

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

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

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BLAIKIE, Bill, Hon.	Elmwood	N.D.P.
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BRICK, Marilyn	St. Norbert	N.D.P.
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GRAYDON, Cliff	Emerson	P.C.
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HOWARD, Jennifer	Fort Rouge	N.D.P.
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**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, May 20, 2009**

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

*PRAYER*

**ROUTINE PROCEEDINGS**

**PETITIONS**

**Neepawa, Gladstone, Ste. Rose, McCreary–  
Family Doctors**

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

These are the reasons for this petition.

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

This petition is signed by Bill Rambow, Rose-Ann Lamy, Camille Lamy and many, many other fine Manitobans.

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

**Traffic Signal Installation–  
PTH 15 and Highway 206**

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

These are the reasons for this petition:

In August 2008, the Minister of Transportation (Mr. Lemieux) stated that traffic volumes at the intersection of PTH 15 and Highway 206 in Dugald exceeded those needed to warrant the installation of traffic signals.

Every school day, up to a thousand students travel through this intersection in Dugald where the lack of traffic signals puts their safety at risk.

Thousands of vehicles travel daily through this intersection in Dugald where the lack of traffic signals puts at risk the safety of these citizens.

In 2008, there was a 300 percent increase in accidents at this intersection.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate installation of traffic signals at the intersection of PTH 15 and Highway 206 in Dugald.

To request that the Minister of Transportation recognize the value of the lives and well-being of the students and citizens of Manitoba.

Signed by Gary Laivlye, L. Mitchell, Phyllis Cook and many, many other Manitobans.

**Education Funding**

**Mr. Rick Borotsik (Brandon West):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

Historically, the Province of Manitoba has received funding for education by the assessment of property that generates taxes. This unfair tax is only

applied to selected property owners in certain areas and confines.

Mr. Speaker, property-based school tax is becoming an ever-increasing burden without acknowledging the owner's income or owner's ability to pay.

The provincial sales tax was instituted for the purpose of funding education. However, monies generated by this tax are being placed in general revenue.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Education, Citizenship and Youth (Mr. Bjornson) consider removing education funding by school tax or education levies from all properties in Manitoba.

To request that the Minister of Education, Citizenship and Youth consider finding a more equitable method of funding education, such as general revenue, following the constitutional funding of education by the Province of Manitoba.

Mr. Speaker, this petition is signed by Grace Ilagan, Bev Robillox, Harold Wuttke and many, many other fine Manitobans.

#### **Provincial Nominee Program—90 Day Guarantee**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

Reuniting families through the Manitoba Provincial Nominee Program should be the first priority in processing nominee certificates.

Lengthy processing times for PNP applications cause additional stress and anxiety for would-be immigrants and their families here in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider establishing a 90-day guarantee for processing an application for a minimum of 90 percent of applicants that have family living in Manitoba.

This is signed by A. Torres, A. Agsalud, A. Regacho and many, many other fine Manitobans. Thank you, Mr. Speaker.

## **MINISTERIAL STATEMENTS**

### **James Ernest Diack**

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I have a statement for the House.

Mr. Speaker, it's with great sadness that we acknowledge the passing of James Ernest Diack. He was known by close friends and family as Ernie. Ernie was a Second World War veteran, having served in the Royal Canadian Naval Volunteer Reserve on convoy duty during the Battle of the Atlantic, participating in the Juno Beach invasion. He enjoyed a long career with the Winnipeg police force, and he was a sergeant-at-arms at the Manitoba Legislature from 1982 to 1988.

After living in Winnipeg for 82 years, he moved to Qualicum, B.C., to be near his children. He was actively involved with the Royal Canadian Legion for 65 years and was a life member.

Ernie passed away on May 15, 2009. He is survived by his loving wife of 61 years, three sons and a daughter, two brothers, a sister and numerous grandchildren and great-grandchildren.

I wish on behalf of the entire House to offer condolences to his family and friends.

\* (13:40)

**Mr. Gerald Hawranik (Official Opposition House Leader):** Mr. Speaker, I thank the minister for the statement. On behalf of the Progressive Conservative caucus, I, too, extend our heartfelt sympathy and condolences to Mr. Diack's family and friends.

We acknowledge his contributions to the democratic system and the part he played in the Manitoba Legislature from 1982-1988 as the sergeant-at-arms in this Chamber, Mr. Speaker.

The work of a sergeant-at-arms involves frequently more than just a 9 to 5 job. It involves weekends, evenings in the Chamber, time away from family, time away from friends. It involved a lot of personal sacrifice and commitment. It wasn't really a job; it was a way of life, particularly in the time that he served from 1982-1988.

Today, of course, we have more reasonable hours of sitting, although the commitment certainly of that kind of position is evident in our current sergeant-at-arms as it was with Mr. Diack.

Again, we offer our very heartfelt sympathy to his family and friends on their loss.

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

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

**Mr. Gerrard:** Mr. Speaker, I, too, would like to join the other members of the Legislature in acknowledging the contributions of James Ernest Diack to the Legislature and, indeed, to Manitoba and Canada in a much broader sense.

He would have been in his early 20s when he was in the Second World War and participating in the Juno Beach invasion. He served with the Winnipeg police force and then, admirably, for quite a number of years here before his retirement to British Columbia.

In recognizing Mr. Diack, we also recognize the contributions of many others who have served this Chamber ably.

But, today, we send condolences to family and friends and salute the passing of an important Manitoban.

Thank you.

#### Introduction of Guests

**Mr. Speaker:** Prior to oral questions, I'd like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Veronica Kufner, an international student from Bavaria, Germany, currently attending Miles Macdonell Collegiate. She is the guest of the honourable Minister of Conservation (Mr. Struthers).

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

Also in the public gallery we have from Grandview School 30 grade 8 students under the direction of Ms. Barb Grexton. This school is located in the constituency of the honourable Minister of Conservation.

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

#### ORAL QUESTIONS

##### Photo Radar Tickets Construction Zones

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, at the time that the

introduction of photo radar was being discussed some years ago, the Premier identified the potential for a photo radar program to turn into a fiasco and ultimately a cash grab on the part of governments.

The Attorney General (Mr. Chomiak), two weeks ago, to his credit, disclosed that the tickets issued in construction zones had jumped from some 3,000 tickets in 2007 to 60,000 tickets in 2008, a jump of some 2,000 percent.

It was the Attorney General who said that the credibility of the photo radar program is at stake as a result of these dramatic jumps and the very apparent misuse of photo radar as a revenue grab.

Mr. Speaker, recognizing that it will require the government to deal with what is, in the big scheme of things, a relatively minor hit to its revenue, will the Premier at least acknowledge that he and the Attorney General were on the right track when they said there was something wrong with the numbers and go to the natural next step and refund money to those Manitobans who were issued tickets in circumstances where the court deemed that it was inappropriate?

**Hon. Gary Doer (Premier):** Mr. Speaker, the Attorney General has already made his statement on that issue.

**Mr. McFadyen:** I'm not sure which statement the Premier is referring to. There was a statement, Mr. Speaker, two weeks ago, where the Attorney General indicated that the credibility of the program was at stake. He was the one who brought forward the shocking increase in those numbers.

He then indicated that he was supportive in principle of refunding that money. He then changed his position and said that he was opposed to refunding the money. Then, yesterday, Mr. Speaker, he indicated again that he could be supportive of refunding the money, provided the City of Winnipeg was on board.

Mr. Speaker, these are three different positions in less than two weeks. Can the Premier just clarify what the position of the government is today with respect to those tickets that were wrongly issued to thousands of Manitobans?

**Mr. Doer:** Mr. Speaker, I would point out that on May 5, 2008, the Winnipeg city police in a media release said that the construction zones should be safe work zones and that road safety is vital for workers and motorists alike—and motorists alike. The

Winnipeg police further went on to say: We're stepping up our vigilance in construction zones.

Certainly, the member opposite has not mentioned that in his statement. I think it's very clear from the Winnipeg city police, on May 5, that they intended on increasing vigilance in construction zones. Obviously, the numbers that have been released by the Minister of Justice (Mr. Chomiak) confirm what the police said they were going to do in May, actually happened in the '08-09 year.

**Mr. McFadyen:** Well, the chief of police said last week that he thought there may be some value in photo radar where workers are present at sites, but we're talking about a situation—*[interjection]* That is exactly what the chief of police said last week in the news conference.

The reality is that what we're talking about are circumstances where photo radar is being deployed where no workers are present. In fact, this past weekend there was photo radar deployed on Bishop Grandin nowhere close to where workers were present, once again, Mr. Speaker.

So I want to ask the Premier and the Attorney General, who have both confirmed and who have both said that this program had the potential to turn into a cash grab, had the potential to become a fiasco—in fact, it has become a fiasco. Will they take the right steps to try to begin the process of undoing the fiasco?

**Mr. Doer:** Mr. Speaker, again I stated, and so did the Minister of Justice, that we would stand with and take the advice of the Winnipeg city police. The Winnipeg city police—I mentioned May 5—on May 23, 2008, at 1 p.m., the City of Winnipeg police said construction zones should be safe work zones, and road safety is vital for workers, pedestrians, cyclists, motorists and police.

They go on to say, Mr. Speaker, that it's not just the issue of construction workers. There's the merging of traffic. There are the barriers. There's the changing in the road conditions.

Again, the Leader of the Opposition might want to be smarter on these issues than the Winnipeg city police. I have a lot of respect for the police. I have a lot of respect for the chief of police. I have a lot of respect for the job that they have to do in a brave way on behalf of our citizens. They get up every day putting their lives on the line.

They do believe, Mr. Speaker, that it makes more sense for the ratepayers in Winnipeg to have police officers preventing crime in the community and enforcing the breaking of crime with people under the Criminal Code. It makes more sense to use the technology of a photo radar device rather than having a police officer holding a photo radar gun. That's what they believe, and if members opposite don't believe it, they could have campaigned in 2007 to have photo radar guns as opposed to having photo radars at only construction sites, at sites dealing with safety in intersections and playgrounds and school grounds.

But, Mr. Speaker, the press release of the City of Winnipeg police gives us ample warning that construction sites, yes, deal with workers, but they also deal with cyclists, pedestrians and motorists, and that's the advice the police are giving us.

\* (13:50)

#### **Photo Radar Tickets Construction Zones**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, the Attorney General has had many different positions when it comes to photo radar. Along this mystical journey by the Attorney General, he's talked about the old country, and in yesterday's classic answer he talked about porcupines and pines and how they're storing pines and whatever that had to do with photo radar. We still haven't figured that out from yesterday.

You know, he's gone from talking about giving back the money to saying that refunds couldn't be possible, to saying that refunds were possible but it's too much work, to saying that refunds were possible but it's too much money, to yesterday's answer where he said that he'd love to give back the money, but the City of Winnipeg won't let him do it.

Mr. Speaker, when will the Attorney General end this embarrassing display and commit to giving back the money?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, I will take the advice of the City of Winnipeg police chief over the Member for Steinbach and his interpretation of the law 99 times out of 99.

Mr. Speaker, I will take the advice of the police who stepped up vigilance in construction zones and put out a press release to advise motorists of that on May 5 and on May 23 and on August 15 and on

July 4, as permitted under the regulation passed by this Legislature, by all members of this Chamber, including the Member for Lac du Bonnet (Mr. Hawranik), who wanted us to make it more extensive. He said that in *Hansard*.

So, Mr. Speaker, I will listen to what the police advice gives in this matter for public safety anytime before a Tory who tends to be—

**Mr. Speaker:** Order.

**Mr. Goertzen:** Mr. Speaker, the Attorney General's new position is he wants Manitobans to believe he's being held hostage by the City of Winnipeg, and because they said, no, they're not giving back the money, he's forced to hold on to their portion of the money as well. But the City is already on the record as saying that the Province collects and keeps the lion's share of photo radar revenue, and if the refund is going to come, it has to come with direction from the Province.

Mr. Speaker, why won't this government take the lead and commit to returning its portion of the money that it collected that the court said should never have been collected because there shouldn't have been tickets in construction zones where there were no construction workers?

**Mr. Chomiak:** Mr. Speaker, the member ignores the fact that what the decision was by the justice was appealed by the Crown. He is mingling the law and he's wrong in the law.

The city councillors said that if they were required by law—which they said they know they're not required to do—to refund the money, it would impact \$3 million to \$10 million on the City budget. It would come out of the police budget. That's what the city councillors said to me. That's what the mayor said to me when I consulted him about the matter.

It was the Conservative Party that took out ads on the Conservative Web site saying 60,000 people were unfairly ticketed. It's the Conservative leader who said they would take photo radar out of school and construction zones. It's the Conservative leader who said we didn't need photo radar for 135 years, Mr. Speaker.

Mr. Speaker, Prosecutions made a decision. We followed the decision of Prosecutions, and we're going to proceed to follow the police and the City of Winnipeg on the issue.

**Mr. Goertzen:** On May 7, the mayor was quoted in the paper as saying that the Province takes the lion's

share of the money from photo radar, and if the Province wants to refund the money, that is obviously their prerogative. That's what the mayor said.

Yesterday, the Attorney General said, no, he'd love to give the money back, but the City is not letting him give the money back.

The Attorney General may be enjoying this political game of hot potato, but the people who really got burned are the ones that the court said should never have received the tickets.

The Minister of Finance (Mr. Selinger) is cashing the cheques from photo radar. It's made out to the Minister of Finance. Why doesn't he at least say that they'll refund the portion that the Province took that the court said they never should have taken, Mr. Speaker?

**Mr. Chomiak:** Mr. Speaker, the member has in his possession the Prosecutions memo from May 7, and he knows he's distorting—deliberately distorting—what was said in this letter.

And he's deliberately distorting what was said in *Hansard* yesterday when I said, and I quote: You ask the City. If the City agrees to that, if the police chief agrees to cut back on radar, you come back here and tell that to me.

Have you talked to the City and the police chief yesterday like I asked you? No, Mr. Speaker. You have wrongly taken the comments—

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

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

The honourable Attorney General has the floor.

**Mr. Chomiak:** You have wrongly taken the words yesterday and mashed them into a question in order to get coverage today, Mr. Speaker. It's so political and so far—you know that the mighty Conservative Party is leading the issue. It's against the recommendation of the chief of police of the city of Winnipeg. That's abhorrent, and it's hard to believe that they no longer listen to the police. We do.

