Bjornson), that Bill 34, The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children); Loi modifiant la Loi sur les services à l'enfant et à la famille et la Loi sur les régies de services à l'enfant et à la famille (sécurité des enfants), as amended, and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Jon Gerrard (River Heights): Mr. Speaker, Liberals support this legislation, although we believe that in some ways optimum childhood development should have been put up there at a high level. You can make somebody safe by putting them in a room and enclosing them, but you need to make sure the children are developing properly.

* (17:00)

Mr. Speaker: Order, please. The hour being 5 p.m., I'm interrupting proceedings in accordance with the sessional order adopted by the House on June 5.

According to the sessional order, the Speaker must interrupt the proceedings and, without seeing the clock, take all steps necessary to conclude, without further debate or amendment, concurrence and third readings of the bills listed on the Order Paper for concurrence and third readings, and also those bills listed for debate on concurrence and third readings.

We shall now proceed to conclude the concurrence and third reading motions, and also Bill 20 listed for debate on third reading and concurrence.

Each remaining bill at these stages that have not yet been moved is to be moved without debate or amendment, and then the Speaker will proceed to put the question on each motion individually.

So I will be putting the question on Bill 34, The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children).

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

Bill 15—The Climate Change and Emissions Reductions Act

Mr. Speaker: Bill 15, The Climate Change and Emissions Reductions Act, as amended.

Hon. Dave Chomiak (Government House Leader): I move, second by the Minister responsible for Water Stewardship (Ms. Melnick), that Bill 15, The Climate Change and Emissions Reductions Act; Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre, as amended, and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 28—The Strengthening Local Schools Act (Public Schools Act Amended)

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 28, The Strengthening Local Schools Act (Public Schools Act Amended); Loi sur le renforcement des écoles locales (modification de la Loi sur les écoles publiques), as amended, and reported from the

Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Bill 6—The Securities Amendment Act

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk), that Bill 6, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 10—The Legislative Library Act

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk), that Bill 10, The Legislative Library Act; Loi sur la Bibliothèque de l'Assemblée législative, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 13—The Highway Traffic Amendment Act (Damage to Infrastructure)

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk), that Bill 13, The Highway Traffic Amendment Act (Damage to Infrastructure); Loi modifiant le Code de la route (dommages causés à l'infrastructure), reported from

the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 14—The Criminal Property Forfeiture Amendment Act

Hon. Dave Chomiak (Minister of Justice and Attorney General): I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk), that Bill 14, The Criminal Property Forfeiture Amendment Act; Loi modifiant la Loi sur la confiscation de biens obtenus ou utilisés criminellement, as amended, and reported from the Standing Committee on Justice, and subsequently amended, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 24—The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices)

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Agriculture (Ms. Wowchuk), that Bill 24, The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices); Loi modifiant la Loi sur les écoles publiques (cyberintimidation et utilisation de dispositifs électroniques), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 27—The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended)

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk), that Bill 27, The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended); Loi sur la gestion du barrage Shellmouth et d'autres ouvrages d'aménagement hydraulique et sur l'indemnisation découlant de leur fonctionnement (modification de la Loi sur l'aménagement hydraulique), reported from the Standing Committee on Social and Economic Development, and subsequently amended, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 30—The Crown Lands Amendment Act

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 30, The Crown Lands Amendment Act; Loi modifiant la Loi sur les terres domaniales, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 33—The Salvation Army Grace General Hospital Incorporation Amendment Act

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 33, The Salvation Army Grace General Hospital Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation «The Salvation Army Grace General Hospital», reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 36—The Municipal Assessment Amendment Act

Mr. Speaker: Bill 36, The Municipal Assessment Amendment Act, as amended.

Hon. Dave Chomiak (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 36, The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale, as amended, and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion agreed to.

* (17:10)

Bill 39—The Court of Appeal Amendment Act

Hon. Dave Chomiak (Minister of Justice and Attorney General): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 39, The Court of Appeal Amendment Act; Loi modifiant la Loi sur la Cour d'appel, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion agreed to.

Bill 40—The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act

Hon. Dave Chomiak (Minister of Justice and Attorney General): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 40, The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act; Loi modifiant la Loi sur les conducteurs et les véhicules, le Code de la route et la Loi sur la Société d'assurance publique du Manitoba, reported from the Standing Committee on Justice, and subsequently amended, be concurred in and be now read for a third time and passed.

Motion agreed to.

DEBATE ON CONCURRENCE AND THIRD READINGS

Bill 20—The Gunshot and Stab Wounds Mandatory Reporting Act

Mr. Speaker: Now we will deal with Bill 20, The Gunshot and Stab Wounds Mandatory Reporting Act.

Due to the sessional order, this bill will not remain standing in the name of the honourable Minister of Intergovernmental Affairs (Mr. Ashton).

So, Bill 20, The Gunshot and Stab Wounds Mandatory Reporting Act, third reading.

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

ROYAL ASSENT

Deputy Sergeant-at-Arms (Mr. Blake Dunn): His Honour the Lieutenant-Governor.

His Honour John Harvard, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour the Lieutenant-Governor in the following words:

Mr. Speaker: Your Honour:

At this sitting, the Legislative Assembly has passed certain bills that I ask Your Honour to give assent to.