#### **Photo Radar Tabling of Annual Report**

**Mr. Gerald Hawranik (Lac du Bonnet):** The Minister of Justice seems to want to ask questions in question period. He can come to this side of the House if he wants to ask questions.

Mr. Speaker, the City of Winnipeg was to provide the 2008 annual report on photo radar to the Province by April 1 of this year. This report is now nearly two months overdue.

So I ask the Minister of Justice: Does he have the report and, if so, will he table it in this House?

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** The department has been in contact with the City and reminded them that they are tardy with regard to this particular report, and so we are anticipating receipt of this report shortly.

#### Tabling of Deployment Records

**Mr. Gerald Hawranik (Lac du Bonnet):** The NDP allowed photo radar to be deployed in construction zones when no construction workers were present, and, as a result, the number of photo radar tickets skyrocketed by 2,000 percent from one year to the next. This isn't about safety. This is a cash grab at best, Mr. Speaker.

So I ask the Minister of Justice: Will he provide the deployment statistics for photo radar over the last two years, or will he refuse to table those stats because he's afraid that it will show that photo radar was seldom used near schools and playgrounds; instead it was deployed in areas where it would generate the most cash.

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** It's curious, Mr. Speaker, that this member said, and I quote, on May 22, '02: I support for obvious reasons the use of photo radar and red light cameras across the province and not just for limited purposes as proposed in this bill.

That is not just construction sites, not just playgrounds, not just red lights. Mr. Speaker, five press releases from the City of Winnipeg police advising motorists that they're going to deploy photo radar in construction sites for the protection of workers and the protection of vehicle traffic and safety. Five press releases, the City of Winnipeg, the chief of police did that.

Mr. Speaker, the Leader of the Opposition (Mr. McFadyen) has now said, we shouldn't have it in school zones. The Leader of the Opposition said we didn't need it for 135 years. The Member for Steinbach (Mr. Goertzen) provided inaccurate information in the last question, and—*[interjection]* You have it on your Web site—

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

**Mr. Speaker:** Order. Let's have some decorum. We're early into question period. Let's have some decorum here. The honourable Member for Lac du Bonnet has the floor.

**Mr. Hawranik:** Yes, thank you, Mr. Speaker. Let me make this perfectly clear. The Minister of Justice, he is the one who's responsible for the abuse of the program, not members of the opposition. He's responsible for the abuse of the program. The Minister of Justice refuses to table the deployment statistics for photo radar. He refuses to table the 2008 annual report for photo radar, even though it should have been ready more than two months ago.

Why is the Minister of Justice refusing to table these reports? Is he afraid the reports will reveal that the true intent of the program is more about revenue than it is about safety?

**Mr. Chomiak:** Mr. Speaker, a week ago, the Leader of the Opposition accused us of having a contract with the photo radar company that, in fact, is a contract between the City of Winnipeg and the photo radar company for the deployment of photo radar. Now, members opposite are trying to put responsibility—

**An Honourable Member:** Give the money back.

**Mr. Chomiak:** Well, the member for Roblin wants to give the money back. Has he or his leader talked to the mayor of the city of Winnipeg, as his leader said he would, or the chief of police of Winnipeg, who said that he wanted it for safety purposes? Has any member of that side of the House talked to the city of Winnipeg chief of police about the issue? Can they stand up and indicate the city of Winnipeg police do not want to use it where there's a safety concern of construction workers, Mr. Speaker?

So, Mr. Speaker, the members opposite are making much of an issue that we determined was a safety issue. If members opposite—

**Mr. Speaker:** Order. Time has expired.

\* (14:00)

#### Department of Justice Prosecution Sentencing Recommendations

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, Manitobans have often expressed frustration with some of the decisions that judges have brought forward that they consider to be too lenient for crimes that were committed. Manitobans rightfully feel that for serious crimes there should be serious



consequences. Yet, today, it's the judges through the Manitoba Court of Appeal saying that there needs to be tougher sentences and expressing concern that there are a growing number of sentence recommendations between the defence attorneys and the Attorney General's department that don't fit the crime and that are too lenient.

Can the Attorney General tell us why sentence recommendations are so low that even the judges are frustrated, Mr. Speaker?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** There you go again, Mr. Speaker. Does the Member for Steinbach want the government, the minister, to direct prosecutions like they do in communist countries or like they do in right-wing, extremist, conservative, military dictatorships?

Judges are appointed independently. Crown prosecutors operate independently. The member has asked me to intervene in a number of cases. In fact, if I were to intervene, I'd be subject to, in fact, censure and resignation.

I wonder if the member will pay attention to the fact that in this country we have a separation between prosecutions and the elected government, and well we should, Mr. Speaker, so we don't fall into the trap of right-wing governments who want to direct and police according to their ideology.

**Mr. Goertzen:** This is very revealing because the Minister of Justice has said that British Columbia has become communist, that Alberta has become communist and Saskatchewan and Ontario. All the provinces in Canada have become communist because they all use the common Canadian practice of issuing prosecutions directives in terms of policies for sentences that should be recommended.

Every province in Canada does it. In fact, the Minister of Justice says that we've done it for many years too, but he's proud that he hasn't issued any directives since he's been Minister of Justice. No, he's happy just to let the whole thing go on cruise control. Well, that's the MO that got us into the photo radar fiasco, Mr. Speaker. Even the judges are saying that it's too lenient of sentences being recommended by Prosecutions.

Will he do what every other province in Canada does and take some authority over this issue?

**Mr. Chomiak:** Mr. Speaker, in the first question the member asked me to direct Prosecutions on

sentencing. That's what communist countries do, and that's what right-wing, military dictatorships do.

Mr. Speaker, there are policy directives from the Department of Justice to Prosecutions. The member knows that. We discussed that in Estimates. What the member is asking me to do is intervene in specific cases of sentencing.

Independent people like Vic Toews said it's a long-standing practice of attorneys general in Manitoba not to become involved. The Honourable Vic Toews says it is a long-standing practice of attorneys general in Manitoba not to become involved in the individuals cases even though the Member for Minnedosa (Mrs. Rowat) laughs during the entire course of the answer, which I think is shameful.

**Mr. Goertzen:** We're asking for a policy directive. The minister said that there are policy directives in the past from other ministers on the Web sites. Have the communists infiltrated the Minister of Justice's Web site and put up policy directives? It's ridiculous, Mr. Speaker.

He's the minister who created the mess for photo radar. He's the minister who created the mess on the vote tax. He's the minister who's spending \$13 million on driver's licences that he can't give away to Manitobans, Mr. Speaker. Now even the judges are wondering why he is so weak that sentence recommendations are coming that they don't want to accept.

Is he content to live from boondoggle to boondoggle, or is he actually interested in doing the job that he was appointed to do, Mr. Speaker?

**Mr. Chomiak:** If I had followed the advice of the member opposite on the Taman Inquiry, I would have interfered and we would not have had the recommendations we have from the judicial inquiry, because if we had followed what the Leader of the Opposition (Mr. McFadyen) said or the Member for Steinbach, we would have interfered with the case and, therefore, there would have had to have been a new or a *[inaudible]*

**Mr. Speaker:** Order.

**Mr. Chomiak:** –trial.

I do not think that you can play around politically with justice like that. I don't think there's another Justice Minister in the country that would play the politics the Member for Steinbach plays—or the Leader of the Opposition—with justice. All they

care about is politics. We care about the well-being and justice of all Manitobans, and I'll stake my reputation and my personal integrity on that versus the ravings from members opposite every day as I do in this Legislature.

### **Community Hospitals Emergency Surgeries**

**Mrs. Myrna Driedger (Charleswood):** We have warned this NDP government that cutting back emergency surgeries at community hospitals would lead to trouble. Today in the gallery is a patient who suffered because of it.

Mrs. Viehweg's gallbladder became gangrenous because of a terrible delay in getting care. First she was taken by ambulance to the Concordia Hospital where she was forced to wait over an hour to be offloaded. Paramedics told her that they are sometimes forced to wait three hours or more to offload patients.

Can the Minister of Health explain why ambulances are frequently stuck at hospitals waiting to offload patients?

**Hon. Theresa Oswald (Minister of Health):** I thank the member for the question and, of course, in any specific instance of a specific case I'm very interested, as the member knows, to hear further details so that we can work to resolve any problems.

On the broad issue of the consolidation of surgery, Mr. Speaker, we know that these recommendations were made by medical doctors to improve service, to ensure that individuals see the right specialist at the right time. We know that evaluations are being done of this process, and we're looking at the ongoing evaluations—*[interjection]* Thank you. We're looking at these ongoing evaluations to ensure that patient safety is at the forefront, and, of course, I'd be happy to discuss with the member specific and individual cases should they come forward.

**Mrs. Driedger:** Mr. Speaker, Mrs. Viehweg was in severe pain and was told by a doctor that she needed emergency surgery, but she had to be transferred by ambulance to the St. Boniface Hospital because emergency surgery at Concordia Hospital had been cut back. However, there were no ambulances available so she missed her surgery time at St. Boniface Hospital. Mrs. Viehweg ended up having emergency surgery 26 hours after calling 911 and 17 hours after the original slated emergency surgery.

Why would the Minister of Health cut back on emergency surgeries at community hospitals when paramedics have said that frequently Winnipeg has no ambulances available for hours at a time? How could she be sending patients for emergency surgeries to hospitals when there might not even be an ambulance available to take them there?

**Ms. Oswald:** Mr. Speaker, the numbers that the member has cited today, there's no member of this House that would disagree with the fact that that's an unacceptably long time, and I commit to the member to look into it.

On the larger issue, of course, we know that we have made significant investments in our emergency medical system, replacing the entire fleet and indeed adding ambulances to that fleet. We know that we have more paramedics in Manitoba today than we did at the time of the previous government. We know that we not only have more paramedics, but we have more skilled paramedics because we have, of course, introduced for the first time in Manitoba the primary care model of education.

Mr. Speaker, I can say to the member again that we're monitoring the consolidation of general surgery as recommended by doctors, not politicians. We'll continue to do that.

**Mrs. Driedger:** Mr. Speaker, there are a lot of doctors and nurses that disagree with this cutback that this minister has put forward, and we have warned her that these cutbacks could compromise patient safety.

Mrs. Viehweg is a victim of those cutbacks. Her gallbladder became gangrenous. Her lungs had partially deflated. Her heart rate was irregular. She had been in severe pain for 25 hours waiting for emergency surgery. She ended up spending seven costly days in hospital with something that should have been an overnight procedure or a same-day procedure.

Will the Minister of Health admit that this cutback has failed patients in Manitoba, and will she reverse this very, very compromising position today and this policy today because it's endangering patients?

\* (14:10)

**Ms. Oswald:** Well, first of all, Mr. Speaker, I would say to any member of the public that has endured an extended wait or a painful wait, there's no member of

this House that would find that acceptable. I include myself in that.

Further, I would put more correct information on the record and let the member and the rest of this House know we have more general surgeons today in Manitoba than we did at the time during the Tory government. We know that the services at Concordia Hospital have in many respects been augmented by becoming a centre of excellence for orthopedic surgery. It's why we've been able to bring down wait times for orthopedic surgery by nearly 70 percent since 2005.

Doctors have recommended the general surgery at their meeting. Out of 31 doctors that voted, 30 agreed with this move and one was against. We're going to continue to evaluate because patient safety has to be at the forefront, Mr. Speaker, all members would agree.

#### **Flood Victims Financial Assistance Availability**

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, this spring the ring dike at Morris was closed for 36 days, effectively cutting off revenues from between 50 percent to 90 percent for some affected businesses. This has dire implications for a small community.

After the flood of '97, the Conservative government introduced the Jobs and Economic Restoration Initiative which helped businesses and farms restart their operations.

Mr. Speaker, what programs will the minister put in place to assist those so negatively affected by the recent flood? Will he reinstitute the JERI program?

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** Mr. Speaker, may I start by just saying that this government has been committed with dollars in co-operation, in partnership with the federal government to improve highway traffic on Highway 75. There have been millions and millions thus far, approximately \$75 million spent on Highway 75 to improve not only tourism traffic but also truck traffic.

We're encouraged with the partnership that we're having with the federal government, and we want to thank Minister Toews, Minister Baird, federally, for the Building Canada Fund for more dollars going towards this particular project.

With regard to options, looking at the town of Morris, Mr. Speaker, there are a number of different options on the table but we want to be prudent. You don't want to put something in place that will have a negative impact on another community by improving the conditions in one particular community. So our engineers are certainly looking at this particular project.

**Mrs. Taillieu:** Mr. Speaker, I'm not sure if the minister is on the same wavelength. I'm asking about compensation.

Mr. Speaker, many farmers who still have land under water are assessing the crop seeding *[inaudible]*

**Mr. Speaker:** Order.

**Mrs. Taillieu:** After the flood of '97, farmers were able to access the crop restoration program which helped farmers pay for custom seeding to get crops in the ground as quickly as possible to minimize any yield due to late seeding.

Mr. Speaker, is the minister planning to make available a crop restoration program for flooded farmers?

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** Mr. Speaker, I would remind the member that when we came into office there was no program such as the excess moisture insurance. Since we've taken office, we've put in place excess moisture insurance which is there to help those farmers who are not able to seed, and it has become a permanent program.

There are aspects of it that farmers can buy up to a higher level if that's what they so choose to do, but we've put in place a permanent program that gives farmers predictability if they are not able to seed because of excess moisture.

**Mrs. Taillieu:** Mr. Speaker, I asked these specific questions to the Minister responsible for EMO a month ago and he has not responded to my letter. I am referring to economic losses to businesses and the crops affected by late seeding which have not been specifically addressed here today or anywhere.

I'm asking on behalf of business owners and landowners: What program will this government put in place to help them recover from flood '09, and when will they be launched?

**Ms. Wowchuk:** Again, Mr. Speaker, I want to remind the member that in the flood of '97, there was

no program like the excess moisture insurance program. It was not a program that was available, so the government of the day had to work on ad hoc programs.

I think it's far more important that you have long-term programs, programs that are predictable, that farmers know that if they run into difficulty they do not have to go for ad hoc programs. The programs are there every year when there is a unique situation that arises. We have a program now called AgriRecovery that was available for people in the Interlake when they had a particular situation.

But, Mr. Speaker, the farmers of Red River Valley who cannot seed because of excess moisture have a program that they can draw on.

### **Photo Radar Tickets Construction Zones**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, to the Minister of Justice. The government's approach to photo radar was, of course, challenged in court and then thrown out.

But when the court ruling was imminent, people who were handling inquiries about photo radar tickets apparently were telling people that the decision was pending and that they could hold off on paying the tickets until the decision was clear, because if they paid now the government would probably not reimburse the tickets, which, of course, is what happened.

As I understand from the very confusing statements of the Minister of Justice, all those who received tickets in construction zones and did not pay will now not have to pay, and all those who paid their fines in the same circumstances will not be reimbursed.

Therefore, as I see it, the government is discriminating against those who paid—

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

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** In January 2009, Norman Sundstrom, who is a justice of the peace, made a decision about a prosecution of a summary conviction act. According to the prosecution, he made the wrong decision in law. The prosecution appealed the decision, Mr. Speaker.

Mr. Speaker, upon doing a review, they found out there were evidentiary issues. Following the

meeting, Prosecutions reviewed the impact. It concluded, in light of their knowledge that signs had not been placed at the end of construction zones, it would be inappropriate to proceed with existing prosecutions involving photo enforcement in those locations.

Having become aware that a piece of evidence required under the regulation was not available in those cases, Prosecutions concluded that those prosecutions should be stayed.

**Mr. Gerrard:** What I hear from the Minister of Justice is that all those people who didn't pay will not have to pay their fines.

I understand in practice that, in fact, there are some of those individuals who have not paid and who have even been advised that it was smart not to pay because of the impending court decision who are now in the position of receiving a notice from a collections agency, and the government is doing everything it can to collect those fines from individuals who didn't pay tickets which they shouldn't have been given in the first place.

**Mr. Chomiak:** Mr. Speaker, the new information did not affect the view of Prosecutions division of the appropriateness of its appeal of the decision of the justice of the peace. It continues to believe the decision is wrong in law.

Mr. Speaker, as a result, the appeal was abandoned because of evidentiary issues. However, since Prosecutions division continues to believe that the January 2009 ruling was wrong in law, it will revisit this legal issue in a future case that does not have the evidentiary flaws presented by the absence of end signs in those particular cases.

I have the entire memo that I've handed out before, the Member for Steinbach (Mr. Goertzen) has misconstrued, as has the Leader of the Opposition (Mr. McFadyen). I think *[inaudible]* Mr. Speaker, and I can provide this information to the member as well.

**Mr. Gerrard:** Mr. Speaker, I give you a specific example. A single mother with two children, an excellent driver, who after travelling at 78 kilometres an hour in a speed zone ordinarily 80 kilometres an hour, passed a construction site on a Sunday where there were no workers around. She received a ticket. When she inquired about paying it, she was told the issue was before the court, and she could decide to wait until the court ruling before paying the ticket. She was further told that the government would

probably not reimburse the ticket if it wasn't paid, even if the ruling went against the government, and so she decided not to pay.

Now she's staring down the stern face of a collection agency who's telling her that they've already made sure her credit record will be negatively affected and that if she doesn't pay the fine soon, she won't be able to renew her driver's licence.

Why is this woman being terrorized and treated in this fashion all because the Minister of Justice and his government goofed?

\* (14:20)

**Mr. Chomiak:** Mr. Speaker, five times last summer the Winnipeg police indicated that people should not speed in construction zones for two reasons: If workers are present or for their own safety. In fact, that was the law that was passed in this Legislature, enforced by the City of Winnipeg—[interjection]

**Mr. Speaker:** Order.

The honourable Attorney General has the floor.

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

I also indicated, both publicly and in this Chamber, that the fines and the fines that individuals pay—I think most Manitobans pay their fines and should pay their fines. They have the option of going to court. They have the option of appealing, and we have the responsibility of enforcing the law and not doing it for political reasons, as the Member for Steinbach (Mr. Goertzen) suggests, not doing it for grandstanding, as the Leader of the Opposition (Mr. McFadyen) suggests, but having to enforce the law as it applies, whether the member—the member has the opportunity to amend it if he would like. He can amend the law. He can get the City of Winnipeg and ask the—

**Mr. Speaker:** Order.

### **Mining Industry Economic Growth**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, this week has been proclaimed as Provincial Mining Week to celebrate the massive positive contributions the mining and minerals sectors make to our Manitoba economy.

Could the Minister of Science, Technology, Energy and Mines update this House on some of the

current positive initiatives in the Manitoba mining and petroleum industries?

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** Thank you very much for the question. I'd like to let all members know that there's a mining sample, actually, it's a drilled core sample, on your desk. That's from Bucko. That's a new mine that has opened in Wabowden. It's the newest mine in Canada, and it was opened in our jurisdiction.

It's also providing jobs for a lot of local people, many of the local people, 120 of which are local residents, Mr. Speaker. They were trained on mill and mining operations. They were hired with First Nation, Aboriginal, Métis people who have all been employed there, and it's working.

We have now about \$2.5 billion of mining mineral production, Mr. Speaker. It's the second largest resource, and we've really worked hard to move forward in our standing through some tax measures that the Minister of Finance (Mr. Selinger) has announced, some training initiatives that the Minister of Competitiveness (Mr. Swan) announced. We're continuing to move forward in the mineral—

**Mr. Speaker:** Order.

### **Rural Health-Care Services Need for Family Physicians**

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, the people of Manitoba are finding it increasingly difficult to find family doctors who are accepting new patients. In the towns of Gladstone, Neepawa, McCreary and Ste. Rose, doctors are not accepting new patients. Beyond that, we are now told that family doctors in Dauphin are not accepting new patients.

Will the minister today stop delivering political rhetoric about how many more doctors there are and start delivering family doctors in areas where they are needed?

**Hon. Theresa Oswald (Minister of Health):** We know that we have instituted a family doctor connection line several years back to assist patients in finding a doctor in close proximity to where they live. We also know that it's the College of Physicians and Surgeons annual report listing numbers of doctors that are coming to Manitoba. It's not political rhetoric. I believe the College of Physicians and Surgeons comes from all political stripes.

I can tell you that we have seen a net gain of doctors every year since taking office. We know that 105 of those doctors out of the 288 net gain are doctors that are existing in rural Manitoba.

We know, Mr. Speaker, that we have more work to do to bring doctors to Manitoba. That's why we committed to bring a hundred more. Members opposite, during the election, didn't commit to bring one.

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

## MEMBERS' STATEMENTS

### Amanda Cathcart

**Mr. Stuart Briese (Ste. Rose):** I rise today to pay tribute to Amanda Cathcart. Amanda was recently hired as leisure services manager for Neepawa. Amanda, with guidance from the town's CAO, Allison Bardsley, entered Neepawa in a contest to host Manitoba's 140th birthday in May 2010. The entry process involved writing a 240-word essay, along with a video that Amanda made with the help of NACTV's general manager, Ivan Traill.

Based on those entries, Neepawa was chosen as one of the five finalists. On-line voting was then used to choose a winner. Mr. Speaker, Neepawa received over 14,000 votes and has been awarded the \$50,000 grand prize to host Manitoba's birthday in 2010.

The hard work will start shortly to plan and implement the celebration, and I'm confident Amanda and her volunteers will make Manitoba's 140th birthday party a truly memorable occasion. I'm told that one of the aspects of the celebration will be a concert by one of our award winning Manitoba groups.

I would once again congratulate Amanda Cathcart for the effort she put forward to win the \$50,000 prize. I would also like to congratulate the town of Neepawa, and thank everyone who took time to vote for our community.

I invite all members of the Legislative Assembly and indeed all Manitobans to come to Neepawa in May 2010 and take part in the celebration of Manitoba's 140th birthday. We'll show you a good time. Thank you very much, Mr. Speaker.

### Omand's Creek Clean-up

**Mr. Rob Altemeyer (Wolseley):** It's my sincere pleasure to report to the House on the very successful

fifth annual clean-up of Omand's Creek, which occurred just this past weekend.

My honourable colleague, the Minister of Competitiveness, Training and Trade ((Mr. Swan), and I collaborated yet again this year for a very successful event, and this year we were very pleased to be joined by three of our other colleagues: the honourable Minister of Science, Technology, Energy and Mines (Mr. Rondeau), and the MLAs for Kirkfield Park and St. James, who all together cleaned up Omand's Creek, Truro Creek and Sturgeon Creek.

All of us, I'm sure, would like to pay full and proper respect and appreciation to all of the volunteers who came out and also to the local businesses who supplied us with some wonderful parting gifts and prizes for those hardworking volunteers.

The exotic items that we yanked out of the creek bed were many and varied this year. I think the winner would have to be the three-sectional couch that nine members of the military reserve were kind enough to manage to wrestle to shore. I know I also helped to take out some flooring, some wall and some roof from something that had been there and didn't belong there, and a couple of hub caps as well.

Mr. Speaker, as much as it's a little bit comical to look at what ends up in a creek bed, we are doing a community clean-up, and our long-term hope, of course, is that these clean-ups won't be necessary.

I think I'll close this members' statement on a very encouraging note. As we were enjoying some refreshments after our hard labour out at the community barbecue, several people commented to me that the overall amount of material this year is greatly reduced from what it's been in previous years. When our government brings in its new rules on banning any plastic bag, which is either not recyclable or compostable, I'm quite certain that we'll see another good step forward in reducing the amount of litter that clutters up our natural landscape in urban Winnipeg. Thank you very much.

### Portage Mutual Insurance

**Mr. David Faurichou (Portage la Prairie):** Mr. Speaker, this year Portage Mutual Insurance is celebrating 125 years of successful business in Portage la Prairie. Portage la Prairie, Manitoba, indeed, all of Canada has been extremely fortunate to have such a reliable mutual insurance provider for over a century. Even though PMI has evolved over

the years, expanding their products and services, they remain committed to maintain their friendly small-town style of doing business.

During the first 50 years of business, Portage Mutual Insurance focussed almost exclusively on farm insurance. However, over time, with the number of farms on the prairies decreasing, PMI has now expanded to include automotive, contractors, home business, office, residential, restaurant and retailers insurance.

Portage Mutual Insurance was founded on October 2, 1884, under the principles of security, integrity, hard work and personalized service. To this day, PMI continues to do business under these founding principles, a proven winning combination.

Mr. Speaker, the 100 percent Canadian-owned Mutual Insurance company is currently composed of a network of more than 500 independent insurance brokers. In 1884, the company collected \$821 in premiums. In 2008, this same company collected \$151,317,000 in premiums.

The Portage Mutual Insurance, through its branches all across Canada, currently serves over 150,000 policy holders with quick and reliable service, Mr. Speaker. This stellar performance I'm sure exceeds all the expectations of Mr. Kenneth McKenzie, Portage la Prairie's first MLA and founding member, but not that of the current president and CEO, Randy Clark, who, with the support of the board of directors and extraordinarily talented personnel, will continue to expand this business.

Mr. Speaker, I trust with all honourable members of the Manitoba Legislative Assembly, who are joining me today in congratulating the Portage Mutual Insurance for 125 years of successful business.

Mr. Speaker, I do want to add, though, that this member's statement was prepared with the assistance of Vanessa May, the great-great-great-granddaughter of Mr. Kenneth McKenzie, who is now serving this Legislative Assembly as a legislative intern. Thank you.

\* (14:30)

### Concours d'art oratoire

**Ms. Sharon Blady (Kirkfield Park):** Monsieur le Président, on May 2, 2009, I had the great privilege of presenting awards to the finalists at the provincial finals for Concours d'art oratoire, which took place at

the Collège universitaire de Saint-Boniface. The Concours is a French speaking competition for all Manitoban students.

Mr. Speaker, the Concours d'art oratoire first began in 1983 in order to provide an opportunity for French second- and first-language students to use French outside of the classroom. The goal is to stimulate an interest in students to learn French and to help them develop effective public speaking skills.

Concours d'art oratoire is an annual public speaking event that is supported by the Canadian Parents for French who volunteer their time and organize the competition at the school, divisional, provincial and national levels.

Les étudiants peuvent choisir n'importe quel thème et créent ensuite un discours pour le concours. Les juges évaluent les participants selon leur manière de présenter le discours, leur habileté à bien rendre le message du discours, et l'organisation du discours.

### Translation

*Students get to choose their own topics and then create a speech for the contest. Judges evaluate the participants on delivery, effective communication, and organization of ideas.*

### English

Following the competition within the school, students progress on to the divisional level and, from there, to the provincials. Three students from my constituency took place in provincials after placing first in the St. James-Assiniboia divisional. Victoria Lezak from École Bannatyne School placed first in the Francophone category for third and fourth graders. Megan Rempel placed first in the early immersion category for third and fourth grade from École Bannatyne School, and Jordan Gerry placed first in the early immersion category for grades 9 and 10 from Collège Sturgeon Heights Collegiate. Victoria went on to place second at the provincials for her speech on Les pompiers, the Firefighters.

J'aimerais féliciter tous les étudiants et étudiantes qui ont participé au Concours d'art oratoire. Comme nous le savons, l'art oratoire est une habileté qui nécessite beaucoup de pratique et les compétences acquises par les étudiants qui participent au concours sont inestimables. J'aimerais féliciter tous les étudiants de ma circonscription qui ont participé au concours au niveau des écoles, de la

division et de la province. Leur travail est vraiment remarquable.

Merci, monsieur le Président.

### **Translation**

*I would like to congratulate all students who participated in the Concours d'art oratoire. As we know, public speaking is a skill that requires a great deal of practice, and the skills acquired by students who participate in the competition are invaluable. I would like to congratulate all students in my riding who participated in the competition at the school, divisional and provincial levels. Their work is truly remarkable.*

*Thank you, Mr. Speaker.*

### **Photo Radar Tickets**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, to date, the Minister of Justice (Mr. Chomiak) has handled the issue of the photo radar in a way that is both confusing and, to many, quite unfair.

He has made the decision that those who didn't pay will get their fines waived and not have to pay. He has made the decision that those who were respecting of the law and did pay will in fact not get any rebates or refunds, has discriminated against those who were the more law-abiding. What kind of a record is that in a Minister of Justice?