Madam Clerk Assistant (Monique Grenier):

Bill 2—The Public Schools Amendment Act (Trans Fats and Nutrition); Loi modifiant la Loi sur les écoles publiques (gras trans et nutrition)

Bill 3—The Highway Traffic Amendment Act; Loi modifiant le Code de la route

Bill 4—The Provincial Court Amendment Act (Family Mediators and Evaluators); Loi modifiant la Loi sur la Cour provinciale (médiateurs et enquêteurs familiaux)

Bill 5—The Witness Security Act; Loi sur la sécurité des témoins

Bill 6—The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières

Bill 7—The Child and Family Services Amendment Act (Child Pornography Reporting); Loi modifiant la Loi sur les services à l'enfant et à la famille (obligation de signaler la pornographie juvénile)

Bill 8—The Phosphorus Reduction Act (Water Protection Act Amended); Loi sur la réduction du phosphore (modification de la Loi sur la protection des eaux)

Bill 9—The Protection for Persons in Care Amendment Act; Loi modifiant la Loi sur la protection des personnes recevant des soins

Bill 10—The Legislative Library Act; Loi sur la Bibliothèque de l'Assemblée législative

Bill 11—The Optometry Amendment Act; Loi modifiant la Loi sur l'optométrie

Bill 12—The Securities Transfer Act; Loi sur le transfert des valeurs mobilières

Bill 13—The Highway Traffic Amendment Act (Damage to Infrastructure); Loi modifiant le Code de la route (dommages causés à l'infrastructure)

Bill 14—The Criminal Property Forfeiture Amendment Act; Loi modifiant la Loi sur la confiscation de biens obtenus ou utilisés criminellement

Bill 15—The Climate Change and Emissions Reductions Act; Loi sur les changements climatiques et la réduction des émissions de gaz à effet de serre

Bill 16—The Child Care Safety Charter (Community Child Care Standards Act Amended); Charte sur la sécurité des enfants en garderie (modification de la Loi sur la garde d'enfants)

Bill 18—The Testing of Bodily Fluids and Disclosure Act; Loi sur l'analyse de fluides corporels et la communication des résultats d'analyse

Bill 19—The Liquor Control Amendment Act; Loi modifiant la Loi sur la réglementation des alcools

Bill 20—The Gunshot and Stab Wounds Mandatory Reporting Act; Loi sur la déclaration obligatoire des blessures par balle et par arme blanche

Bill 21—The Advisory Council on Workforce Development Act; Loi sur le Conseil consultatif du développement de la main-d'œuvre

Bill 22—The Worker Recruitment and Protection Act; Loi sur le recrutement et la protection des travailleurs

Bill 23—The International Labour Cooperation Agreements Implementation Act; Loi sur la mise en œuvre des accords internationaux de coopération dans le domaine du travail

Bill 24—The Public Schools Amendment Act (Cyber-Bullying and Use of Electronic Devices); Loi modifiant la Loi sur les écoles publiques (cyberintimidation et utilisation de dispositifs électroniques)

Bill 25—The Embalmers and Funeral Directors Amendment Act; Loi modifiant la Loi sur les embaumeurs et les entrepreneurs de pompes funèbres

Bill 26—The Legal Profession Amendment Act; Loi modifiant la Loi sur la profession d'avocat

Bill 27—The Shellmouth Dam and Other Water Control Works Management and Compensation Act (Water Resources Administration Act Amended); Loi sur la gestion du barrage Shellmouth et d'autres ouvrages d'aménagement hydraulique et sur l'indemnisation découlant de leur fonctionnement (modification de la Loi sur l'aménagement hydraulique)

Bill 28—The Strengthening Local Schools Act (Public Schools Act Amended); Loi sur le renforcement des écoles locales (modification de la Loi sur les écoles publiques)

Bill 29—The Business Practices Amendment Act (Disclosing Motor Vehicle Information); Loi modifiant la Loi sur les pratiques commerciales (communication de renseignements concernant les véhicules automobiles)

Bill 30—The Crown Lands Amendment Act; Loi modifiant la Loi sur les terres domaniales

Bill 33—The Salvation Army Grace General Hospital Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation « The Salvation Army Grace General Hospital »

Bill 34—The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children); Loi modifiant la Loi sur les services à l'enfant et à la famille et la Loi sur les régies de services à l'enfant et à la famille (sécurité des enfants)

Bill 36—The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale

Bill 39—The Court of Appeal Amendment Act; Loi modifiant la Loi sur la Cour d'appel

Bill 40—The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act; Loi modifiant la Loi sur les conducteurs et les véhicules, le Code de la route et la Loi sur la Société d'assurance publique du Manitoba

No. 217—The Ukrainian Famine and Genocide (Holodomor) Memorial Day Act; Loi sur le Jour commémoratif de la famine et du génocide ukrainiens (Holodomor)

Madam Clerk (Patricia Chaychuk): In Her Majesty's name, His Honour assents to these bills.

His Honour was then pleased to retire.

Mr. Speaker: The hour being past 5 p.m., this House is adjourned and stands adjourned until September 8 or at the call of the Speaker, and everyone have a great summer.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 12, 2008

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