At the same time, those who didn't pay, there are some like Barb Turczak, a single mother with two children who are now being taken to a collections agency because when they asked, she was told that, you know, you may as well wait and not pay because if you pay you're not going to get reimbursed.

Well, it turned out that that advice was right except for one problem, she's now got a collection agency after her. She's been told she's going to have a bad mark on her credit rating and they may take her driver's licence away from her.

You know, all this because of the confusing statements of the Minister of Justice over the handling of this photo radar situation. It's a sad comment on the poor handling of a situation by this government and the adverse effects it's having on people who have not all that much in the way of income and have to be very, very careful about how every dollar is spent.

### **Introduction of Guests**

**Mr. Speaker:** Before moving on, I'd like to draw the attention of honourable members to the public gallery where we have with us Kaylee Rutherford and Addison Cullen who are the guests of the honourable Member for Turtle Mountain (Mr. Cullen).

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

### **ORDERS OF THE DAY**

#### **GOVERNMENT BUSINESS**

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I wonder if we might resolve the House into Committee of Supply on concurrence, step 4, I think.

**Mr. Speaker:** Okay, the House will now resolve into Committee of Supply.

Madam Deputy Speaker, please take the chair.

#### **COMMITTEE OF SUPPLY**

##### **Concurrence Motion**

**Madam Deputy Chairperson (Marilyn Brick):** Will the Committee of Supply please come to order. The committee has before it for consideration the motion concurring in all Supply resolutions relating to the Estimates of Expenditures for the fiscal year ending March 31, 2010.

On May 19, the Official Opposition House Leader (Mr. Hawranik) tabled the following list of ministers of the Crown who may be called for questioning in debate on the concurrence motion: the Minister of Finance (Mr. Selinger), the Minister of Justice (Mr. Chomiak), the Minister of Labour and Immigration (Ms. Allan), the Minister of Health (Ms. Oswald).

The floor is now open for questions.

**Mr. Rick Borotsik (Brandon West):** To the Minister of Finance. The minister put in a bill, Bill 38, some six to seven months ago, and in Bill 38, he had identified a debt repayment schedule that was going to be continued. In fact, the minister took great glee in explaining that for the past nine years he's paid off \$110 million per year, and in Bill 38, it was to continue. When he tabled his budget, however, Madam Deputy Chairperson, the budget did not identify the \$110 million in debt repayment but only \$20 million in debt repayment.



Can the minister tell me what changed so dramatically from the time that he tabled Bill 38 to the time that he prepared his budget and presented it to this House? What changed so dramatically that he had to reduce the debt repayment schedule from \$110 million to \$20 million in the budget?

**Hon. Greg Selinger (Minister of Finance):** Yes, the recession.

**Mr. Borotsik:** Madam Deputy Chairperson, I'm sorry, I missed that answer. I couldn't hear what the minister had to say. Could he repeat the answer, please?

**Mr. Selinger:** The recession.

**Mr. Borotsik:** But the recession was anticipated some months, in fact, quite anticipated about a year earlier. So when the minister had tabled the legislation of Bill 38 six months ago, and the budget some two months ago, we knew that there was a recession that was going on, and I'm sure the Minister of Finance, and all of his staff, who are quite bright, could have recognized that that was happening. So, in a period of some four months, it seems that the recession was thrust upon the Minister of Finance and he didn't realize, in fact, that the country was going through a recession or going to be affected by a recession.

**Mr. Selinger:** At the time we passed Bill 38, I don't recall the member identifying a recession. I don't recall the federal government identifying a recession. As a matter of fact, six months after the bill was passed, in December, the federal Minister of Finance did not know there was a recession going on in December when he did his update. You might recall that.

**Mr. Borotsik:** Well, actually, that's not the case. If the minister goes back in the *Hansard* some time before Bill 38, he would have identified myself, perhaps, indicating that there were some storm clouds on the horizon. But the minister obviously wasn't prepared to take any advice from anyone else. I'm surprised that his staff, in his department, didn't give the minister some advice that, in fact, there were going to be some issues facing him with respect to a recession.

Madam Deputy Chairperson, let me go to debt-to-GDP. Not only does the Finance Minister talk about his debt repayment in the past nine years, which he's now forgotten about totally, he also talks about debt-to-GDP.

Can the minister tell me exactly what target to debt-to-GDP he is looking for, not only in this coming fiscal year but, perhaps, in fiscal years going forward? Can he tell me what his targets are for debt-to-GDP?

\* (14:40)

**Mr. Selinger:** Madam Deputy Chairperson, the debt-to-GDP has gone down over 25 percent since we've come into office. It was about 31.2 percent when we came into office. It had declined last year to about 21.6, 0.7 percent. With the stimulative budget that we brought in this year, we anticipate it will rise to about 23 percent, which will still be below the 25 percent reduction that we think is a very significant achievement over the last decade.

**Mr. Borotsik:** Again, I guess the minister didn't hear the question.

Yes, I do realize that the debt-to-GDP was 21.6 percent. It's now going up to 23 percent. For the minister's information, Saskatchewan's debt-to-GDP is 6.3 percent; British Columbia's is 13.8 percent; and Alberta, needless to say, is zero percent because they carry no debt.

My question was what does the Minister of Finance see as a realistic target. His debt-to-GDP is going up. I anticipate it will continue to go up over the next two years because the minister is borrowing more money and not paying any money back.

What is the target that the minister sees as being a realistic target to debt-to-GDP?

**Mr. Selinger:** The member has put a factual error on the record. There is a \$20-million debt repayment being made this year, along with a \$136-million current service pension obligation being paid up for teachers and civil servants, as well as \$135-million amortization capital investment debt repayment, as well as \$125 million of principal debt repayment, for a total of \$417 million.

So I just wondered if the member would like to correct the record on his allegation, there is no debt repayment this year?

**Mr. Borotsik:** No, Madam Deputy Chairperson, I will not correct that because the \$110 million that was identified in Bill 38 was to go to debt repayment. It was to go to the general debt repayment which the Finance Minister has always taken great pleasure in. That is not being reduced.

We know that when you borrow money, if you have an amortization schedule, then you pay principal as well as interest. If you have a debt, Madam Deputy Chairperson, that requires principal repayment, we know that that happens. This is above and beyond that. There will not be \$110-million repayment as identified under Bill 38. So I wonder if the minister would also explain to this House that he is renegeing on that particular debt repayment.

But I go back to my original question: What is the target that the minister would like to see as a debt-to-GDP? I just said Saskatchewan's is at 6.3 percent, British Columbia's is 13.8 percent. Manitoba's is 23 percent and climbing. Where does he see a reasonable target for debt-to-GDP?

**Mr. Selinger:** Again, there is a \$20-million general purpose debt repayment this year. There is a \$136 million of pension obligation repayment that was never done in the entire 11 years the members were in office. The member knows that when the Conservatives were government, the highest debt repayment they ever made was \$75 million. They never made a nickel, not a nickel, not even a cent, of debt repayment on the pension liability for teachers and civil servants. They had no amortization schedule and then we forget about the principal repayments of \$125 million.

What's a reasonable target? I mean, in the European Union, the debt-to-GDP threshold that's considered acceptable is 40 percent. We're at 23 percent. It's the lowest it's been in, probably, three decades inside of Manitoba. Does the member have a problem with having the lowest debt-to-GDP ratio in the last 30 years in the Province? Is that a problem for him?

**Mr. Borotsik:** Maybe the minister didn't hear. Saskatchewan has 6.3 percent debt-to-GDP; British Columbia has 13.8 percent debt-to-GDP; and Alberta has zero percent debt-to-GDP. But it seems the minister is quite happy to have 23 percent and going up, Madam Deputy Chairperson. That may not be shared with others.

The minister just recently indicated by press release that he will be extending Manitoba HydroBonds and Manitoba Builder Bonds. As a matter of fact, they just set the terms and the interest rates on that.

Can the minister tell me just how much he anticipates in raising on the Manitoba HydroBonds and the Manitoba Builder Bonds?

**Mr. Selinger:** There is no specific target for raising money. It's a program we offer to Manitobans. It's a completely voluntary program. As the member knows, there's quite a bit of competition in the marketplace for guaranteed income certificates and other instruments that people can invest in. We continue to make it an option available to Manitobans if they choose to purchase that. So we'll just have to see how it goes. It's a very dynamic marketplace, but we wanted to continue to make this option available to Manitobans.

**Mr. Borotsik:** Well, I find it very strange that there are no targets. We just simply make it available for Manitobans, and I appreciate that, but at 1 percent, the minister's probably correct. There is a lot of other competition out there for other investment certificates and other investment vehicles.

If there's no specific target, can the minister tell me what it generated for Manitoba Builder Bonds and HydroBonds last year?

**Mr. Selinger:** I'll have to take it as notice to get specific information, but I think it was in the order of \$20 million to \$30 million. It was a reasonably modest amount but a program that we thought was essential to keep available to Manitobans so that they have more choice on what kinds of investments they can make for one, three and five years.

**Mr. Borotsik:** Madam Deputy Chairperson, on Manitoba Hydro, the minister also takes a great amount of glee with talking to the debt-to-equity of Manitoba Hydro. Currently, debt-to-equity is around 80-20, 80 percent debt, 20 percent equity. I know that his target is, I believe, 75-25. Am I right in assuming that the minister would like to try to achieve that 75 to 25 on behalf of Manitoba Hydro?

**Mr. Selinger:** Yes.

**Mr. Borotsik:** If that's the case, the minister's obviously identified his target of 75-25. Is the minister aware that in Hydro Québec the debt-to-equity right now is 64 and 36, 64 percent debt to 36 percent equity, and British Columbia Hydro currently is 70 percent equity to 30 percent debt. Is there any desire to achieve those types of debt-to-ratios, or is he still satisfied with the 80-20?

**Mr. Selinger:** The 75-25 debt-to-equity ratio was set by the Hydro board during the period of the previous government. We think it's an appropriate ratio, and we think it's worth achieving.

**Mr. Borotsik:** That's fair ball, but the debt-to-equity is 80-20 some 10 years later. It's still not to the area that they've tried to achieve of 75-25. As Manitoba Hydro goes further into debt, and it seems that they're looking at some \$800 million this year plus some huge capital costs in the not-too-distant future, when does the minister feel that the 75-25 is achievable?

**Mr. Selinger:** I believe there's a good opportunity to achieve it in the next 12 to 18 months.

**Mr. Borotsik:** Thank you. My last question is to do with traffic fines. The budget has identified an increase from \$45 million under a line item, a revenue centre of traffic costs and other legal, fines, costs and other legal. It's gone from \$45 million actual this past year to \$52 million, an increase of some \$7 million. Can the minister tell me how much of that \$7 million is made up of photo radar?

**Mr. Selinger:** I would have to take that as notice and consult with my esteemed colleague the Minister of Justice (Mr. Chomiak).

**Mr. Borotsik:** When the Minister of Justice tables his budget, that's on a line item, and certainly an increase from 45 to 52. Can the minister tell me what portion of that 52, not just the increase, but what portion of that \$52 million is made up of fines?

**Mr. Selinger:** Once again, I'd have to get the specific information for the member. We had the opportunity to discuss this in Estimates when we had staff there that could bring up the data, but if the member would like me to get the data for him, I'd be happy to do that.

**Mr. Borotsik:** Yes, I would love to see that number, please, Madam Deputy Chairperson. I'm sure the minister would most likely comply.

\* (14:50)

**Mr. Ron Schuler (Springfield):** My questions are fairly short. To the Minister of Finance: It has to do with sports outfits, by and large, jackets and pants that go along with it and the minister would know the number for sure. I think it's 14 and under is PST exempt.

In either case, wherever that cut off is, if you go into a sports shop, it's considered regular wear if you buy a jacket, a sports jacket. I mean sports as in soccer or hockey or whatever, not a suit jacket but for sports, and you don't pay PST on it.

The problem is that if you as a team, buy jackets, team jackets and the matching sport pants, and you buy it as a team, and you go and you get a good deal off of a sports shop, you then are charged PST because it's for a team. What has to happen is the sports shop then has to run an individual invoice off for every team member. I would like to point out for the minister—well, I don't have to point out to the minister; he knows, he's got kids in sports—that starts to become fairly onerous. What happens is the team—everybody kicks in their money, the team pays the shop and you get your individual outfits, whether they're personalized or has your team number or whatever on it.

The sports shops have approached the department and they've been told no. Can the minister tell us, is that a hard-and-fast policy? Is there any way that we could look at having teams order their team outfit? It is regular wear. This isn't just sweatpants that you wear only for sports. The kids wear them to school. For instance, you win the city championship. I'll just put in here my son's team has won for a couple of years in soccer and you get to get that jacket and you have your, city A champs, whatever, and you get the matching pants. You wear them to school and wherever else.

Is there any way that sports shops could charge the team without having to pay the PST?

**Mr. Selinger:** I'll take that as notice, and I'll find out what the applicable administrative policy is in this regard.

**Mr. Schuler:** Then rather than asking a question, if the minister would please consider it. The minister knows a lot of this is volunteer work; most of this is volunteer work. Not a lot of it, most of it is volunteers, it's parents. You know, we're trying to do the best for our kids. This just adds another layer of difficulty into what's—especially if you have two, three, four kids involved in sports. It's just so much easier; you give the team your cheque, they order it as a group, they get a better deal.

Anyway, this is lobbying, a question on behalf of all of us parents who are actively involved in our children's sports. These outfits are great. You see them, they're really good for sports. If the minister would look at it, maybe if there is a policy that they can't get PST exempt, if the minister would discuss that with the department. I certainly would love to hear from the minister on this.

If he needs a specific case from a sports shop, I can actually get him a specific individual who would be willing to talk to him. I have a feeling the minister probably has purchased items from this individual. He's just a great guy and puts in a lot of volunteer work and he had raised it with me, as did other sports shop owners. So I leave him with that and appreciate him getting an answer back from the department.

**Mr. Selinger:** If the member would provide me with that specific individual, we'll look into the facts of the situation. I'd be happy to do that. Then, of course, I'll take a look at the overall policy in this regard as well.

**Mrs. Myrna Driedger (Charleswood):** Can the Minister of Health indicate whether the diploma R.N. program in Manitoba is now effectively discontinued?

**Hon. Theresa Oswald (Minister of Health):** Madam Deputy Chairperson, we made a announcement last week concerning additional nurse education programs in Manitoba. And, of course, we've now been able to not only meet the commitment that we made to the people of Manitoba during the last election, we've been able to exceed that by combining the announcements that we made last year with the announcement of 74 seats this year to exceed that commitment. We're very pleased about that.

At the same time that we made that announcement, we did also acknowledge that there are new national nurse competencies that will come into effect in 2010. After having several reviews of the diploma nursing program, we are realizing that the amount of time that we would have to extend the diploma nursing program in order to meet these new national—the students—to meet these new national competencies, there would be an opportunity for the program to be amended to fall into a category of an applied degree at Red River College, should other legislative processes be met for that to happen, and we have confidence that that will happen.

So we are entering into discussions to have that program transition into an applied degree at Red River program, still being able to maintain the basic principles that were held very dear at the time that the diploma nursing program was reinstated a decade ago, that of course being accessibility for individuals wishing to pursue that kind of training, and of course an accelerated approach which will be a contrast to the four-year program.

So, in partnership with the colleges of nurses, who have worked very hard on these issues, have done a lot of work in examining these new national competencies, we have made an amendment to the process and, going forward, we know, with those new competencies coming into effect in 2010, that Manitoba will need to amend its education program.

**Mrs. Driedger:** Will the nurses, then, graduate with a diploma or a degree?

**Ms. Oswald:** The new process is an applied degree.

**Mrs. Driedger:** Can the minister indicate whether there would be any consideration to tracking shoulder surgeries? I think what we've seen with the increased effort to do more hips and knees, what it has done has been at the consequence of decreased shoulder surgeries, it appears, so that when you have so much orthopedic OR time, you can only do so much. So in order to ramp up knees and hips, it appears that what we're starting to hear more and more from are people that are on long waiting lists for shoulder surgery.

In order to be able to accurately track that and provide more timely service, would the minister be prepared to make a commitment that waiting lists will now be kept for shoulder surgery?

**Ms. Oswald:** I can certainly indicate to the member that the work that has been done in reducing wait times for orthopedic surgery has been extensive. This is not only, of course, in response to the federal initiative, which of course, identified the big five in reducing wait times. It's not only in terms of reducing the times for the hip and knee surgery, but enabling the system to do a much more efficient job of providing accurate wait lists, work that has been done not only with hips and knees, but other wait lists in the province, to validate wait lists and to be able to ensure that prioritization is occurring in the most appropriate way, based on medical advice.

The progress has been phenomenal, and Manitoba is reporting on wait times as it never has before. We have said in the past and certainly are committed to increase the amount of wait times that are available to the public and the amount of information about the health system broadly that is available to the public.

\* (15:00)

We are looking very closely at the situation of wait times for shoulder surgery. I've said in the House before, and in public, that we have had

challenges on the recruitment front, specifically for shoulders. We have had some challenges for ankles as well. We know that Pan Am has recently taken on a new surgeon specifically for shoulder surgery. He's already seeing patients and we're seeing significant movement in that area. So I can say to the member that we are committed to provide more information about wait times in orthopedics and in other areas, and shoulders would be included on our list of things that we're working towards. Having appropriate data, the validation of data to make it appropriate for publication, that work is ongoing.

**Mrs. Driedger:** I received a phone call the other day from a nurse from Neepawa, who was very, very distressed at the working conditions that they are working under there in terms of mandatory overtime. She said nurses on nights are crying because they are so overworked and understaffed. She raised a lot of concerns about the nursing situation in Neepawa. But one other concern that she did raise, and I would like to ask the minister about. She indicated that all the nurses there were being fitted for appropriate masks in case of a pandemic, but health-care aides were not going to be fitted for masks, and yet health-care aides are in direct contact with patients.

Can the minister indicate why health-care aides anywhere, if nurses are being expected to have to wear masks, why there would be any exemption of health-care aides for their own protection?

**Ms. Oswald:** The member is quite right that, as part of the pandemic preparedness planning, work is being done to provide appropriate equipment for people that are working on the front line. Our Chief Public Health Officer has provided information directly to front-line health-care workers about the precautions that are recommended for front-line health-care workers. We have that information posted on our Web site also.

The recommendations from our Chief Public Health Officer, Dr. Kettner, are guidelines, and the choice of what mask or precaution to use is ultimately up to the professional judgment of front-line health-care workers. We've met with the unions to speak with them, particularly in relation to H1N1, and we respect that professional judgment of front-line workers. We've informed the unions, and, of course, the regional health authorities, the employers, we've had these conversations, and they're very pleased with our response that we're going to respect the professional judgment of front-line workers. They will be provided with the

masks and supplies that they choose as we go forward in our preparations for what may happen with H1N1 or any other pandemic situation, and we will continue to provide them with guidelines based on the best medical and scientific advice.

The fit testing that's going on across the province, you know, has started with nurses, and has started on the guidelines based on when it's most appropriate to have the N95s, which are the masks I believe the member is referring to, which are the ones that have to be fit tested. We know that in most circumstances the standard surgical mask is the one that's being recommended, not just by Dr. Kettner, but by the Public Health Agency of Canada and Dr. Butler-Jones.

There are some limited circumstances described in those guidelines where the N95 respirator mask is recommended, but we have acknowledged from the beginning that there will be some grey areas where health-care providers—not just nurses, but whomever is working in those environments where they do need to exercise their professional judgment, and if any health-care provider determines that an N95 mask is appropriate, then they should use one, and it will be provided for them.

I could go on about that subject, but, again, we've met with the Council of Health Care Unions to discuss the recommended precautions. We've met with them to discuss the option of the front-line workers exercising their professional judgment and being provided with as much information as they need about the standard surgical mask versus the fit-tested N95. We're going to continue to work with health-care providers because we want them to be protected as appropriate and as recommended by medical professionals and our Chief Medical Officer of Health and Canada's Chief Medical Officer of Health on this issue.

**Mrs. Driedger:** I would indicate to the minister that I know she's trying to burn off time here rather than getting specific with the answers, but, as a courtesy, it certainly would be nice if she would try to keep her answers short. She knows that we're in concurrence. There's limited time today. Unless she wants to drag this out for several more days, we can certainly make that happen.

**An Honourable Member:** Okay, make it happen.

**Mrs. Driedger:** You want us to?

Can the minister indicate—a doctor moved here from Baldur, Manitoba and she's moved into, I

believe, Transcona. There are many patients here in Winnipeg that would like to hook up with her because they have been her patients in the past. She is indicating that, due to regulations set by the Winnipeg Regional Health Authority, she is not allowed to take on any new patients that are not in Transcona. Can the minister indicate why that would be?

**Ms. Oswald:** Just on the first point. I can say to the member sincerely, I was not endeavouring to burn up time. The issue of protection, particularly in the wake of all the fear and anxiety on the H1N1 issue, was very significant. The guidelines that were developed concerning the N95 mask were done over time and done with great care with the federal government and the provincial governments. This particular issue is very serious to front-line workers. It was certainly not my intent to drag out time. I can say with all sincerity, I have no desire to be in this questioning any longer than necessary. But, in order to provide a fulsome answer so that no front-line health-care provider is confused about the protection that they're entitled to and they will be provided with, I gave the answer that I did.

On the issue of the doctor moving from one regional health authority to another and transferring of patients, I would want to investigate the specifics of the case in relation to the details within the regional health authority. I don't have quite enough information to answer the question, but I know that we want to have as many people being connected to the doctor of their choice, and we'll work with our regions and our doctors to have that happen.

**Mrs. Driedger:** Can the minister indicate if it is accurate that if a patient has been referred to a specialist, and if they are one day past one year since the last time they saw a specialist, that they have to go back to their family physician again to be referred again to that specialist?

**Ms. Oswald:** I'm not aware of the policy of one year plus one day. I would want to know more about that information and investigate. Certainly, we know that patients who have been referred to specialists are monitored by their family doctors. If that's been a referral and we know that if there are changes in status of the patient, the family doctors and specialists want to know that information so they can make appropriate changes.

But, on that specific issue that the member has raised, I'll need to investigate and get back to the member.

**Mrs. Driedger:** It would seem to me that there could be some efficiencies found in the system just by looking at the number of times that people have to go back and forth from a family doctor to a specialist. One patient phoned me and indicated that she knows of one specialist that her family has dealt with, and if three months lapses, this specialist makes them go back to a family doctor for another referral.

So it might be something that is certainly worth looking at. This person also indicated that they believe that there's a mandate by the College of Physicians and Surgeons that actually directs how these processes work. So that certainly might be something to address.

Can the minister indicate why there are different dispensing fees at various drug stores throughout Winnipeg? One person actually wrote a letter and she was quite concerned that the Shoppers Drug Mart that is now associated with the new WRHA building in Concordia, where hip and knee surgeries will occur, that the Shoppers Drug Mart that is now on the main floor of that building has the highest dispensing fee in Winnipeg. This person indicated that it was \$12 per drug, and also felt that it was extremely inappropriate for a government-run hospital to put the most expensive dispensing fee drugstore in their building.

I wonder if the minister could explain the differences in dispensing fees throughout Winnipeg and why there is such a disparity.

\* (15:10)

**Ms. Oswald:** Madam Deputy Chairperson, just to go back to the member's last point about specialists, I can inform the member that we are perceived in Manitoba as leaders in the country concerning work that we're doing to bridge the gap between general and specialist care.

When the federal government offered—what word would you use for it—an incentive to provinces to take them up on their wait-time guarantee election promise, in return they asked that a pilot project be done concerning bringing wait times down, and many provinces of course chose, in order to accept that incentive from the federal government, to do a wait-time project in one of the areas of the big five.

*Madam Chairperson in the Chair*

Manitoba chose to do a pilot project concerning reducing wait times across all of the big five, and beyond, by reducing the amount of time that patients

have to wait to see a specialist—what one might refer to as the wait before the wait—and we invested over \$5 million for that project and that is being lauded by the federal government in other provinces as being groundbreaking in addressing this issue of working on slowing down or bringing down that time between general and specialist care.

In the member's question, she initially talked about one year plus one day and then she made reference, I think, I might not have heard properly, to three months in another situation. So, clearly, there are a variety of policies that specialists might use and that the College of Physicians and Surgeons might impose for presumably patient safety reasons. So part of that bridging generalist and specialist care project is to bring uniformity and indeed speed to that process.

On the issue of dispensing fees and, generally speaking, fees associated with pharmacies, we know that we have had two reports from the office of the Auditor General that has made recommendations concerning how we administer Pharmacare and how we work with our pharmacists to improve practice and improve efficiencies for patients. So, on the issue of dispensing fees, or on the issue of rebates, we are working on the Auditor General's recommendations to improve this service.

On the specific pharmacy that the member cited, you know, I thank the member for the information and we'll investigate.

**Mrs. Driedger:** The WRHA has been contracting with HealthPRO, which is an Ontario-based company, to do group purchasing and, to do so, the WRHA purchased a share in HealthPRO for \$1.

Could the minister indicate what exactly HealthPRO will be responsible for purchasing?

**Ms. Oswald:** Madam Chair, I can inform the House that HealthPRO is a not-for-profit co-op that bulk purchases health-care supplies in order to secure volume discounts for hospitals across Canada.

We know that by contracting with HealthPRO, the WRHA is working to get better health-care value for taxpayer dollars. We also know that the WRHA joins 485 hospitals across Canada that are members of HealthPRO, again, a not-for-profit bulk purchasing co-operative.

I know that members opposite understood the benefits of bulk purchasing, because they set up the former Urban Shared Services Corporation in 1995,

and it quickly negotiated with Medbuy to do the same thing, actually, that HealthPRO does now.

The WRHA also chose to join HealthPRO because its members aren't required to make all of their purchases with HealthPRO, which was attractive. They wouldn't be locked in, as they would with other companies. So, the WRHA will only buy through HealthPRO when it can get a better price for our taxpayers.

The other issue is that, if the region finds that HealthPRO isn't delivering enough savings for taxpayers, it is able to cancel its membership with 60 days' notice, which they found important.

HealthPRO is the largest group purchasing service in Canada, and a recent round of purchases made by HealthPRO delivered an estimated average savings of about 18 percent for clinical service supplies, like latex gloves, scalpels, scalpel blades and so on, and 6 percent for special services such as lab and housekeeping supplies.

So the relationship with HealthPRO is really about working to bring costs into line within the Winnipeg Regional Health Authority.

**Mrs. Driedger:** Can the minister tell us how this contract has impacted staffing levels at the WRHA's Logistics Services branch, whether it has seen an elimination of staff there or have staffing levels remained the same?

**Ms. Oswald:** I'll need to get back to the member with details about that question.

**Mrs. Driedger:** Will the rural RHA purchasing program be contracting with HealthPRO as well?

**Ms. Oswald:** It is the choice of the regional health authorities to make that decision. Winnipeg, of course, being the largest, is going to be able to do some very good analysis and provide information to the other regional health authorities about the relationship, the quality and the savings. So, that will be information that other regions will benefit from.

**Mrs. Driedger:** Does the minister have a dollar figure to indicate what the WRHA will be saving as a result of this contract?

**Ms. Oswald:** Again, the region joined with HealthPRO in January of this year. It's a bit early to be able to tell in detail how significant the benefits to taxpayers might be. The estimate early on is that there has already been close to \$10,000, if not more,

in savings, but the analysis is ongoing to see the cost benefit.

We know that nearly 500 hospitals across Canada do work with HealthPRO and see good success. That's a good indicator, but we'll be doing our own analysis from Manitoba Health's perspective and, of course, the region will be doing their analysis as well.

**Mrs. Driedger:** Can the minister indicate why WRHA managers felt the need to join a union?

**Ms. Oswald:** Well, I think actually it's their right to do so. But, I would suggest that the member would need to ask them.

**Mrs. Driedger:** The minister's office has sometimes made a phone call to us that tells us it's inappropriate to go directly to ask questions. It may not have been this minister specifically, but we have had calls indicating that, when we have questions, the appropriate channel would be to go through the minister, and that's why I'm asking. I mean, there must have been some discussions. Managers at the WRHA were obviously feeling a lot of anxiety and felt that they weren't getting their problems resolved.

So my question, I guess, has to be specifically to the minister is: What was going on over there that managers felt that they needed to become unionized in order to support their concerns?

\* (15:20)

**Ms. Oswald:** Again, the choice to become part of a union, for the managers in their regional health authority, is entirely that. It's their choice and their right to do that. I can say quite sincerely to the member, I have never had a conversation with a manager in the Winnipeg Regional Health Authority about whether or not a union would be the way that they wish to go. I've had conversations with many people in the Winnipeg Regional Health Authority on matters of policy and matters of moving forward on our health-care agenda but again, on this specific labour relations issue, I can say truthfully to the member that I cannot provide her with that information. I've not had that conversation.

**Mr. Kevin Lamoureux (Inkster):** I wonder if the Minister of Health can indicate—the other day I asked a question in regard to in vitro fertilization and a possibility of having a program of that nature in Manitoba. If the minister could just give indication whether or not that's within the realms of possibilities in the next year or two.

**Ms. Oswald:** We're looking at it very closely. There are two jurisdictions in Canada that currently have a program. There are also jurisdictions in Canada right now that are delisting services in these economic times, so, as I indicated to the member, we are going to be meeting with a group, very well-educated, well-informed group, on this issue and learning more information. We have been doing analysis on this subject prior to receiving a letter from this group, and we are going to do more listening. But to commit to a program in the next year or two, I wouldn't be able to do that right now, no.

**Mr. Lamoureux:** During the debate in one of the second reading bills, I made reference to some issues related to doctors from abroad. One of the suggestions I had raised was the possibility of having some sort of a designation of foreign-trained doctors that would be able to be potentially—in thinking outside the box—directly employed by physicians in certain situations. Could the minister provide a quick comment on that thought?

**Ms. Oswald:** Yes, I can let the member know that Manitoba, of course, is seen across the nation as having a very progressive program for supporting international medical graduates in obtaining licensure. I believe the member also asked about a journey through the physician assistance program, Madam Chair. There are supports for individuals to pursue that line as well. At the risk of providing too long an answer, I do know that through the family practice assessment, through our medical licensure program for international medical graduates, through the non-registered specialists assessment process, there are a number of avenues that IMGs can pursue.

As far as individual doctors having in their employ international medical graduates, these would be issues that would need to be undertaken in particular through the College of Physicians and Surgeons because, of course, licensure would be paramount.

**Mr. Lamoureux:** The other day the minister afforded myself and members of the community, in particular in that Seven Oaks catchment area, to have a meeting with her. One of the issues that she had raised at the time was a concern of misinformation, and I just want to seek clarification. Does the minister have any written document that clearly shows that there was any form of misrepresentation by any MLAs inside this Legislature?

**Ms. Oswald:** One document that I referred to was produced by the member, concerning repatriating



cardiac surgery back to community hospitals, which, I've repeated on several occasions to the member, is problematic in the extreme in relation to what the Koshal report told us and what, of course, his own leader would support, to the best of the records that I've read.

Another issue, of course, came to light when we got a call and an e-mail in our office from people saying that they had been given information that led them to believe that the Seven Oaks emergency room was closed. These were senior citizens that were very frightened and confused, of course, because they'd heard about a \$14-million investment at Seven Oaks Hospital and then they had been led to believe that the emergency room was closed, which is really, really dangerous.

Now, I'm not going to say that the member—as far as I know—handed out pamphlets telling people that, but I heard him on more than one occasion insinuate that emergency services were being deleted or cut. I think it's reasonable to think that senior citizens, young people, families, whoever, could get information and be led terribly astray by that information.

Those would just be two examples that I would cite and again, I don't want to go on longer because I know there are members that want to ask a number of questions. I understand basic politics and that people need to get their political hits in order to advance themselves, and that's fine. But there does come a point where these kinds of things can become dangerous. I have cautioned the member that I respectfully submit that he has crossed the line.

**Mr. Lamoureux:** The minister and I will have to agree to disagree. I know where the line lies. I participated in such ventures that are very similar of nature in the late '90s when her own leader and I both participated with the Seven Oaks. If we had more time, we could have more of an exchange on the issue, but I trust in time we will have more exchange.

In regard to the issues related—heart surgeries, heart attacks and strokes—there is no printed document because I never printed any document related to that. In regard to hearsay, that's all it could be is hearsay because the minister could never produce any written document where it shows I provided misinformation because that wouldn't be the case.

The final question I have is in regard to Mr. Postl's pension. I'm wondering if the minister is

prepared, through me, to share with Manitobans what sort of pension contributions Mr. Postl would be giving or the government would be giving on behalf of Mr. Postl on an annual basis. Thank you for the quick responses.

**Ms. Oswald:** No, we discussed this issue at length during Estimates. Salary and so forth is a matter of public record. The other information concerning the details of pension with his employer is not a matter of public record. So, no.

**Mrs. Mavis Taillieu (Morris):** I'd like to ask some questions of the Minister of Labour and these questions will be in regard to the Immigration branch at the Department of Labour and just some follow-up on some questions we asked in Estimates. We know that there was a review done in 2007, I believe—but I'll just ask the minister, though, when the review of Department of Immigration was conducted.

**Hon. Nancy Allan (Minister of Labour and Immigration):** Madam Chair, the review was referred to the Civil Service Commission by my deputy minister and the investigator submitted the final report on February 12, 2008.

\* (15:30)

**Mrs. Taillieu:** Through a FIPPA request asking about the review of the employer application process, we received, first of all, a verbal statement saying there was no review and then we received a summary of that review.

Was this the same review, then, this summary that we just received, or was there another review done?

**Ms. Allan:** Well, the information that the member has received is quite honestly not information that I have seen. It has been forwarded to her in accordance with FIPPA legislation, which is The Freedom of Information and Protection of Privacy Act. The information she has been provided with is in accordance with the legislation, particularly the sections of the act around the 17(1) in regard to the disclosure of personal information. So the information that the member has seen is in regard to the review that was done. There is one review, and she has the information that is in accordance with the FIPPA legislation.

**Mrs. Taillieu:** In this summary that we were provided with, there is a charge that there was illegal activity going on, and I'm wondering if the minister

can explain this. When I asked her in Estimates when she first became aware of the illegal activity in her department, she said, well, it's a complaint-driven process, and we didn't have any complaints. So I'd just like to ask the minister, did anyone come to her or her minister with complaints regarding what was happening in the Immigration Department?

**Ms. Allan:** No.

**Mrs. Taillieu:** Then how did the minister know there was illegal activity going on?

**Ms. Allan:** Well, first of all, I think the member should clarify that question. She just put on the public record that there was illegal activity going on in my department. I think it's very, very important that she talk about the fact that there were allegations that there was illegal activity going on in my department because the member knows full well that I told her in Estimates that those allegations were investigated by an arm's length process, the Civil Service Commission, and there was absolutely no evidence that those allegations were founded.

What occurred was my deputy minister became aware of the allegations, and those allegations were not brought forward to me as the minister. The allegations were brought forward to my deputy minister, and he immediately wrote to the Civil Service Commission and requested the investigation.

**Mrs. Taillieu:** What was the nature of the inappropriate behaviour going on in the department?

**Ms. Allan:** Exactly the same as I told the MLA in Estimates.

**Mrs. Taillieu:** So this was referred through the—whatever was going on in the Department of Immigration was brought to the deputy minister who referred it to the Civil Service Commission, and they did an investigation. There was a review or a report written, and that was finished, I'm understanding, on February 12, 2008. I'm wondering why the minister is not coming forward with the results of this review.

**Ms. Allan:** Well, the MLA for Morris has the information. She FIPPA'd it and she has the information in accordance with the FIPPA legislation.

**Mrs. Taillieu:** With all due respect, this is not the review. This is a summary of the review. It's not dated. It doesn't say when it took place. It's very much a summary of the review and certainly, if there was an investigation done, there would be much more to it than a one-page summary. Certainly, when

we asked the questions, there was a stalling by the minister. She didn't want to answer the questions. She kept referring to what line am I talking about in the Estimates book. She didn't want to answer the question. I would just like her to table the complete review that was done in 2007.

**Ms. Allan:** You know, I'm really sorry that the MLA doesn't understand The Freedom of Information and Protection of Privacy Act and the privacy of a third party, but section 17(1) says: the head of a public body shall refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third-party's privacy.

So let's just think about this, okay? Let's think about this. There was a person in my department, working in my department, a civil servant working in my department. Someone out there makes allegations about that individual in the community, right? Makes allegations about wrongdoing in the community. We investigate it. The Civil Service Commission investigates it, and there were allegations of wrongdoing and they investigate it and they find out, Madam Chairperson, that those allegations were unfounded. So, if those allegations were unfounded, and perhaps, were salacious details that were completely and totally inappropriate, as the minister, would you want to be in contravention of FIPPA legislation and have those details out in the public? I'm sorry, but I don't know what part of this the MLA for Morris doesn't understand. She has the information. She has a summary of the report.

The summary is in compliance with the privacy of a third party. We have lawyers who are experts in FIPPA legislation, and I will take my advice from lawyers who advised officials in my department. The summary is in accordance with the FIPPA legislation. I think if she thinks about it long and hard enough, she will understand that when an investigation is done around allegations and there is no truth to it, then you have to be very, very careful that you don't destroy that person's credibility in the community because of allegations that were made inappropriately and were unfounded.

**Mrs. Taillieu:** I guess what the minister is saying, that there is something wrong, so she's sitting on it. She wants to hide it. She doesn't want to release it at all. If there was nothing wrong, there would be nothing to hide.

We also know, under freedom of information, we get freedom of information requests all the time with information in which people's names are

blacked out. We're simply asking for the entire report but obviously, she has something to hide, Madam Chairperson. We're simply asking for the truth and if she says nothing happened, then what's the problem? There's nothing to hide.

I do note though, that the minister did say, she admitted that there was something going on in the department. But then she said, well, we knew about it anecdotally—and I'm quoting—but what we had to do was set up a legislative framework so we could manage this issue. So there's an issue that needs to be managed that they had to set up legislation to do. So I know that she doesn't want to give us the report.

It's just the same as in Family Services with the Hydra House issue, when they did an extensive internal investigation into what went wrong in Hydra House and found out there was absolutely nothing wrong. Then it went to the Auditor General and the Auditor General just blew it out of the water and found out all the things that, of course, when the department investigates itself it finds nothing wrong, Madam Chairperson.

\*(15:40)

This is exactly what I'm asking for. I'm asking, again, if the minister has nothing to hide, she can black out any names she wants to, but let's be honest with the public of Manitoba. Let's be honest about what happens in her department. If there's nothing to hide, just give us the report that was done and that'll be the end of it.

**Ms. Allan:** Well, you know, Madam Chair, it's unfortunate that the MLA for Morris is so incredibly confused, because one minute she's talking about a FIPPA request and then she is quoting me from the Estimates meeting that we had, and she's quoting my remarks in regard to the WRAPA legislation.

First of all, she said that the investigation was complaint driven. Well, I wasn't talking—she's totally confused. She's mixing up the WRAPA legislation with the investigation that was done around allegations in my department. She is completely and totally confused, and even reading back comments and trying to attribute them to the investigation.

So I'm really sorry, Madam Chairperson, but I'm glad she's had the opportunity today to read comments out of the *Hansard*, so I'll read her one back, because we were in Estimates talking about what I thought she was talking about, were Workplace Safety and Health officers, and the MLA for Morris, on page 1883 of the Estimates, I said to

her, we're not exactly sure what you're talking about, and she said back to me, I'm sort of unclear on that myself.

I think we have another example of that, where the MLA for Morris isn't sure what she's talking about, because she is totally confusing the WRAPA legislation with my comments in regard to the investigation.

So I'm more than happy to answer any questions she has on WRAPA, but you can't confuse the two issues.

**Hon. Jon Gerrard (River Heights):** I have several questions for the Minister of Justice on photo radar. Let me start with, in the Estimates this year, there is an estimate of \$2 million to come in from fines, which is up \$7 million, approximately, from the \$45 million last year.

How much of that additional \$7 million is a result of photo radar fines?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Madam Chairperson, I don't have that specific breakdown in front of me. I don't know if we specifically do that breakdown in Justice in terms of the revenue, but I'll check.

**Mr. Gerrard:** I thank the minister and I look forward to the follow-up. This question had been asked to the Minister of Finance (Mr. Selinger) and he'd referred to the Minister of Justice as the one who should know the answer, so I look forward to hearing it.

One of the questions about the photo radar, it's been a bit confusing, at least to many, as the minister knows. The people who had tickets in construction zones who didn't pay those tickets, at least for a certain period of time, and I'm not precisely sure what that period of time was, but those who didn't pay them are not now required to pay them, for the most part, but some people are being given letters by collection agencies and asked to pay them.

So I'm trying to understand what is happening here, why not all people are treated alike.

**Mr. Chomiak:** Madam Chairperson, the member has to understand that in law everyone is treated as an individual under individual circumstances. So that's the first thing the member has to understand. The second thing the member has to understand is that a judicial justice of the peace made a ruling with respect to The Highway Traffic Act that said a particular ticket was not valid if there were no

construction workers present. The Crown appealed that decision based on the fact that the wrong application of the law was made, and in fact the photo radar section does not specify that a worker has to be present. That was an evidentiary issue and, based on the evidentiary issue, the Crown then made a determination that, because there was an evidentiary problem with respect to that particular matter, all matters relating to that, the Crown ethically would not prosecute and would issue a stay of proceeding and contact individuals to issue a stay of proceeding.

In strict law, that does not mean the individuals could not be proven guilty. In fact, individuals have been proven guilty despite the lack of that evidence that was reviewed by the Crown. But, in an ethical view, the Crown decided that they would not prosecute those charges because of evidentiary issues. That was an ethical decision made by the Crown.

Subsequent to that, the appeal was dropped based on an evidentiary issue. Should the matter come up again in a court, the Crown would probably, if a ruling was made by a justice of the peace like that, they would probably appeal it based on the fact that that's not what the law said.

So I want to emphasize the fact that the charges were stayed based on evidence and were not stayed based on the presence or non-presence of construction workers because that was the matter that was under appeal. Each individual case varies.

Now we subsequently—I asked the City to change the provisions by which they operated photo radar, and subsequent to that we changed the regulations to ensure that only under certain conditions could photo radar be utilized.

Now, I also found out and made public—I suppose I didn't have to, but I did make public the fact that the tickets had gone up dramatically. When I found out and I questioned the efficacy of the photo radar ticket process, I was assured by both the chief of police and the mayor that appropriate steps had been taken to advise individuals with respect to the application of the law. As a result, individuals, if they paid a ticket or if they haven't paid a ticket, they ought to follow the directions and either appear in court and deal with the matter or they ought to pay their fines.

**Mr. Gerrard:** It's my understanding that there are something like 850 people on whom the charges

were dropped, but what are the boundaries of that group? That is to say, were they all people who had tickets in construction zones? Were they a period in time? What did this group consist of?

**Mr. Chomiak:** Lawyers from Prosecutions met with representatives of the Winnipeg Police Service and ACS Public Sector Solutions. It was learned the City had not been posting adequate signs to delineate the end of the construction zones. Section 257.1(2) of The Highway Traffic Act limits the usage of image capturing enforcement to detect speed violations to certain areas, including construction zones.

Section 11(1) of the image capturing enforcement regulation under The Highway Traffic Act defines a construction zone for the purpose of use of photo radar enforcement. That section defines construction zone as the portion of highway, amongst other things, identified as a construction or work zone by approved traffic control devices.

Following the meeting where the City of Winnipeg indicated they would post appropriate signs, Prosecutions reviewed the impact of the new information it had learned. It concluded that, in light of their knowledge that signs had not been placed at the end of construction zones, it would be inappropriate to proceed with existing prosecutions involving photo enforcement in those locations.

Having become aware that a piece of evidence required under the regulation was not available in those cases, Prosecutions concluded that those prosecutions should be stayed. Steps were taken to begin informing affected individuals of this decision. The new information did not affect the view of Prosecutions of the appropriateness of its appeal of the decision and continued to believe that the decision made by Justice Sundstrom is wrong in law.

\*(15:50)

**Mr. Gerrard:** The concern is this that I have a woman who approached me who, for everything she knows, she should fit into that group of 850 people, but instead of the charges being dropped, she's being taken to task by a collections agency. Can the minister explain why some people are being hounded by a collection agency and other people, the charges are dropped?

**Mr. Chomiak:** Having become aware of evidence required under the regulation was not available in some cases, Prosecutions concluded that those prosecutions should be stayed. The information of the absence of sign meant that they would not

proceed with prosecutions in those cases. In light of the new information, Prosecutions concluded it would have to stay the prosecution of those individuals. However, Prosecutions continues to believe that the January 2009 ruling was wrong in law and anticipates it will revisit this legal issue in a future case that does not have the evidentiary flaws presented by the absence of end signs.

An individual has an option to (a) fight the ticket, (b) pay the ticket. If they do fight the ticket, they have a 30-day appeal. If they appeal the case and win, obviously, they win. If they appeal the case and lose, then they have to pay the ticket. If the individual does not pay the ticket, as of the case in all sanctions, the department proceeds to administrative actions to ensure payment of the particular ticket.

The member hasn't indicated there were many cases where individuals—the chief of Winnipeg Police talked about individuals proceeding through construction zones at speeds of 120 kilometres per hour. The member would suggest, by his question, that individual should not pay a ticket.

I don't think the City of Winnipeg believes that. In fact, in the media releases indicated by the City of Winnipeg in this matter, it suggested several times, and I'll quote that during the three days of enforcement, 7,600 vehicles were monitored. Three hundred and forty-five violations occurred as a result of motorists speeding through the construction zone.

So, in my conversations with the chief of police, it was indicated that despite the fact that it was a construction zone and signage was in place, individuals were still speeding beyond the appropriate limits. That is a matter of evidence. That is a matter of fact. That is a matter of judicial interpretation, and we've proceeded accordingly. The decision made by Prosecutions was a decision based on evidence, and it is the requirement of the Minister of Justice to uphold in an unbiased fashion the provision of law and how the law is applied. That's what we have done.

**Mr. Gerrard:** In this case, the individual concerned was clocked at 78 kilometres an hour in an area that was normally 80 kilometres an hour, but because there was—it was on a Sunday, there were no workers present, but because there was a construction zone near there, she was over the 60 kilometres an hour which you would have when there is a construction zone and when there are workers present. So, from what I know, she would fit in the group of people

who the Crown would drop the charges, but in this case, for some reason, the charges have not been dropped and she's been taken to a collection agency. I'm just trying to understand why she's been apparently singled out.

**Mr. Chomiak:** I, by law, can't talk about individual cases. It's inappropriate, but I do want to indicate to the member that the regulation that we passed in this Legislature for use by the City of Winnipeg for construction zones did not indicate that construction workers quote, had to be present in order to have photo radar applied. That was not the law that we passed and the member was here when we passed the law, and I think, in fact, the member voted for it.

**An Honourable Member:** No, he did not.

**Mr. Chomiak:** The Member for River Heights indicated he did not vote for photo radar at all. The member indicated he did not support photo radar. That's fine, and I appreciate the member clarifying that.

With the exception of the Member for River Heights (Mr. Gerrard), that law was passed by this Legislature to apply to the City of Winnipeg for application by the City of Winnipeg and the City of Winnipeg police department. The judicial remedies and the administration of that is done by the Province and done by Prosecutions, and we follow the letter and the rule of the law in the particular instances that the Crown identified.

There were evidentiary issues. The Crown ethically thought it would be appropriate not to proceed with prosecutions in those cases where there was an evidentiary issue. The member must appreciate that the case must be proved all the time. The Crown has a duty to prosecute a case if there's a reasonable likelihood of conviction and it's in the public interest. That is the direction that the Crown must follow, and it is inappropriate for a political person to change that long-standing law, tradition and rule of separation of politics from judicial and prosecutorial discretion.

**Mr. Gerrard:** I will clarify one item. I had specifically indicated during the debate that I opposed the legislation not because I was necessarily opposed to photo radar under all circumstances, but because I felt that there were some flaws in the way the act was put together. So, my recollection, I was the only one in this Legislature opposed to it.

The concern here is in terms of treating people fairly. It was the minister who mentioned that people

who were having their charges dropped were those people who, as I'm understanding this, were caught by the photo radar passing through a construction zone where there were no workers present and they were going at a speed which was not excessive if there had been no construction zone. People who had excessive speeds did not have their charges dropped, but those who had speeds which would not have been excessive if there had been no construction there were the ones who had their charges dropped. Is that correct?

**Mr. Chomiak:** No, Madam Chairperson.

**Mr. Gerrard:** I give the minister one last time: 850 people, I think, had their charges dropped and the Minister of Justice is saying it wasn't the group of people that I thought it was. Which group of people was it?

**Mr. Chomiak:** Lawyers from Prosecutions division met with representatives in the Winnipeg Police Service and ACS Public Sector Solutions. At that meeting, it was learned that the City of Winnipeg had not posted adequate signs to delineate the end of the construction zones. Prosecutions reviewed the impact of the new information they had learned. It concluded that, in light of their knowledge that signs had not been placed at the end of construction zones, it would be inappropriate to proceed with existing prosecutions involving photo enforcement in those locations. Having become aware that a piece of evidence required under the regulation was not available in those cases, Prosecutions division concluded that these prosecutions should be stayed. Steps were taken to begin informing affected individuals of this decision.

**Mr. Gerrard:** I wonder if the Minister of Justice could provide a list of the locations where there were not appropriate signs which—

\* (16:00)

**Mr. Chomiak:** Madam Chairperson, I don't have the list of where photo radar is. The Crown was proceeding on charges. They looked at the evidence and determined, in the case they were looking at, there was not an appropriate sign. They, therefore, looked at all similar cases and said, we may not be able to prove the evidence, even though there have been convictions without signage, there have been guilty pleas without signage and there have been rulings without signage. But, in good faith, we don't think, since we don't have complete evidence, we will not proceed to prosecute those 800-plus charges,

and we decided to stay those 800-plus charges based on evidentiary issues, evidentiary being the inability to prove the presence of a sign.

**Madam Chairperson:** Is the committee ready for the question?

**Some Honourable Members:** Question.

**Madam Chairperson:** It has been moved by the Government House Leader (Mr. Chomiak), that the Committee of Supply concur in all Supply resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 2010, which have been adopted at this session by a section of the Committee of Supply or by the full committee.

Shall the motion pass?

**Some Honourable Members:** Pass.

**Madam Chairperson:** The motion is accordingly passed.

Committee rise. Call in the Speaker.

## IN SESSION

### Committee Report

**Ms. Bonnie Korzeniowski (Chairperson):** Mr. Speaker, the Committee of Supply has adopted a motion regarding concurrence in Supply.

I move, seconded by the honourable Member for St. Norbert (Ms. Brick), that the report of the committee be received.

*Motion agreed to.*

\* \* \*

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Finance, that this House concur in the report of the Committee of Supply respecting concurrence in all Supply resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 2010.

*Motion agreed to.*

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. Chomiak), that there be granted out of the Consolidated Fund for Capital Purposes the sum of \$1,315,979,000 for the fiscal year ending March 31, 2010.

*Motion agreed to.*

**Mr. Selinger:** I move, seconded by the Minister of Justice, that there be granted to Her Majesty for the public service of the province for the fiscal year ending March 31, 2010, out of the Consolidated Fund the sum of \$10,020,951,000 as set out in Part A, Operating Expenditure, and \$753,742,000 as set out in Part B, Capital Investment, of the Estimates.

Je propose que soient accordées à Sa Majesté, à partir du Trésor et afin de couvrir certaines dépenses de l'administration publique pendant l'exercice se terminant le 31 mars 2010, la somme de 10 020 951 000 dollars prévue dans la Partie A (Fonctionnement) et la somme de 753 742 000 dollars prévue dans la partie B (Investissements en immobilisations) de ce budget.

**Translation**

*I move that there be granted to Her Majesty for the public service for the fiscal year ending March 31, 2010, out of the Consolidated Fund, the sum of \$10,020,951,000 as set out in Part A, Operating Expenditure, and the sum of \$753,742,000 as set out in Part B, Capital Investment, of the Estimates.*

**Mr. Speaker:** It has been moved by the honourable Minister of Finance, seconded by the honourable Attorney General (Mr. Chomiak), that there be granted to Her Majesty for the public service of the province for the fiscal year ending March 31, 2010, out of the Consolidated Fund the sum of \$10,020,951,000 as set out in Part A, Operating Expenditure, and \$753,742,000 as set out in Part B, Capital Investment, of the Estimates.

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

**INTRODUCTION OF BILLS**

**Bill 33—The Appropriation Act, 2009**

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I move, seconded once again by the Minister of Justice (Mr. Chomiak), that Bill 33, The Appropriation Act, 2009; Loi de 2009 portant affectation de crédits, be now read a second time and be referred to a committee—

As I was saying, Mr. Speaker, I propose that it now be read a first time, so I can then read it a second time and be ordered for second reading immediately.

**Mr. Speaker:** It has been moved by the Minister of Finance, seconded by the honourable Attorney

General, that Bill 33, The Appropriation Act, 2009, be now read a first time and ordered for second reading immediately.

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

**SECOND READINGS**

**Bill 33—The Appropriation Act, 2009**

**Hon. Greg Selinger (Minister of Finance):** Oui, monsieur le Président, je suis le Ministre Selinger et, avec l'appui du Ministre Chomiak—

**Translation**

*Yes, Mr. Speaker, I am Minister Selinger and seconded by Minister Chomiak—*

**An Honourable Member:** St. Boniface

**Mr. Selinger:** Yes, yes, okay, je suis—oh, okay.

I move, seconded by the Minister Chomiak—propose que—Minister of Justice—sorry, we'll get the hang of this.

Je propose, avec l'appui du ministre de la Justice, que le projet de loi 33, la Loi de 2009 portant affectation de crédits; The Appropriation Act, 2009, soit maintenant lu une deuxième fois et renvoyé au Comité plénier.

**Translation**

*I move, seconded by the Minister of Justice, that Bill 33, The Appropriation Act, 2009, be now read a second time and be referred to the Committee of the Whole.*

**Mr. Speaker:** It's been moved by the honourable Minister of Finance, seconded by the honourable Attorney General, that Bill 33, The Appropriation Act, 2009, be now read a second time and be referred to the Committee of the Whole.

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** It's been moved by the honourable Minister of Finance, seconded by the honourable Attorney General, that Bill 33, The Appropriation Act, 2009, be now read a second time and be referred to the Committee of the Whole.

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

\* (16:10)

## INTRODUCTION OF BILLS

### Bill 34—The Loan Act, 2009

**Hon. Greg Selinger (Minister of Finance):** Oui, monsieur le Président, je propose, avec l'appui du ministre de la Justice, que le projet de loi 34, la Loi d'emprunt de 2009; The Loan Act, 2009, soit maintenant lu une première fois et que la deuxième lecture de ce projet de loi soit immédiatement ordonnée.

#### *Translation*

*Yes, Mr. Speaker, I move, seconded by the Minister of Justice, that Bill 34, The Loan Act, 2009, be now read a first time and ordered for second reading immediately.*

**Mr. Speaker:** It's been moved by the honourable Minister of Finance, seconded by honourable Attorney General, that Bill 34, The Loan Act, 2009, be now read a first time and ordered for second reading immediately.

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

## SECOND READINGS

### Bill 34—The Loan Act, 2009

**Hon. Greg Selinger (Minister of Finance):** Merci, monsieur le Président. Je propose, avec l'appui du ministre de la Justice, que le projet de loi 34, la Loi d'emprunt de 2009; The Loan Act, 2009, soit maintenant lu une deuxième fois et renvoyé au Comité plénier.

#### *Translation*

*Thank you, Mr. Speaker. I move, seconded by the Minister of Justice, that Bill 34, The Loan Act, 2009, be now read a second time and referred to the Committee of the Whole.*

**Mr. Speaker:** It has been moved by the honourable Minister of Finance, seconded by the honourable Attorney General (Mr. Chomiak), that Bill 34, The Loan Act, 2009, be now read a second time and be referred to Committee of the Whole.

**Mr. Rick Borotsik (Brandon West):** I normally would say that I'm pleased to be able to stand to speak to a particular act, but on this particular occasion, Mr. Speaker, I'm not that terribly pleased. As a matter of fact, I'm more desperate than anything

because what this does, this loan act, it gives the authority of the Finance Minister and the government of the day to once again go marching merrily along and borrowing a substantial amount of money and putting Manitobans and also Manitobans' children and their grandchildren in what I consider to be a substantial amount of debt that they're going to have to pay in the not too distant future.

The Loan Act speaks to debt. It speaks to the additional debt that is going to be incurred by this Province. We recognize already that this Province already has substantial debt, in fact, more debt than western Canadian provinces all put together have, Mr. Speaker. We have steadily increased the debt. As a matter of fact, not only have we increased the debt, but the Finance Minister and the government have, as of a recent bill, suggested that they don't even want to pay off the debt. They had a debt repayment schedule for the general purpose debt of the Province, but they don't want to pay that off. As a matter of fact, they want to go quite the opposite direction. They don't want to pay anything on the debt. It's like a credit card, but when you have a credit card bill and you run up a credit card, usually at the statement that you receive you get that little minimum payment amount that you have to make, and that's the minimum. That's not the maximum amount. You can pay it all off if you wish to, but that minimum amount, whether it be \$50 or \$100 or \$200 is the amount that this government doesn't even want to make a minimum payment on this credit card.

*Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair*

Now we are suggesting that now we're going to go further into debt without even paying minimum payments on our credit card. As a matter of fact, the debt that we have in this Province is getting to the point where it's almost intolerable. The debt back in 2004-2005 was \$15.8 billion and this projected budget of 2009-2010 takes it from \$15.8 billion to \$21.167 billion—\$21 billion of debt for the citizens of this great province of ours—almost \$20,000 per man, woman and child, and this Province is going to be saddled with this debt. This loans act allows them to get even more further into hock. Now that's the gross debt. I know the minister likes to talk about net debt, but net debt right now went from 2004 of \$10.7 billion to \$11.8 billion—\$1.1 billion more from 2004 to 2009-2010 budget, Madam Deputy Speaker,



debt that we can no longer afford in the Province of Manitoba.

\* (16:20)

It would be nice if the Province looked at efficiencies. It would be nice if the Province didn't waste money on foolish little enterprises like a new ID licence that's going to cost us \$13 million, like \$640 million that Manitoba Hydro's going to have to go into hock for to take a daffy detour down a west side for a Bipole III as opposed to the east side on Bipole III. That's where the government's energy should be, Madam Deputy Speaker, not in trying to borrow more money.

We talk about debt-to-GDP. The Minister of Finance (Mr. Selinger) takes great—he loves standing up and saying that our debt-to-GDP has been reduced by 25 percent since he took office. Well, the way he's heading right now, Madam Deputy Speaker, that 25 percent is going to be regained and more yet because there is no plan in place to repay the debt. There is no plan in place not to borrow more money. There's only a plan in place to borrow, borrow, borrow and we know that GDP is being reduced. We are in a recession. We do know that our GDP is going to go down, and right now the proposal is that we're going to have an increase in debt-to-GDP of up to 23 percent. I suggested, then, I mentioned to the minister that other provinces west of us have—at this time, Saskatchewan has a debt-to-GDP ratio of 6.3 percent. British Columbia has a debt-to-GDP ratio of 15.8 percent. Manitoba's is going up; it's now 23 percent. Debt-to-GDP is the benchmark that this Finance Minister likes to use. Well, on future budgets, I can assure you that debt-to-GDP is going to increase and Manitobans cannot afford it.

The Loan Act allows the minister to borrow more money and it's out of control. This minister's out of control; this government's out of control and, Madam Deputy Speaker, it has to stop at some point in time.

Thank you for allowing me to put that on the record.

**Mr. Kevin Lamoureux (Inkster):** I, too, wanted to put a few words on the record before this particular bill will, in all likelihood, pass, but I want to emphasize a couple of points.

First and foremost, Madam Deputy Speaker, we recognize that there is value at times for deficit

financing, to invest in terms of capital projects and so forth. As a whole, Manitobans can benefit greatly if, in fact, government uses and takes that responsibility seriously and acts accordingly.

*Mr. Speaker in the Chair*

That brings me to the second point. The second point clearly demonstrates—and the member from Brandon made reference to it—and that is the issue of Manitoba Hydro. I think that Manitoba Hydro and the expansion of Hydro speaks volumes in terms of the general direction that the government is taking the Province of Manitoba when it comes in terms of just wasteful thinking, wasteful thinking being defined as—there are three proposals that are there. All three proposals are viable, that should at the least be given serious consideration and there should be a debate that occurs that clearly identifies which direction—whether it's the east side, the west side or under Lake Winnipeg—is in the best interest of the taxpayers.

All of us should be concerned about it. I have a 17-year-old daughter and I have a 20-year-old son. I want them to feel proud of the province that we live in and feel that our province is going to continue to move forward into the future, that we're not destined to be a have-not province, Mr. Speaker. If government is responsible in its decision making and is prepared to put Manitobans ahead of its own party political interests, then I believe that there is value in terms of passing a bill of this nature. But, when you take a look at the amount of money, additional monies—we're not talking tens, we're talking about hundreds of millions of dollars—that is going towards Manitoba Hydro, yet we still do not have any sort of clear definition as to which direction or where we should be having the hydro lines, we should be concerned.

A very prominent New Democrat from the past, Dr. Ryan, talked about Lake Winnipeg. We know the technology is there. We have the west side, we have the east side. The government, for political purposes, seems to be stuck on that west side and until the government is able to discredit, legitimately discredit, the other alternatives that are there, this government will not have my confidence in terms of being able to spend wisely in dealing with loans for a capital project. Just because you have the access to that sort of money does not necessarily justify taking that money when you are spending irresponsibly. This government seems to be spending irresponsibly, Mr. Speaker, and all of us need to be concerned

about that because what we're really talking about is future generations. Our young people today are going to have to pay for bad decisions that this government makes today.

So, Mr. Speaker, with those few words, we raise up the caution flags. We want the government to demonstrate that it is spending smart in capital expenditures. To date, they have not been able to do that.

Thank you Mr. Speaker.

**Mr. Larry Maguire (Arthur-Virden):** It gives me an opportunity to speak to The Loan Act that's come forward, Bill 34, The Loan Act, 2009, brought forward by the Finance Minister today, and my colleagues have spoken to this.

My colleague from Brandon West acknowledged that there is a credit card use and abuse in this whole process that the government has. I want to just say that he's quite correct in his analogy that the government isn't even paying off the very minimum of the credit card that would come in your account every month, Mr. Speaker. They don't have to make that payment once a year, unlike homeowners who have a credit card that have to pay monthly.

They can't even meet the minimum obligations of less than a half of 1 percent in regard to the debt of the province—probably much less than that in regard to the \$20 million that they said they would pay in the budget five weeks ago, five weeks before they brought in the bill, Bill 30, Mr. Speaker; that is, was even allowed to be brought in because of the changes that they made to their own balanced budget legislation last year in Bill 38, which, by the way, I just wanted to correct the members across the floor today. They said they brought it in six months before it was passed. In fact, that bill didn't get passed until—and that was December—that bill didn't get passed until October, November last fall—October, I believe, it was. You know, that's only a month and a half before December. They can't even keep track of their own legislation.

Mr. Speaker, I just want to make the point that, while this government can't even make the minimum credit card payment that they've got, they've had tremendous amounts of money given to them in transfers and equalizations from the federal government. So, in a sense, what this government has been given is another credit card that they don't

have to even make any payments on. What one of us wouldn't like that in our homes to have your credit card that you're using, that you authorized through your banking agency, financial institution to use, and that you're making the monthly payments on it, but this government's also got another credit card that they don't have to be responsible for at all. They don't have to pay that \$4 billion back to the federal government. It is coming in transfers and equalizations.

I'll admit that transfer payments are across all provinces. The transfer payments do come to even Alberta, but equalization doesn't. While we've got about \$2 billion in transfers, we are all on top of that getting \$2 billion in equalization. So, if you want to be fair about it, Mr. Speaker, you can say that we have a \$2-billion line of credit with the federal government. A line of credit would suggest that it has to be paid back. We have a \$2-billion credit card that we don't have to pay back. This government has had the benefit of that for many, many years.

So, when we talk about, we think you should spend here, we think you should spend there, because sometimes we feel we have different priorities than the government, all we're trying to do is remind the government that their priorities need to be those that will drive the economic factors and provide social housing, health, education for people in this province, Mr. Speaker, in a very responsible manner.

I think that Manitobans are very, very aware of the situation that we're in the province. We talk about how we're in a situation of not—you know, you hear it once in a while, not from us on this side of the House, but the government keeps talking about, well, you know, we're lucky we aren't impacted by the recession as much as other provinces. I wonder where they'd be if our neighbouring provinces decided to turn that tap off, Mr. Speaker, in regard to what I just talked about.

You know, Mr. Speaker, in Bill 34, that we're just talking about here, it provides the authority of the government to borrow for the purposes other than to refinance debt, and it's increased by \$2.3 billion—increased by \$2.3 billion in this bill. I'm wondering how much more you need if you can go into debt by \$2.3 billion more on top of the \$2 billion in equalization payments that we're getting, that nobody west of Québec is getting in regard to these other equalization payments.

\* (16:30)

It always looks good when you can spend your way and when you've got a pot full of money that you can provide opportunities with, Mr. Speaker, and this government has misused and abused that.

As both my colleagues from Brandon West and Inkster have pointed out, there's a \$640-million hydro line going to go down the west side; that's \$640 million more than the line that would come down the east side. It's not more environmentally friendly. It has more line loss on it. It's a less reliable line than coming down the east side. It doesn't provide access to the First Nations people on the east side the way a line coming down the east side would, in spite of the fact that the government wants to build a road up the east side. It's just unbelievable that we could have a road, but we can't have a hydro line. I just think that's untenable.

In regard to our debt, I just want to say that with the \$21.167-billion debt that the Member for Brandon West (Mr. Borotsik) just pointed out that we have, which is coming right out of the minister's own budget, Mr. Speaker—it's why he has to bring this high level of appropriations in in The Loan Act in the first place—that \$20,000 debt, nearly \$20,000 each in Manitoba for a family of four—that's not for a family of four. That's \$80,000 for a family of four.

Just to provide a little bit of an example to my constituents and those in other areas of Manitoba as to why persons who have the opportunity to be in Manitoba, Mr. Speaker, or come to Manitoba wouldn't. The same family of four in Alberta, as opposed to the \$80,000 debt that they would take to pay off their share of the debt in Manitoba today—a family in Alberta would pay zero, because they have no debt in that province. They have a deficit in their budget that will be there this year, but they have no debt at this point. I only want to say that, if you go back to this, I would say that the present advice of the government—you know, they were elected on being tomorrow's NDP. Well, tomorrow's NDP has fallen back to being the old NDP.

They are now financing the Province the same way as Premier Pawley from '84-88 when he took the debt of this Province from \$1.4 billion to \$5.2 billion in four years, Mr. Speaker. I've used that example in this House many times, but it couldn't be any more appropriate than it is today when The Loan Act

comes before us calling on the ability to borrow another \$2.3 billion. As I said, it's about priorities, and having to do this on top of the \$2-billion credit card that they don't have to pay off anyway from the federal government in transfers is an extreme amount of money.

There's much, much more I could say in regard to Bill 30 or Bill 34 that we've got before us, but I know that other colleagues would perhaps like to have that opportunity and so I'll provide it at this time.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** It's been moved by the honourable Minister for Finance (Mr. Selinger), seconded by the honourable Attorney General (Mr. Chomiak), that Bill 34, The Loan Act, 2009, be now read a second time, and be referred to Committee of the Whole.

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

**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.

#### Formal Vote

**Mr. Gerald Hawranik (Official Opposition House Leader):** A recorded vote, Mr. Speaker.

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

Order. The question before the House is second reading of Bill 34, The Loan Act, 2009.

**Division**

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

**Yeas**

*Allan, Altemeyer, Bjornson, Blady, Blaikie, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lemieux, Mackintosh, Marcelino, McGifford, Melnick, Nevakshonoff, Oswald, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Whitehead, Wowchuk.*

**Nays**

*Borotsik, Briese, Cullen, Derkach, Driedger, Dyck, Faurchou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Pedersen, Rowat, Schuler, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 32, Nays 18.

**Mr. Speaker:** I declare the motion carried.

**Madam Clerk:** Mr. Speaker, there is an error. It is Yeas 32, Nays 19.

**Mr. Speaker:** For the information of the House, it was Yeas 32, Nays 19.

\* \* \*

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, insofar as we're in Committee of the Whole, it's 5 o'clock.

**Mr. Speaker:** The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 20, 2009

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>			
<b>Petitions</b>		Rural Health-Care Services Briese; Oswald	2185
Neepawa, Gladstone, Ste. Rose, McCreary– Family Doctors Briese	2175	<b>Members' Statements</b> Amanda Cathcart Briese	2186
Traffic Signal Installation–PTH 15 and Highway 206 Schuler	2175	Omand's Creek Clean-Up Altemeyer	2186
Education Funding Borotsik	2175	Portage Mutual Insurance Faurshou	2186
Provincial Nominee Program– 90 Day Guarantee Lamoureux	2176	Concours d'art oratoire Blady	2187
		Photo Radar Tickets Gerrard	2188
<b>Ministerial Statements</b>			
James Ernest Diack Chomiak	2176		
Hawranik	2176		
Gerrard	2177		
<b>Oral Questions</b>			
Photo Radar Tickets McFadyen; Doer	2177		
Goertzen; Chomiak	2178		
Gerrard; Chomiak	2184		
Photo Radar Hawranik; Lemieux	2179		
Hawranik; Chomiak	2180		
Department of Justice Goertzen; Chomiak	2180		
Community Hospitals Driedger; Oswald	2182		
Flood Victims Taillieu; Lemieux	2183		
Taillieu; Wowchuk	2183		
Mining Industry Jennissen; Rondeau	2185		
		<b>ORDERS OF THE DAY</b>	
		<b>GOVERNMENT BUSINESS</b>	
		<b>Committee of Supply</b> Concurrence Motion	2188
		<b>Introduction of Bills</b> Bill 33–The Appropriation Act, 2009 Selinger	2203
		Bill 34–The Loan Act, 2009 Selinger	2204
		<b>Second Readings</b> Bill 33–The Appropriation Act, 2009 Selinger	2203
		Bill 34–The Loan Act, 2009 Selinger	2204
		Borotsik	2204
		Lamoureux	2205
		Maguire	2206

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